



Monday, February 20, 2012
REGULAR COMMON COUNCIL MEETING

Notice of the 22nd meeting of the 2011-2012 Common Council at 7:00 p.m., Monday, February 20, 2012, in the Council Chambers of City Hall. Persons with disabilities who need accommodations to attend the meeting should contact the City Clerk's Office, at 828 Center Ave., Susan Richards, at 459-3361, as soon as possible.

1. OPENING OF MEETING

- 1.1 ROLL CALL
- 1.2 PLEDGE OF ALLEGIANCE
- 1.3 APPROVAL OF MINUTES
- 1.4 PUBLIC FORUM
- 1.5 MAYOR'S ANNOUNCEMENTS

2. CONSENT AGENDA

- 2.1 An R. O. submitting applications for Building Contractor Licenses already GRANTED.
- 2.2 An R. O. submitting various electrical licenses which have been issued.
- 2.3 An R. O. submitting various license applications.
- 2.4 An R. O. submitting quarterly report for the Fire Dept. for the period commencing October 1, 2011, and ending December 31, 2011.
- 2.5 An R. C. submitting a communication from McLario, Helm & Bertling, S.C. regarding their client, Frank S. Lubotsky, who was allegedly wrongfully imprisoned pursuant to a Writ of Commitment signed by the Municipal Court Judge.
- 2.6 An R. C. submitting a claim from Sharon K. Leider for alleged damages to her vehicle when a City truck was vacuuming leaves and backed into her parked vehicle.
- 2.7 An R. C. submitting the Harbor Centre Marina Balance Sheet from Operations dated October 31, 2011
- 2.8 An R. C. submitting a claim from Laurie Entringer for alleged damages to her vehicle when she turned left and drove over the island with the right front wheel on the northwest corner of Wilgus Rd. and Taylor Dr. handicapped island.
- 2.9 An R. C. submitting a claim from Carol Butzen for alleged injuries when she twisted and sprained her ankle and wrist in a pothole walking in the crosswalk at Superior Ave. and N. 11th St.
- 2.10 An R. C. submitting the Harbor Centre Marina Balance Sheet from Operations dated November 30, 2011
- 2.11 An R. C. submitting license applications for the period ending June 30, 2012 and June 30, 2013

2.12 An R. C. submitting license applications for the period ending June 30, 2012 and June 30, 2013

2.13 An R. C. repealing and recreating Subsection 66-72(7) of the Municipal Code so as to include specific construction work by or on behalf of the federal government as authorized by the Common Council to the exceptions to the City's noise ordinance

2.14 An R. C. repealing and recreating Note 1 to the schedule of plan examination and permit fees contained in Section 26-38 of the Municipal Code so as to include cost of labor in determining permit requirements for minor alterations and passing attached Substitute Ordinance.

2.15 An R. C. repealing, recreating and amending various provisions of Chapter 26 of the Municipal Code entitled "Buildings and Building Regulations" so as to reflect changes in Wisconsin Administrative Code designations and passing attached Ordinance.

3. REPORTS OF OFFICERS

3.1 An R. O. submitting the Building Inspection Report for January 2012. REFER TO PUBLIC PROTECTION AND SAFETY

3.2 An R. O. submitting various license applications. REFER TO LAW AND LICENSING

3.3 An R. O. submitting a communication from Peggy Clutts stating that fact that she is upset about the garbage fees and being charged double because her home is listed as a two family property. REFER TO PUBLIC PROTECTION AND SAFETY

3.4 An R. O. submitting a communication from Michael Brown requesting a waiver from the Sex Offender Residency restrictions in order to live at 611A Bell Ave. REFER TO PUBLIC PROTECTION AND SAFETY

3.5 An R. O. submitting a communication from Darnell Johnston requesting a waiver of the Sex Offender Residency restrictions in order to live at 1112 N. 11th St. REFER TO PUBLIC PROTECTION AND SAFETY

3.6 An R. O. submitting a Summons and Complaint in the matter of Kohler Credit Union vs. Haris Mackic et al. REFER TO SPECIAL COMMITTEE ON RISK MANAGEMENT

4. RESOLUTIONS

4.1 A RESOLUTION amending the city's bond schedule. SET FOR PASSAGE

4.2 A RESOLUTION authorizing the City Attorney to engage the services of special outside legal counsel to represent the Law & Licensing Committee and Common Council with regard to a quasi-judicial hearing regarding the suspension/revocation of Alcohol Beverage License No. 2704-El Gallo Giro (Efren Martinez, Agent), and authorizing payment for said services. SET FOR SUSPENSION AND PASSAGE

4.3 A RESOLUTION authorizing the City Attorney to engage the services of special outside legal counsel to represent the Law & Licensing Committee and Common Council with regard to quasi-judicial hearings regarding the suspension/revocation of "Class B" Alcohol Beverage License No. 2275-M.T. Wine Glass (The Grotto)(Mary H. Jacobson, Agent), "Class B" Alcohol Beverage License No. 2740-Mannings Irish Pub I (Thomas A. Manning, Agent) and "Class B" Alcohol Beverage License No. 1411-Tommys Bar (Diana Jill Drews, Agent), and authorizing payment for said services. SET FOR SUSPENSION AND PASSAGE

4.4 A RESOLUTION lifting the hiring freeze in order to hire temporary help Schedule X people in the City Clerk's office up until the November election. SET FOR PASSAGE

4.5 A RESOLUTION lifting the hiring freeze in order to hire a Wastewater Electro Mechanical Technician, Wastewater Maintenance Supervisor, Lead Plant Operator, Maintenance Mechanic, and Laborer II in the Department of Public Works. SET FOR PASSAGE

4.6 A RESOLUTION establishing the salary for the positions of Buildings/Grounds & MVD Superintendent and Superintendent Parks and Forestry. SET FOR PASSAGE

4.7 A RESOLUTION authorizing executing a one-year lease for the agricultural property in the William A. Haysen Industrial Park. REFER TO PUBLIC WORKS

4.8 A RESOLUTION authorizing the appropriate City officials to execute a Personal Property Sales Agreement for purchase of 10 Capstone Microturbines and related equipment from Wisconsin Power and Light Company. REFER TO FINANCE

4.9 A RESOLUTION authorizing exercising the City's option to repurchase certain lands in the Sheboygan Business Center. REFER TO FINANCE

4.10 A RESOLUTION approving the Capital Improvements Program recommended by the Capital Improvements Commission, for the period of 2012 and adopting the additional projects for implementation. REFER TO CITY PLAN COMMISSION

5. REPORTS OF COMMITTEES

5.1 An R. C. submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that Taxicab Operator's License #9425 be denied based upon her failure to accurately reveal all relevant convictions on her application and her record of violations related to the licensed activity. SET TO ACCEPT AND ADOPT

5.2 An R. C. submitting a communication from Paul Rutledge, President of Sheboygan Blue Line Association, wishing to submit official notification that they desire to extend their lease upon expiration of the current 10 year term which will expire in 2013. They are also seeking approval from the City to place a mortgage lien on the building and equipment located at 1202 S. Wildwood Ave. in order to purchase and install a new bleacher system that will enhance patron safety and increase seating in the arena. RE-REFER TO FINANCE

5.3 An R. C. re-establishing the salary schedule for the office of Mayor; recommends that the Subs. of Subs. of Gen. Ord. No. 40-11-12 be passed. SET TO ACCEPT AND ADOPT REPORT OF COMMITTEE AND PASS THE SUBS. OF THE SUBS. GEN. ORDINANCE

6. ORDINANCES INTRODUCED

6.1 AN ORDINANCE repealing and recreating sections 10-64 and 10-112 of the Municipal Code, relating to closing times at licensed establishments, so as to align city closing hours with the provisions of state law. SET TO SUSPEND AND PASS ORDINANCE

6.2 AN ORDINANCE amending Section 29-75 of the 1975 Sheboygan Municipal Code so as to delete the current Vehicle & Equipment Manager and one (1) Plant Operator WWTP in the Department of Public Works and create the job descriptions for the Vehicle & Equipment Supervisor and the Lead Plant Operator WWTP in the Public Works Department for the City of Sheboygan. LIES OVER

6.3 AN ORDINANCE repealing and recreating various portions of Chapter 26 of the Sheboygan Municipal Code so as to change the forfeiture structure for violations of the chapter. REFER TO PUBLIC PROTECTION AND SAFETY

6.4 AN ORDINANCE repealing and recreating Section 66-2 of the Sheboygan Municipal Code so as to change the forfeiture structure for violations of Chapter 66. REFER TO PUBLIC PROTECTION AND SAFETY

7. MATTERS LAID OVER

7.1 A RESOLUTION authorizing executing a one-year lease for the agricultural property in the Town of Wilson, formerly owned by John Poth, Jr. SET FOR PASSAGE

7.2 AN ORDINANCE establishing the salary for the Chief Administrative Officer. SET FOR PASSAGE

8. OTHER MATTERS AUTHORIZED BY LAW

9. CLOSED SESSION

9.1 "Motion to convene in closed session under the exemption provided in Section 19.85(1)(g), Wis. Stats., for the purpose of conferring with legal counsel for the City who is rendering oral advice concerning strategy

to be adopted by the City with respect to the pending 2011 tax assessment appeal of Claremont New Frontier Resort LLC, being Sheboygan County Circuit Court Case No. 11CV 0907."

10. RECONVENE IN OPEN SESSION

10.1 Possible action with respect to the matter discussed in closed session.

11. ADJOURN

In compliance with Wisconsin's Open Meetings Laws, this agenda was posted in the following locations more than 24 hours prior to the time of the meeting:

**City Hall 1st floor
Sheboygan County Admin. Bldg.
Mead Public Library
City's website**

*Susan Richards
City Clerk*