

“When all things are said and done, we realize that life is not always as we planned but we are required to do the best that we can with situations at hand.”

NOTICE OF THE ELEVENTH REGULAR MEETING OF THE 2011-2012 COMMON COUNCIL **AT 7:00 P.M., TUESDAY, SEPTEMBER 6, 2011,** IN THE COUNCIL CHAMBERS OF CITY HALL.

AGENDA

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

RESIGNATIONS

MAYOR'S APPOINTMENTS

PUBLIC FORUM

MAYOR'S ANNOUNCEMENTS

HEARINGS

1. For the proposed assessments for water lateral replacement in Broadway from S. 13th St. to S. 14th St.
2. For the proposed assessments for water lateral replacement in S. 13th St. from south of Indiana Ave. to Broadway.
3. For the proposed assessment for water main installation in Eisner Ave., 150' east of Huberts Circle to Lake Shore Rd.

CONSENT AGENDA

- 11 - 1 - An R. O. by the Bd. of Parks and Forestry recommending filing document submitting a communication from Danny Schulz stating his concerns about walking his dog on the beach and asking that signs be posted.

- 11 - 2 - An R. O. by the City Clerk granting various licenses.
- 11 - 3 - An R. O. by the City Clerk submitting, as a matter of record, a communication from Rockets for Schools announcing the 2012 dates for their event.
- 11 - 4 - An R. O. by the City Clerk submitting, as a matter of record, a communication from Scott Lewandoske being his statement that would have been said at the August 15th Council's Public Forum however he was ill and couldn't attend.
- 11 - 5 - An R. O. by the City Clerk submitting, as a matter of record, the election results from the August 16, 2011 Schuchardt Annexation referendum election as submitted by the Town of Sheboygan Clerk.
- 11 - 6 - An R. O. by the Development Manager stating that the Chamber of Commerce/Tourism Dept. is requesting permission to have a fireworks display in conjunction with the Nations Cup week activities planned for Sept. 13-18, 2011.
- 11 - 7 - A Res. by Ald. Boeldt and Dekker confirming police power in making an assessment for the water lateral replacement in S. 13th St. from south of Indiana Ave. to Broadway.
- 11 - 8 - A Res. by Ald. Boeldt and Dekker confirming police power in making an assessment for the water lateral replacement in Broadway from S. 13th St. to S. 14th St.
- 11 - 9 - A Res. by Ald. Roeseler and Versey confirming police power in making an assessment for water main installation in Eisner Ave., 150' east of Huberts Circle to Lake Shore Rd.

REPORTS OF OFFICERS II

To Be Referred:

- 11 - 10 - By Bldg. Inspection submitting a report of the Building Inspection Dept. for the month of June 2011. PUBLIC PROTECTION AND SAFETY
- 11 - 11 - By Bldg. Inspection submitting a report of the Building Inspection Dept. for the month of July 2011. PUBLIC PROTECTION AND SAFETY

- 11 - 12 - By the City Clerk submitting a communication from Wydell Vaughn requesting a waiver of the Sex Offender Residency restrictions in order to live at 2720 Superior Ave. PUBLIC PROTECTION AND SAFETY

- 11 - 13 - By the City Clerk submitting a communication from Neng Moua requesting a waiver of the Sex Offender Residency restrictions in order to live at 2812 Michigan Ave. PUBLIC PROTECTION AND SAFETY

- 11 - 14 - By the City Clerk submitting a communication from the Race Director of FATKATS requesting the use of Evergreen and Quarryview Parks for the 17th Annual Wigwam Mountain Bike Challenge on October 9, 2011. PUBLIC WORKS

- 11 - 15 - By the City Clerk submitting a communication from various neighbors near S. 18th St. and Camelot Blvd. requesting that stop signs be placed on the junction of S. 18th St. and Camelot Blvd. for safety reasons. PUBLIC PROTECTION AND SAFETY

- 11 - 16 - By the City Clerk submitting a communication from Alderperson Bohren being an article from the Milwaukee Journal/Sentinel entitled, "Brookfield Chiefs Cut Own Pay." SALARIES AND GRIEVANCES and STRATEGIC FISCAL PLANNING

- 11 - 17 - By the City Clerk submitting a communication from Andrew Sarber requesting a waiver to the Sex Offender Residency restrictions in order to live at 1322 N. 12th St. PUBLIC PROTECTION AND SAFETY

- 11 - 18 - By the City Clerk submitting a communication from Mike and Diane Warner stating that they believe that the correct action for the Council regarding the Mayor is to allow the recall effort to continue and live by the results of that effort, which will be the will of the people. COMMITTEE OF THE WHOLE

- 11 - 19 - By the City Clerk submitting a communication from Jeffrey Hermann being an article from the La Crosse Tribune entitled, "City Review Supports Fire Department Staffing Levels, Saying Cuts Would Affect Service." STRATEGIC FISCAL PLANNING

- 11 - 20 - By the City Clerk submitting a citizen complaint from Patrick Gillette regarding the conduct of the Mayor during the August 15, 2011 Council meeting. COMMITTEE OF THE WHOLE

- 11 - 21 - By the City Clerk submitting a claim from Denise Justinger for alleged damages to her vehicle when she went over the yellow paint that was being painted on the street with no warning signs of wet paint. SPECIAL COMMITTEE ON RISK MANAGEMENT
- 11 - 22 - By the City Clerk submitting a claim from Artisan and Trucker Casualty Co. ASO Matthew Holler for alleged damages to their vehicle when a City garbage truck struck their parked car. SPECIAL COMMITTEE ON RISK MANAGEMENT
- 11 - 23 - By the City Clerk submitting a claim from Todd Randall for alleged damages to his vehicle when a loose tire on Hwy. 42 did damage to his car. SPECIAL COMMITTEE ON RISK MANAGEMENT
- 11 - 24 - By the City Clerk submitting a Summons and Complaint in the matter of JFMI, LLC vs. City of Sheboygan. SPECIAL COMMITTEE ON RISK MANAGEMENT
- 11 - 25 - By the City Clerk submitting a Summons and Complaint in the matter of Walgreen Co. vs. City of Sheboygan. SPECIAL COMMITTEE ON RISK MANAGEMENT
- 11 - 26 - By the City Clerk submitting a Summons and Complaint in the matter of Claremont New Frontier Resort LLC vs. City of Sheboygan et al. SPECIAL COMMITTEE ON RISK MANAGEMENT
- 11 - 27 - By the City Clerk submitting a Summons and Complaint in the matter of American Family Mutual Insurance Co. vs. City of Sheboygan et al. SPECIAL COMMITTEE ON RISK MANAGEMENT
- 11 - 28 - By the Dep. Finance Director/Treasurer submitting the Harbor Centre Marina Balance Sheet from Operations dated June 30, 2011, as submitted by Skipper Marine. MARINA AND HARBOR
- 11 - 29 - By the Dep. Finance Director/Treasurer submitting the Harbor Centre Marina Balance Sheet from Operations dated July 31, 2011, as submitted by Skipper Marine. MARINA AND HARBOR

RESOLUTIONS INTRODUCED III

- 11 - 30 - By Ald. Hammond authorizing retaining outside legal counsel to represent the City in several real property assessment appeals and authorizing payment for said services.

- 11 - 31 - By Ald. Hammond authorizing entering into an Intergovernmental Cooperation Agreement with the City of Plymouth for IT services.
- 11 - 32 - By Ald. Hammond authorizing retaining outside legal counsel to represent the City in the matter of American Family Mutual Insurance Company against the City and authorizing payment for said services.
- 11 - 33 - By Ald. VanderWeele authorizing the appropriate City officials to submit a records retention/disposition schedule to the State Public Records and Forms Board for approval.

Lies Over:

- 11 - 34 - By Ald. Rindfleisch, Bohren, Matichek and Van Akkeren authorizing a transfer of appropriations in the 2011 Budget (establish revenue and appropriation for 2011 Community Development Block Grant Entitlement Program).

To Be Referred:

- 11 - 35 - By Ald. Hammond setting the rates for the provision of dedicated fire and medical services stand-bys provided to the public by the Sheboygan Fire Department. FINANCE and PUBLIC PROTECTION AND SAFETY

REPORTS OF COMMITTEES VI

- 11 - 36 - By Finance recommending filing various documents.
- 11 - 37 - By Law and Licensing recommending granting various licenses.
- 11 - 38 - By Finance recommending filing document submitting the Addendum to the Intergovernmental Cooperative Agreement for the allocation of costs for ongoing Spillman CAD/RMS maintenance and approving the addendum.
- 11 - 39 - By Pub. Prot. & Safety recommending filing document submitting the Addendum to the Intergovernmental Cooperative Agreement for the allocation of costs for ongoing Spillman CAD/RMS maintenance and approving the addendum.

- 11 - 40 - By Pub. Prot. & Safety recommending filing various documents.
- 11 - 41 - By Pub. Wks. recommending filing document submitting a communication from the Sheboygan Great Lakes Sports Fishermen's Club stating their concerns over the emergency ladders that are no longer accessible in the harbor as the water level has dropped.

REPORTS OF COMMITTEES VII

- 11 - 42 - By Law and Licensing recommending approval of the proposed City of Sheboygan Records Retention/Disposition Schedule.
- 11 - 43 - By Law and Licensing recommending denying Beverage Operator's License #8390 based upon her failure to accurately reveal all relevant convictions on the application, her record of violations related to the licensed activity, and her failure to cooperate with the committee.
- 11 - 44 - By Law and Licensing recommending denying Beverage Operator's License #9204 based upon record of violations related to the licensed activity, including additional violation information provided by Police at the Law and Licensing meeting.
- 11 - 45 - By Law and Licensing recommending granting various licenses.
- 11 - 46 - By Pub. Wks. recommending filing various documents regarding the 2011 Bituminous Resurfacing Program and rebidding the project next year.
- 11 - 47 - By Law and Licensing recommending granting various licenses.
- 11 - 48 - By Law and Licensing recommending denying Pawn Broker's License application #2832 (Patriot Pawn and Loan) based upon concerns regarding issues of public safety and protection and the criminal background of Krisandra Guell's business partners.

REPORT OF COMMITTEE VIII

- 11 - 49 - By Finance recommending authorizing entering into an Intergovernmental Cooperation Agreement with the Village of Kohler for IT services.
1. Res. No. 60-11-12 by Ald. Hammond authorizing entering into an Intergovernmental Cooperation Agreement with the Village of Kohler for IT services.

MATTERS LAID OVER XI

- 10 - 25 - R. O. No. 141-11-12 by the City Plan Commission amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to establish the Use District Classification of recently annexed property located west of Taylor Dr. and north of Indiana Ave.
1. Gen. Ord. No. 18-11-12 by Ald. Sampson amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to establish the Use District Classification of recently annexed property located west of Taylor Dr. and north of Indiana Ave.
- 10 - 26 - R. O. No. 142-11-12 by the City Plan Commission amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to establish the Use District Classification of recently annexed property located south of Erie Ave. and west of N. 28th St.
1. Gen. Ord. No. 19-11-12 by Ald. Sampson amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to establish the Use District Classification of recently annexed property located south of Erie Ave. and west of N. 28th St.
- 10 - 66 - Res. No. 59-11-12 by Ald. Roeseler, Kittelson, Dekker and Sampson lifting the hiring freeze in order to hire a Manager of Human Resources in the Human Resources Department.
- 10 - 61 - Gen. Ord. 22-11-12 by Ald. Roeseler, Kittelson, Dekker and Sampson amending the Municipal Code so as to delete the current Director of Human Resources and Labor Relations and create the job description of Manager of Human Resources in the Human Resources Department for the City of Sheboygan.

OTHER MATTERS AUTHORIZED BY LAW

- 11 - 50 - An R. O. by the City Clerk submitting a communication from the students of Oostburg Christian School requesting the honor of the Council members presence at their Honor Assembly of political representatives on Sept. 26th at 2 p.m.

- 11 - 51 - An R. O. by the City Clerk submitting a communication from Richard W. Suscha stating his upset with the press conference that attracted all the new media. COMMITTEE OF THE WHOLE

- 11 - 52 - An R. O. by the City Clerk submitting a communication from Benjamin Walker requesting a waiver from the Sex Offender Residency restrictions in order to move to 6 Seneca Trail. PUBLIC PROTECTION AND SAFETY

- 11 - 53 - An R. O. by the City Clerk submitting a communication from Immanuel Lutheran Church stating that they will be gathering in Deland Park on Sept. 11th at 1:30 p.m. for remembrance and recognizing the military, the Police and Fire Departments as well as EMS personnel.

- 11 - 54 - A Res. by Ald. Hammond amending Res. No. 189-10-11 authorizing entering into an agreement with Vandewalle & Associates to provide planning services to implement the key recommendations and economic initiatives of the Indiana Ave. District Redevelopment Plan. FINANCE

- 11 - 55 - A Res. by Ald. Hammond authorizing the issuance and sale of \$670,000 General Obligation Promissory Notes, Series 2011A.

- 11 - 56 - An Ord. by Ald. VanderWeele, Kath and Rindfleisch amending various sections of the Municipal Code so as to make changes to reporting, documentation, and other requirements of pawn shops in the City of Sheboygan. LIES OVER

- 11 - 57 - An R. O. by the City Clerk submitting a claim from Max Martinez for alleged damages to his home when a City tree fell on top of his roof, broke part of the roof, window and siding and part of the fence. SPECIAL COMMITTEE ON RISK MANAGEMENT

- 11 - 58 - A Res. by Ald. Hammond and Roeseler establishing the position of Chief Administrative Officer for the City of Sheboygan.

- 11 - 59 - A Res. by Ald. Hammond and Roeseler terminating the removal proceedings by the Common Council against Mayor Bob Ryan.
- 11 - 60 - A Res. by Ald. Rindfleisch authorizing the Common Council to engage the services of special outside legal counsel to represent the Council with regard to a quasi-judicial hearing and authorizing payment for said services.
- 11 - 61 - A Res. by Ald. Rindfleisch authorizing the Common Council to engage the services of special outside legal counsel to represent the City of Sheboygan in the role of special prosecutor with regard to a quasi-judicial hearing.
- 11 - 62 - An Ord. by Ald. Hammond and Roeseler creating Division 5 of Article III of Chapter 2 of the Municipal relating to the position of Chief Administrative Officer. SALARIES AND GRIEVANCES
- 11 - 63 - An Ord. by Ald. Hammond and Roeseler amending the Municipal Code so as to add/delete positions in the Mayor's Office and the Finance Department Table of Organization. SALARIES AND GRIEVANCES
- 11 - 64 - An R. O. by the City Clerk submitting a communication from 14 past Alderpersons and 1 past Mayor stating that the current Common council should make the hiring of a full-time City Administrator a priority. SALARIES AND GRIEVANCES

ADJOURN

SUSAN RICHARDS
City Clerk

SCR

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.

In compliance with Wis. Open Meeting Laws,
the agenda as been posted
in the following locations:
1st floor City Hall
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City's website