

“The dust will settle only when everyone agrees to stop kicking the dirt.”

NOTICE OF THE TWELFTH REGULAR MEETING OF THE 2011-2012 COMMON COUNCIL AT 7:00 P.M., MONDAY, SEPTEMBER 19, 2011, IN THE COUNCIL CHAMBERS OF CITY HALL.

AGENDA

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

CONFIRMATION OF MAYOR'S APPOINTMENTS

ELECTION OF BOARD OF WATER COMMISSIONER

PUBLIC FORUM

MAYOR'S ANNOUNCEMENTS

CONSENT AGENDA

12 - 1 - An R. O. by the Bd. of Parks and Forestry Commissioners recommending filing document regarding the possibility of annexing the entire Town of Wilson dog park parcel to the City of Sheboygan.

12 - 2 - An R. O. by the Bd. of Electrical Examiners submitting electrical contractor licenses which have been issued.

12 - 3 - An R. O. by the Bd. of Water Commissioners reporting that it has submitted an application to the Wisconsin Public Service Commission to increase water rates effective in early 2012.

- 12 - 4 - An R. O. by the City Clerk submitting a Temporary Class "B" license application for the Harbor Centre BID for an event on 8th St. during the Nations Cup on Sept. 15th which has already been issued.

- 12 - 5 - An R. O. by the City Clerk submitting a communication from the Sheboygan Professional Firefighters thanking the Council and the public for cooperating in making this year's MDA Fill the Boot so successful raising over \$9,700.

- 12 - 6 - An R. C. by the Sp. Com. on Risk Mgmt. recommending denying claim regarding a Notice from West Bend Insurance Co. for Workman's Compensation for Calvin Kesweder and directing the City Atty. to send a Notice of Disallowance.

- 12 - 7 - An R. C. by Law and Licensing recommending granting various licenses.

- 12 - 8 - An R. C. by Sp. Com. on Risk Mgmt. recommending denying claim from Jessica J. Miller for alleged damages to her vehicle when yellow paint got spattered on her vehicle when the City was repainting the lines and directing the City Atty. to send a Notice of Disallowance.

- 12 - 9 - An R. C. by Pub. Wks. recommending filing document submitting a communication from the City Atty. stating that the Town of Wilson is willing to annex the entire dog park parcel to the City of Sheboygan and approving the recommendation.

- 12 - 10 - An R. C. by Sp. Com. on Risk Mgmt. recommending filing document submitting a claim from Debbie Chapman for alleged damages to her vehicle when a City vehicle backed up into the front of her van and paying the claim in the amount of \$2,315.33.

- 12 - 11 - An R. C. by Com. of the Whole recommending filing various documents.

- 12 - 12 - An R. C. by Pub. Prot. & Safety recommending filing various documents.

- 12 - 13 - An R. C. by Pub. Prot. & Safety recommending filing document submitting a communication from various neighbors near S. 18th St. and Camelot Blvd. requesting that stop signs be placed at that junction for safety reasons and approving placement of a 4-way stop and direct that the proper documents be drafted.

- 12 - 14 - An R. C. by Pub. Wks. recommending filing document 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 Oct. 9th and approving the request.
- 12 - 15 - An R. C. by Sal. & Grievances recommending filing document submitting a communication from Ald. Bohren being an article from the Milwaukee Journal/Sentinel entitled, "Brookfield Chiefs Cut Own Pay"; recommends that the document be placed on file.
- 12 - 16 - An R. C. by Sp. Com. on Risk Mgmt. recommending filing 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 and approving paying claim in the amount of \$619.50.
- 12 - 17 - An R. C. by Sp. Com. on Risk Mgmt. recommending denying claim from Todd Randall for alleged damages to his vehicle when a loose tire on Hwy. 42 during the road work came up from a vehicle in front of him and sent in under Mr. Randall's car and directing the City Atty. to send a Notice of Disallowance.
- 12 - 18 - An R. C. by Law and Licensing recommending granting various licenses.
- 12 - 19 - An R. C. by Pub. Prot. & Safety recommending accepting a donation for, and naming the Fire Department's Survive Alive House.
1. Res. No. 62-11-12 by Ald. Kittelson accepting a donation for, and naming the Fire Department's Survive Alive House.
- 12 - 20 - An R. C. by Finance recommending 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 Avenue District Redevelopment Plan.
1. Res. No. 76-11-12 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 Avenue District Redevelopment Plan.

REPORTS OF OFFICERS II

To Be Referred:

- 12 - 21 - By the Building Insp. Dept. submitting their report for the month of August 2011. PUBLIC PROTECTION AND SAFETY

- 12 - 22 - By the City Clerk submitting a communication from Jr. Clark, President of the Sheboygan Softball Association, Inc., requesting that the City rebuild the bathrooms at Wildwood Park. PUBLIC WORKS

- 12 - 23 - By the City Clerk submitting a communication from Cliff Larsen (Great Grandson of Barney Haynes - crew member of the Lottie Cooper) wanting to donate a plaque with the names of the crew members to be placed in front of the ship so that would be the first thing people see when they approach the display. PUBLIC WORKS

- 12 - 24 - By the City Clerk submitting a communication from Marge Mattern stating her opinion regarding the issues of City Administrator/Mayor/requirements for hiring a City Administrator, etc. COMMITTEE OF THE WHOLE

- 12 - 25 - By the City Clerk submitting a communication from Mike Vandersteen stating that the request by the Rotary Clubs for the use of Evergreen Park as the site of a Christmas Lights project seriously challenges the continuation of the Ski Trail project. PUBLIC WORKS

- 12 - 26 - By the City Clerk submitting a communication from Mai Seng Xiong requesting a waiver from the Sex Offender Residency restrictions in order to live at 1218 St. Clair Ave. PUBLIC PROTECTION AND SAFETY

- 12 - 27 - By the City Clerk submitting a communication from Robert Nytes requesting a waiver from the Sex Offender Residency restrictions in order to move to 1220 S. 19th St. PUBLIC PROTECTION AND SAFETY

- 12 - 28 - By the City Clerk submitting a communication from Chris Jolitz requesting a waiver from the Sex Offender Residency restrictions in order to move to 1511 N. 19th St. PUBLIC PROTECTION AND SAFETY

- 12 - 29 - By the City Clerk submitting a communication from the Sheboygan County Rotary Clubs to utilize Evergreen Park and the Quarry Shelter commencing in 2012 for a Christmas Lights project. PUBLIC WORKS

RESOLUTIONS INTRODUCED III

- 12 - 30 - By Ald. Bohren authorizing the City of Sheboygan and its appropriate City officials to formally accept the following project: Western Interceptor Cure-In-Place Pipe & Manhole Rehabilitation Contract Contractor: Visu-Sewer, Inc., as part of the requirements with the Clear Water Fund Loan used to finance the project.
- 12 - 31 - By Ald. Bohren approving Memorandum of Understanding with Sheboygan County and the Wisconsin Dept. of Natural Resources for Sheboygan River Rehabilitation project.
- 12 - 32 - By Ald. Bohren authorizing a professional services agreement with S.E.H. for the design phase of the Sheboygan River Habitat Restoration project.
- 12 - 33 - By Ald. Rindfleisch, Bohren and Van Akkeren authorizing a transfer of appropriations in the 2011 Budget (establish appropriation for Sheboygan River Habitat Restoration with the WI Dept. of Natural Resources).

To Be Referred:

- 12 - 34 - By Ald. Bohren authorizing entering into contract with Sheboygan County Highway Dept., Sheboygan, WI, for the ditching and resurfacing of portions of S. 16th St., Pheasant Lane and Maple Lane. PUBLIC WORKS

REPORT OF COMMITTEE VII

- 12 - 35 - By Law and Licensing stating that they scheduled a Quasi-Judicial Hearing to determine whether the Beverage Operator License #9130 held by Mike Grunow should be suspended or revoked and stating the facts and findings of facts.
- 12 - 36 - By Pub. Prot. & Safety recommending filing Gen. Ord. No. 20-11-12 by Ald. Van Akkeren, Heidemann and Dekker repealing and recreating section of the Municipal Code so as to require notice to neighbors of an appeal pursuant to Section 7-265 of the Code.

REPORTS OF COMMITTEES VIII

- 12 - 37 - By Finance recommending setting the rates for the provision of dedicated fire and medical services stand-bys provided to the public by the Sheboygan Fire Department and passing the attached Substitute Resolution.
1. Subs. of Res. 75-11-12 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.
- 12 - 38 - By Com. of the Whole recommending 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.
1. Res. No. 77-11-12 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.
- 12 - 39 - By Com. of the Whole recommending 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.
1. Res. No. 78-11-12 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.
- 12 - 40 - By the Com. of the Whole creating Division 5 of Article III of Chapter 2 of the Municipal Code relating to the position of Chief Administrative Officer.
1. Gen. Ord. No. 24-11-12 by Ald. Hammond and Roeseler creating Division 5 of Article III of Chapter 2 of the Municipal Code relating to the position of Chief Administrative Officer.

12 - 41 - By the Com. of the Whole recommending amending Sec. 29-75 of the 1975 Sheboygan Municipal Code so as to add/delete positions in the Mayor's Office and the Finance Department Table of Organization and to amend the job description of the Chief Administrative Officer in order to have the Reports To: be changed to read "Reports To: Common Council with input from the Mayor".

1. Gen. Ord. No. 25-11-12 by Ald. Hammond and Roeseler amending Sec. 29-75 of the 1975 Sheboygan Municipal Code so as to add/delete positions in the Mayor's Office and the Finance Department Table of Organization

ORDINANCES INTRODUCED X

To Be Referred:

12 - 42 - By Ald. Kath and Kittelson annexing territory owned by the City to the City of Sheboygan, WI. CITY PLAN COMMISSION

MATTERS LAID OVER XI

11 - 20 - R. O. No. 166-11-12 by the City Clerk submitting a citizen complaint from Patrick Gillette regarding the conduct of the Mayor during the August 15, 2011 Council meeting.

11 - 74 - Res. No. 74-11-12 by Ald. Rindfleisch, Bohren, Matichek and Van Akkeren authorizing a transfer of appropriations in the 2011 Budget (establish estimated revenue and appropriation for 2011 Community Development Block Grant Entitlement Program).

11 - 56 - Gen. Ord. No. 23-11-12 by Ald. VanderWeele, Kath and Rindfleisch amending various sections of Sect. 94-131 of the Municipal Code so as to make changes to reporting, documentation, and other requirements of pawn shops in the City of Sheboygan.

OTHER MATTERS AUTHORIZED BY LAW

12 - 43 - An R. O. by the Dir. of Parking and Transit submitting a Property Damage Release due to a bus being totaled in an accident.

12 - 44 - An R. C. by Com. of the Whole making a favorable recommendation to the Council on the 2012 Benefits Proposal.

12 - 45 - An R. O. by the City Clerk granting various licenses.

12 - 46 - An Ord. by Ald. Rindfleisch amending Gen. Ord. No. 16-11-12 relating to wards and aldermanic districts in order to update the wards and districts as the State changed the redistricting lines.

MOTION TO CONVENE IN CLOSED SESSION under the exemption provided in Sec. 19.85 (1)(e), Wis. Stats. for the purpose of discussion, deliberation or formulation of negotiation strategies relative to possible collective bargaining agreements, where competitive and bargaining reasons require a closed session.

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 - 459-3361, as soon as possible.

In compliance with Wisconsin Open Meeting laws,
the agenda has been posted in the following locations:
City Hall, 1st floor
Mead Public Library
Sheboygan Cty. Admin. Bldg.
City's website