

COMMON COUNCIL

Official Proceedings of the 2011-2012 Common Council of the City of Sheboygan.

FOURTEENTH REGULAR MEETING

The Council met: Monday, October 17, 2011.

Mayor Bob Ryan in the Chair:

On call of the roll, the following Alderpersons were present:

Boeldt, Bohren, Carlson, Dekker, Hammond, Heidemann, Kath, Kittelson, Matichek, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey – 14.

Absent and Excused: Hammen – 1.

On motion by Alderperson Dekker and second by Alderperson Hammond, the reading of the minutes of the Thirteenth Regular Meeting held October 3, 2011, were approved as entered on the record, all Alderpersons present voting "Aye".

RESIGNATIONS

Ald. Eric C. Rindfleisch
2512 Cross Creek Dr., #C
Sheboygan, WI 53081

City Clerk Sue Richards
828 Center Avenue
Sheboygan, WI 53081

October 12, 2011

Re: Resignation of Ald. Eric Rindfleisch effective October 14, 2011.

City Clerk Sue Richards, Mayor Bob Ryan, City Attorney Steve McLean, and the Sheboygan Common Council: I hereby submit my resignation from the office of Alderperson for the 5th District and from my associated duties on the Sheboygan Common Council effective Friday, October 14, 2011. Beginning Monday, October 17, 2011 I will begin serving as Administrator/Clerk/Treasurer in the Village of Edgar, Wisconsin and will be ineligible for the office of Alderperson in Sheboygan as I will no longer be a resident here. I have enjoyed representing my constituents and working with you all; I wish everyone good luck as you continue to move Sheboygan forward.

Sincerely,

Eric C. Rindfleisch

On motion by Alderperson Dekker and second by Alderperson Hammond, the Resignation was accepted and filed, all Alderpersons present voting "Aye".

PUBLIC FORUM

Milt Storm, 1736 Marvin Ct. and Joanne Scribner, 3 Seneca Trl. spoke. Alderpersons Dekker and Versey granted Joanne Scribner an additional minute to speak.

TOURISM PRESENTATION

By Amy Wilson and George Twoig

UW – WHTIEWATER SURVEY RESULTS

ELECTION OF VICE PRESIDENT OF THE COUNCIL

A motion by Alderperson Dekker and second by Alderperson Roeseler was made to receive nominations from the floor, voting to be done by closed ballot, and if more than two candidates are nominated, the candidate with the lower number of votes be dropped from the list, and balloting to continue until one candidate receives a majority.

A motion by Alderperson VanAkkeren and second by Alderperson Roeseler was made to nominate Alderperson Hammond for Vice President of the Common Council.

A motion by Alderperson Bohren and second by Alderperson Heidemann was made to nominate Alderperson Versey for Vice President of the Common Council.

A motion by Alderperson Dekker and second by Alderperson Kittelson was made to close nominations.

On closed ballot, Alderperson Hammond won by a majority vote, for the Vice President of the Common Council.

MAYOR'S ANNOUNCEMENTS

October 17, 2011

On motion by Alderperson Dekker and second by Alderperson Hammond, the following documents notated with an asterick (*) were accepted and placed on file, accepted and adopted, or passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammond, Heidemann, Kath, Kittelson, Matichek, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey – 14.

Nays: None.

COMMUNICATIONS AND PETITIONS

Com. No. 14 - 11 - 12. October 17, 2011.

Submitting a communication from Kristin Blanchard regarding the various concerns and complaints she has received from customers and vendors about the past Farmers Market season.

Was referred to the Committee on Public Works.

REPORTS OF OFFICERS

*R. O. No. 229 - 11 - 12. By CITY CLERK. October 17, 2011.

Submitting various license applications.

TEMPORARY CLASS "B" LICENSE APPLICATION

<u>No.</u>	<u>Name</u>	<u>Address</u>
1030	Bethlehem Lutheran School	1121 Georgia Ave. – one-day event to be Held 10/22/11 in the gymnasium.

MASSAGE ESTABLISHMENT APPLICATION (December 31, 2011)

<u>No.</u>	<u>Name</u>
2868	Intouch

*R. O. No. 230 - 11 - 12. By CITY PLAN COMMISSION. October 17, 2011.

Your Commission to whom was referred Gen. Ord. No. 28-11-12 and R. O. No. 213-11-12 relative to granting Kurt Gruenewald the privilege of encroaching upon described portions of N. 26th St. located at 614 N. 26th St. in the City of Sheboygan for the purpose of building and maintaining a retaining wall; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, October 11, 2011, and after due consideration, recommends approval of the Ordinance and the Report of Officer be placed on file.

R. O. No. 231 - 11 - 12. By CITY CLERK. October 17, 2011.

Submitting a communication from Joe Rupnik, Executive Director of the City of Sheboygan Housing Authority, stating that the Housing Authority has made an offer to purchase a property located at 2205 Erie Ave. and one contingency of the sale is that it is approved by the Sheboygan Common Council.

Was referred to the City Plan Commission.

R. O. No. 232 - 11 - 12. By CITY CLERK. October 17, 2011.

Submitting an application from Sheboygan Oil Co., Inc. (Richard Guske) requesting an amendment of the Official Zoning Map to change the classification of property located at 1216 Union Ave. from NR Neighborhood Residential to NC Neighborhood Commercial Classification.

Was referred to the City Plan Commission.

R. O. No. 233 - 11 - 12. By CITY CLERK. October 17, 2011.

Submitting various license applications for the period ending June 30, 2012 and June 30, 2013.

Was referred to the Committee on Law and Licensing.

R. O. No. 234 - 11 - 12. By CITY CLERK. October 17, 2011.

Submitting a communication from Lester Pierce stating his concerns regarding the lack of safety at the intersection of 5th St. and Washington Ct. and is requesting stop signs at that location.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 235 - 11 - 12. By CITY CLERK. October 17, 2011.

Submitting a communication from the State of Wisconsin Department of Corrections filing an appeal to the Sex Offender Residency restriction on behalf of Marcelo DeLaCruz in order to place him at a Transitional Living Placement (TLP) at 1123/1125 N. 14th St. or 930A Michigan Ave. depending on availability.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 236 - 11 - 12. By CITY CLERK. October 17, 2011.

October 17, 2011

Submitting a communication from the State of Wisconsin Department of Corrections requesting a waiver of the Sex Offender Residency restrictions on behalf of Pheuk (pronounced Pug) Kue in order to place him at a Transitional Living Placement (TLP) residence located at 1123/1125 N. 14th St. or 931A Michigan Ave., based on availability.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 237 - 11 - 12. By CITY CLERK. October 17, 2011.

Submitting a communication from Benjamin Walker requesting a waiver to the Sex Offender Residency restrictions in order to live at 1714 Huron Ave. (upper).

Was referred to the Committee on Public Protection and Safety.

R. O. No. 238 - 11 - 12. By CITY CLERK. October 17, 2011.

Submitting a communication from Josie Ortiz regarding the treatment of her sister when trying to board a City bus.

Was referred to the Sheboygan Transit Commission.

R. O. No. 239 - 11 - 12. By CITY CLERK. October 17, 2011.

Submitting a claim from Jacob Paul Sutton for alleged damages to his vehicle when a City of Sheboygan sanitation truck hit his parked car while Mr. Sutton was in his home.

Was referred to the Special Committee on Risk Management.

R. O. No. 240 - 11 - 12. By CITY CLERK. October 17, 2011.

Submitting a claim from Juana Hernandez for alleged damages to his vehicle when, during a windy evening, a tree fell and damaged his vehicle.

Was referred to the Special Committee on Risk Management.

RESOLUTION INTRODUCED

***Res. No. 85 - 11 - 12. By Alderpersons Dekker and Boeldt. October 17, 2011.**

A RESOLUTION directing a public hearing to be held in connection with change of the City's Official Zoning Map for property located at 1216 Union Ave.

RESOLVED: That the City Clerk is hereby directed to publish the following notice in the official newspaper in accordance with the provisions of §62.23(7)(d) of the Wisconsin Statutes:

NOTICE OF PUBLIC HEARING ON AMENDMENT TO THE SHEBOYGAN ZONING ORDINANCE

Notice is hereby given that a public hearing will be held at 7:00 P.M., November 21, 2011, in the Council Chambers of the City Hall, Sheboygan, Wisconsin, to give persons an opportunity to be heard relative to the proposed amendment to the City of Sheboygan's Official Zoning Map. The purpose of the amendment is to change the Use District Classification of the following described property from Class NR Neighborhood Residential to Class NC Neighborhood Commercial Classification:

Property located at 1216 Union Ave., Section 27, T15N, R23E:

Lot 14, Blk. 5, Assessment Subd. No. 18, City of Sheboygan, Sheboygan County, Wisconsin

Res. No. 86 - 11 - 12. By Alderperson Roeseler. October 17, 2011.

A RESOLUTION accepting the agreements with Local 483, IAFF for 2012 – 2013 and 2014 – 2015, and authorizing the Collective Bargaining Committee and the Chairman of the Committee on Salaries and Grievances to sign the agreement.

RESOLVED: That the agreements with Local 483, IAFF for 2012 – 2013 and 2014 – 2015, a copy of which is on file in the office of the Human Resources Department, is hereby accepted and ratified.

BE IT FURTHER RESOLVED: That the members of the Collective Bargaining Committee and the Chairman of the Committee on Salaries and Grievances sign the agreement on behalf of the City of Sheboygan.

On motion by Alderperson Roeseler and second by Alderperson Hammond, the Resolution was passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammond, Heidemann, Kath, Kittelson, Matichek, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey – 14.

Nays: None.

Res. No. 87 - 11 - 12. By Alderpersons Boeldt and Dekker. October 17, 2011.

A RESOLUTION confirming the exercise of police power in making an assessment for a benefited property against which an assessment is proposed for the water lateral replacement at 1502-1502A S. 13th St. (parcel #403130).

WHEREAS an assessment was confirmed by Res. #64-11-12 on September 6, 2011 for a 1st lateral at \$80 per linear foot for an estimated footage of 16'; and

October 17, 2011

WHEREAS subsequently it was determined that the owner needs to have a larger service and desires to have a 1.5" diameter service instead, which will cost \$100 per linear foot rather than \$80; and

WHEREAS a Waiver of Special Assessment Notice and Hearing has been signed by all the owners of parcel #403130, admitting that their property is benefited by this improvement.

NOW THEREFORE BE IT RESOLVED: That this special assessment, prepared by the Board of Water Commissioners for the proposed water lateral at 1502-1502A S. 13th St., is hereby confirmed, and the City Clerk is authorized and directed to publish the notices required by law.

BE IT FURTHER RESOLVED: That the Board of Water Commissioners is hereby authorized and directed to carry out the work, and that payment, at this new rate, thereof be made by the owners of parcel #403130, as otherwise provided by Res. #64-11-12.

On motion by Alderperson Boeldt and second by Alderperson Dekker, the Resolution was passed, contingent on waiver being signed, on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammond, Heidemann, Kath, Kittelson, Matichek, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey – 14.

Nays: None.

Res. No. 88 - 11 - 12. By Alderperson Sampson. October 17, 2011.

A RESOLUTION adopting the Schuchardt Farms Conservation Plan to protect important resources on the site, while at the same time providing development opportunities to promote job creation goals of the City of Sheboygan.

Was referred to the City Plan Commission.

REPORTS OF COMMITTEES

***R. C. No. 198 - 11 - 12. By PUBLIC PROTECTION AND SAFETY. October 17, 2011.**

Your Committee to whom was referred Com. No. 13-11-12 submitting a communication from Robert Kuehl stating his concern about public safety on the corner of Taylor Dr. and Geele Ave., near the Field of Dreams soccer field and is requesting four-way stop signs; recommends that the document be placed on file.

***R. C. No. 199 - 11 - 12. By LAW AND LICENSING. October 17, 2011.**

Your Committee to whom was referred R. O. No. 167-11-12 and pursuant to R. O. No. 216-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that the following licenses be granted:

CHANGE OF PREMISE

<u>No.</u>	<u>Name</u>	<u>Address</u>
1040	Brennans	1101 Michigan Ave. – two-day event to be Held 10/22/11 & 10/23/11 to include the west side parking lot.

"CLASS A" FERMENTED MALT BEVERAGE LICENSE (June 30, 2012)

<u>No.</u>	<u>Name</u>	<u>Address</u>
2864	Bhupin MiniMart LLC	1030 S. 14 th St.

"CLASS B" LIQUOR LICENSES (June 30, 2012)

<u>No.</u>	<u>Name</u>	<u>Address</u>
2866	Night Moves(Reserved)	1210 Michigan Ave.

BEVERAGE OPERATOR'S LICENSE (June 30, 2013)

<u>No.</u>	<u>Name</u>
9300	Boutchard, Aimee M.
9342	Dekker, Zachary G.
9291	Drescher, Zachary J.
9338	Flores, Diane G.
9327	Gruenke, Elizabeth A.
9335	Landgraf, Kaylynn N.
9328	Lewis, Carrisa L.
9340	Malpica, Maritza
9337	Marti, Kevin J.
9330	Mullens, Jessica M.
9336	Pintor, Christine M.
9343	Schwanke, Kelly S.
9333	Williams, Joseph A.

TAXICAB DRIVER LICENSE APPLICATION (June 30, 2012)

<u>No.</u>	<u>Name</u>
------------	-------------

5356 Balassi, Christos G.
8676 Farmer, Shaun P.
9332 Soto, Julio
9341 Weber, Jeffrey D.

We further recommend that, by the adoption of this report, the City Clerk is hereby authorized and directed to issue the proper licenses.

***R. C. No. 200 - 11 - 12. By MARINA AND HARBOR. October 17, 2011.**

Your Committee to whom was referred the following:

1. R. O. No. 168-11-12 by the Deputy Finance Director/Treasurer submitting the Harbor Centre Marina Balance Sheet from Operations dated June 30, 2011, as submitted by Skipper Marine; and
2. R. O. No. 169-11-12 by the Deputy Finance Director/Treasurer submitting the Harbor Centre Marina Balance Sheet from Operations dated July 31, 2011, as submitted by Skipper Marine;

recommends that the Reports of Officer be accepted and placed on file.

***R. C. No. 201 - 11 - 12. By SPECIAL COMMITTEE ON RISK MANAGEMENT. October 17, 2011.**

Your Committee to whom was referred R. O. No. 181-11-12 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; recommends that the Report of Officer be placed on file and to pay the claim in the amount of \$2,928.82.

***R. C. No. 202 - 11 - 12. By SPECIAL COMMITTEE ON RISK MANAGEMENT. October 17, 2011.**

Your Committee to whom was referred R. O. No. 187-11-12 by the City Clerk submitting a claim from Max Martinez for alleged damages to his home when a City tree fell on top of the roof, broke part of the roof, window and siding and part of the fence; recommends that the claim be denied and to direct the City Attorney to send a Notice of Disallowance.

***R. C. No. 203 - 11 - 12. By PUBLIC PROTECTION AND SAFETY. October 17, 2011.**

Your Committee to whom was referred R. O. No. 218-11-12 by the City Clerk submitting a communication from Shawn and Holly Lamb requesting that a "Deaf Child in Area" sign be placed in their neighborhood for their daughter; recommends that the Report of Officer be accepted and placed on file and to direct that an ordinance be drafted adding the sign and provide a system by which the sign be removed should the Lamb family move.

***R. C. No. 204 - 11 - 12. By PUBLIC PROTECTION AND SAFETY. October 17, 2011.**

Your Committee to whom was referred the following:

1. R. O. No. 220-11-12 by the Fire Chief submitting his report of departmental activity for the period commencing April 1, 2011 and ending June 30, 2011; and
2. R. O. No. 221-11-12 by the Fire Chief submitting the Second Quarter 2011 EMS Quality Assurance and Quality Improvement Report (April 1, 2011 – June 30, 2011);

recommends that the Reports of Officer be accepted and placed on file.

R. C. No. 205 - 11 - 12. By SALARIES AND GRIEVANCES. October 17, 2011.

Your Committee to whom was referred the following:

1. A copy of R. O. No. 214-11-12 by the Finance Director/Treasurer submitting the summary of the 2012 Budget Requests for the Enterprise Funds, the Internal Service Funds, and the Trust Funds. The comparison is to the 2011 revised budget; and
2. A copy of R. O. No. 215-11-12 by the Finance Director/Treasurer submitting the summary of the 2012 Budget Requests for the General Fund, the Special Revenue Funds, the Debt Service Funds, and the Capital Project Funds. The comparison is to the 2011 revised budget;

recommends that the Reports of Officer be forwarded on to the Common Council with a positive recommendation regarding the Human Resources Department's proposed budget for 2012.

Was referred to the Committee on Finance.

R. C. No. 206 - 11 - 12. By FINANCE. October 17, 2011.

Your Committee to whom was referred the following:

1. R. O. No. 214-11-12 by the Finance Director/Treasurer submitting the summary of the 2012 Budget Requests for the Enterprise Funds, the Internal Service Funds, and the Trust Funds. The comparison is to the 2011 revised budget; and
2. R. O. No. 215-11-12 by the Finance Director/Treasurer submitting the summary of the 2012 Budget Requests for the General Fund, the Special Revenue Funds, the Debt Service Funds, and the Capital

Project Funds. The comparison is to the 2011 revised budget; recommends that the Reports of Officer be forwarded on to the Common Council with no action taken regarding the following departments: Tourism, City Development, Assessor, Senior Center, IT, City Clerk, Finance, Library and Marina and Harbor.

Was referred to the Committee on Finance.

R. C. No. 207 - 11 - 12. By PUBLIC WORKS. October 17, 2011.

Your Committee to whom was referred the following:

1. A copy of R. O. No. 214-11-12 by the Finance Director/Treasurer submitting the summary of the 2012 Budget Requests for the Enterprise Funds, the Internal Service Funds, and the Trust Funds. The comparison is to the 2011 revised budget; and
2. A copy of R. O. No. 215-11-12 by the Finance Director/Treasurer submitting the summary of the 2012 Budget Requests for the General Fund, the Special Revenue Funds, the Debt Service Funds, and the Capital Project Funds. The comparison is to the 2011 revised budget;

recommends that the Reports of Officer be forwarded on to the Common Council with an approval for the Public Works proposed 2012 budget.

Was referred to the Committee on Finance.

R. C. No. 208 - 11 - 12. By PUBLIC PROTECTION AND SAFETY. October 13, 2011.

Your Committee to whom was referred R. O. No. 214-11-12 by the Finance Director/Treasurer submitting a summary of the 2012 Budget Requests for the Enterprise Funds, the Internal Service Funds, and the Trust Funds and R. O. No. 215-11-12 by the Finance Director/Treasurer submitting a summary of the 2012 Budget Requests for the General Fund, the Special Revenue Funds, the Debt Service Funds and the Capital Project Funds; makes a favorable recommendation to the Common Council of the Police and Fire budgets as they stand.

Was referred to the Committee on Finance.

R. C. No. 209 - 11 - 12. By LAW AND LICENSING. October 17, 2011.

Your Committee met on October 6, 2011 and reviewed the proposed 2012 budget for the City Attorney's Office as set forth in the summary of the 2012 Budget Requests for the General Fund contained in R. O. No. 215-11-12 by the Finance Director/Treasurer dated October 3, 2011, which was referred to this Committee. The Committee approved said departmental budget without any changes.

Further, with respect to R. O. No. 214-11-12 by the Finance Director/Treasurer dated October 3, 2011, containing a summary of the 2012 Budget Requests for the Enterprise Funds, the Internal Service Funds, and the Trust Funds, the Committee reports back its approval.

Was referred to the Committee on Finance.

***R. C. No. 210 - 11 - 12. By LAW AND LICENSING. October 17, 2011.**

Your Committee to whom was referred, pursuant to R. O. No. 199-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that the following licenses be granted:

BEVERAGE OPERATOR'S LICENSE (June 30, 2013)

<u>No.</u>	<u>Name</u>
9309	Boreman, Mary A.
9312	Zelko, Jeffrey D.

TAXICAB DRIVER LICENSE APPLICATION (June 30, 2012)

<u>No.</u>	<u>Name</u>
6640	Maurer, Michael G.

We further recommend that, by the adoption of this report, the City Clerk is hereby authorized and directed to issue the proper licenses.

R. C. No. 211 - 11 - 12. By LAW AND LICENSING. October 17, 2011.

Your Committee to whom was referred, pursuant to R. O. No. 167-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that Beverage Operator's License application #9295 be denied based upon his failure to accurately reveal all relevant convictions on his application and his record of violations related to the licensed activity.

On motion by Alderperson VanderWeele and second by Alderperson Kath, the Report of Committee was accepted and adopted, on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammond, Heidemann, Kath, Kittelson, Matichek, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey – 14.

Nays: None.

R. C. No. 212 - 11 - 12. By LAW AND LICENSING. October 17, 2011.

Your Committee to whom was referred, pursuant to R. O. No. 167-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that Beverage Operator's License application #9294 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.

A motion by Alderperson VanderWeele and second by Alderperson Kath, was made to accept and adopt the Report of Committee, lost on call of the roll:

Ayes: Kath, VanderWeele – 2.

Nays: Boeldt, Bohren, Carlson, Dekker, Hammond, Heidemann, Kittelson, Matichek, Roeseler, Sampson, Van Akkeren, Versey – 12.

A motion by Alderperson Dekker and second by Alderperson Hammond was made to allow Melanie Krajniak of Q Mart #201 spoke and Monica Torres spoke.

On motion by Alderperson Roeseler and second by Alderperson Bohren to approve the license, passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammond, Heidemann, Kittelson, Matichek, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey – 13.

Nays: Kath – 1.

R. C. No. 213 - 11 - 12. By LAW AND LICENSING. October 17, 2011.

Your Committee to whom was referred, pursuant to R. O. No. 199-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that Beverage Operator's License application #9320 be denied based upon his failure to accurately reveal all relevant convictions on his application and his record of violations related to the licensed activity.

A motion by Alderperson VanderWeele and second by Alderperson Kath was made to accept and adopt the Report of Committee.

Marcelo Segovia spoke and the motion to re-refer to the Committee on Law and Licensing lost on call of the roll:

Ayes: Bohren, Carlson, Hammond, Matichek, Roeseler – 5.

Nays: Boeldt, Dekker, Heidemann, Kath, Kittelson, Sampson, Van Akkeren, VanderWeele, Versey – 9.

On motion by Alderperson VanderWeele and second by Alderperson Kath, the Report of Committee was accepted and adopted, passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Heidemann, Kath, Matichek, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey – 12.

Nays: Hammond, Kittelson – 2.

R. C. No. 214 - 11 - 12. By WHOLE. October 17, 2011.

Your Committee met and discussed adopting the Schuchardt Farms Conservation Plan to protect important resources on the site, while at the same time providing development opportunities to promote job creation goals of the City of Sheboygan; makes a favorable recommendation to the Common Council.

On motion by Alderperson Bohren and second by Alderperson Kittelson, the Report of Committee was accepted and adopted, on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammond, Heidemann, Kath, Kittelson, Matichek, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey – 14.

Nays: None.

***R. C. No. 215 - 11 - 12. By PUBLIC PROTECTION AND SAFETY. October 17, 2011.**

Your Committee to whom was referred Gen. Ord. No. 29-11-12 by Alderperson Versey amending Chapter 26-260 and 26-262 of the Municipal Code relating to permits and fees for renewable energy installation; recommends that the attached Substitute Ordinance be passed.

***R. C. No. 216 - 11 - 12. By PUBLIC PROTECTION AND SAFETY. October 17, 2011.**

Your Committee to whom was referred Gen. Ord. No. 30-11-12 by Alderperson Kittelson relating to stop signs so as to make the intersection of Camelot Blvd. and S. 18th St. a four-way stop intersection; recommends that the Ordinance be passed.

***R. C. No. 217 - 11 - 12. By PUBLIC PROTECTION AND SAFETY. October 17, 2011.**

Your Committee to whom was referred Gen. Ord. No. 31-11-12 by Alderperson Kittelson relating to two-hour limits so as to repeal Gen. Ord. No. 82-79-80 and change the parking limits in the 1600 block of the north side of Indiana Ave. to 30-minute parking limits; recommends that the Ordinance be passed.

ORDINANCES ON SECOND READING

***Gen. Ord. No. 28 – 11 – 12. By Alderpersons Kittelson and Kath. October 3, 2011.**

AN ORDINANCE granting Kurt Gruenewald, his heirs and assigns, the privilege of encroaching upon described portions of N. 26th St. located at 614 N. 26th St. in the City of Sheboygan for the purpose of building and maintaining a retaining wall.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Subject to the terms and conditions contained herein, Kurt Gruenewald, his heirs and assigns, is hereby granted the privilege of encroaching for the purpose of building and maintaining a retaining wall, into that part of N. 26th St. right-of-way adjacent to Lot 8 of Block 1, Fairway Hills Subdivision, located in Sect. 21, T.15N., R.23E., City of Sheboygan, Sheboygan County, Wisconsin being more particularly described as follows:

Commencing at the Southeast corner of said lot 8, thence north along the east line of said lot 8 27.90 feet to the point of beginning, thence continue north along said east line 23.50 feet, thence east 1.67 feet, thence south 23.50 feet, thence west 1.67 feet, to the point of beginning.

Commencing at the Southeast corner of said lot 8, thence north along the east line of said lot 8 71.80 feet to the point of beginning, thence continue north along said east line 23.50 feet, thence east 1.67 feet, thence south 23.50 feet, thence west 1.67 feet, to the point of beginning.

Said parcel contains 80.00 sq. ft., in accordance with the sketch attached hereto and made a part hereof.

Section 2. The privilege as granted above is granted only on the condition that by the acceptance of the privilege, the said Kurt Gruenewald, his heirs and assigns:

a. Shall become primarily responsible and liable for all and any damage to persons or property caused by and arising from the grant and exercise of such privilege.

b. Shall remove the encroachment allowed herein within ten (10) days after notice so to remove given by the State of Wisconsin or the City of Sheboygan; in the event of the failure so to remove, the said Kurt Gruenewald, his heirs and assigns: shall pay the costs of removal by the State of Wisconsin or the City of Sheboygan, waiving all claim or claims for damages resulting from such removal, whether the removal is done by the said Kurt Gruenewald, his heirs and assigns, (or by the State of Wisconsin or by the City of Sheboygan).

c. Shall pay such compensation to the City of Sheboygan for the grant of this privilege as may be determined by a board consisting of the Mayor, the Director of Public Works and the City Attorney; the compensation shall be paid into the General Fund.

d. Shall make such construction and/or alterations and maintain the same subject to the approval of the City Building Inspector and Director of Public Works, and shall waive the right to contest in any manner the validity of this ordinance or the amount of compensation charged.

Section 3. The provisions of §66.0425(1) thru (5) of the Wisconsin Statutes are incorporated herein by reference to all intents and purposes as if set out fully.

Section 4. The City Clerk is authorized and directed to record a certified copy of this ordinance in the office of the Register of Deeds for Sheboygan County, Wisconsin, the costs thereof to be charged to the General Fund.

Section 5. This ordinance shall take effect and be in full force from and after its passage and publication and upon payment of the consideration to be determined hereunder, provided, however, that in the event of failure to exercise the privilege herein granted and the payment of such consideration within six (6) months from the effective date hereof, then and in that event such privilege shall be rendered null and void.

***Subs. of Gen. Ord. No. 29 – 11 – 12. By Alderperson Versey. October 17, 2011.**

AN ORDINANCE amending Chapter 26-257 and 26-262 of the Municipal Code relating to electrical permits and the fees therefor.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Section 26-257 is hereby amended so as to create subsection (c), as follows:
“Sec. 26-257. Required.

...
(c) Before any electrical permit for an interactive energy installation may be issued pursuant to this article, the person applying for the permit shall provide written approval for such installation from the respective electrical utility company. An interactive energy installation is defined as an electrical system that operates in parallel with and may deliver power to an electrical production and distribution network.”

Section 2. Section 26-262 is hereby repealed and recreated to read as follows:
“Sec. 26-262. Fees.

The fees for permits and inspections required by the provisions of this article shall be as follows:

- (a) Standard fee
 - (1) Up to \$1,000.00 estimated cost of job. \$75.00
 - (2) Each additional \$1,000.00 or fraction thereof. . . . \$20.00

- (b) Exceptions
 - (1) New one and two family residences, per unit. . . . \$200.00
 - (2) Renewable energy installations
 - a. For one and two family residences, per unit. . . \$300.00
 - b. For all other installations
 - 1. Up to \$1,000.00 estimated cost of job. . . \$75.00
 - 2. Each additional \$1,000.00 or fraction thereof. \$10.00

(c) Additional fee for inspections requested outside of normally scheduled hours. \$100.00”

Section 3. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

***Gen. Ord. No. 30 – 11 - 12. By Alderperson Kittelson. October 3, 2011.**

AN ORDINANCE relating to stop signs so as to make the intersection of Camelot Blvd. and S. 18th St. a four-way stop intersection.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. G.O. No. 114-80-81, authorizing stop signs north and southbound on South 18th Street at Camelot Boulevard is hereby amended to provide that Camelot Boulevard is a through traffic artery only from the west line of South 12th Street to the east line of South 18th Street, and then from the west line of South 18th Street to the east line of South Business Drive

Section 2. Pursuant to Section 118-126 of the Municipal Code entitled, “Prohibitions and Restrictions Authorized”, the intersection of Camelot Boulevard and S. 18th Street is hereby made a four-way stop intersection.

Section 3. The Department of Public Works and the Police Department are hereby authorized and directed to add the sign(s) to give notification of the aforementioned change.

Section 4. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

***Gen. Ord. No. 31 – 11 - 12. By Alderperson Kittelson. October 3, 2011.**

AN ORDINANCE relating to two-hour limits so as to repeal Gen. Ord. No. 82-79-80 and change the parking limits in the 1600 block of the north side of Indiana Ave. to 30-minute parking limits.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Pursuant to Section 118-126 of the Municipal Code entitled, “Prohibitions and Restrictions Authorized”, the parking restrictions for the north side of Indiana Ave. from 115’ east of the east curb line of S. 17th St. to 254’ east of the east curb line, are hereby amended to reduce the parking time limit from 2-hours to 30-minutes. Said restriction shall now only be in effect 8 am to 5 pm except on Sundays and Holidays.

Section 2. The Department of Public Works and the Police Department are hereby authorized and directed to install signs to give notification of the aforementioned parking restriction.

Section 3. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

ORDINANCES INTRODUCED

Gen. Ord. No. 32 – 11 – 12. By Alderpersons Roeseler, Kittelson and Sampson. October 17, 2011.

AN ORDINANCE amending Section 29-75 of the 1975 Sheboygan Municipal Code so as to delete the current Planning & Development Specialist and create the Job Description of Community/Development Specialist in the City Development Department for the City of Sheboygan.

Lies over under the rules.

Gen. Ord. No. 33 – 11 – 12. By Alderpersons Roeseler, Versey, Kittelson, Sampson and Dekker. October 17, 2011.

AN ORDINANCE amending Section 29-75 of the 1975 Sheboygan Municipal Code so as to delete and add various positions to the Table of Organization in the Finance Department for the City of Sheboygan.

Lies over under the rules.

Gen. Ord. No. 34 – 11 – 12. By Alderpersons Roeseler, Versey, Kittelson, Sampson and Dekker. October 17, 2011.

AN ORDINANCE amending Section 29-75 of the 1975 Sheboygan Municipal Code so as to delete and add various positions to the Municipal Court Table of Organization for the City of Sheboygan.

Lies over under the rules.

October 17, 2011

Gen. Ord. No. 35 - 11 - 12. By Alderpersons Hammond, Bohren, Matichek and Van Akkeren. October 17, 2011.
An **ORDINANCE** amending subsection 2-873 (a) of the Sheboygan Municipal Code so as to provide for a petty cash fund for the City Clerk's office.
Lies over under the rules.

Gen. Ord. No. 36 - 11 - 12 By Alderperson Sampson. October 17, 2011.
An **ORDINANCE** adopting the Comprehensive Plan of the City of Sheboygan, Wisconsin.
Lies over under the rules to December 5th.

Gen. Ord. No. 37 - 11 - 12. By Alderpersons Dekker and Boeldt. October 17, 2011.
An **ORDINANCE** amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification of property located at 1216 Union Ave. from NR Neighborhood Residential to NC Neighborhood Commercial Classification.
Was referred to the City Plan Commission.

Gen. Ord. No. 38 - 11 - 12. By Alderperson Bohren. October 17, 2011.
An **ORDINANCE** amending Sections 122-403, 122-404 and 122-405 of the Municipal Code relating to sewers and sewerage disposal.
Was referred to the Committee on Public Works.

Gen. Ord. No. 39 - 11 - 12. By Alderpersons Boeldt, Bohren and Heidemann. October 17, 2011.
An **ORDINANCE** re-establishing the salary schedule for the office of Mayor.
Was referred to the Committee on Salaries and Grievances. (Part-time)

Gen. Ord. No. 40 - 11 - 12. By Alderpersons Bohren, Heidemann, Kath and Versey. October 17, 2011.
An **ORDINANCE** re-establishing the salary schedule for the office of Mayor.
Was referred to the Committee on Salaries and Grievances. (Full-time)

MATTERS LAID OVER

R. O. No. 212 - 11 - 12. By CITY CLERK. October 3, 2011.
Submitting various license applications.

TEMPORARY BEVERAGE OPERATOR'S APPLICATION

<u>No.</u>	<u>Name</u>
8164	Krause, Steven D.
8393	Strukel, Frank K.

On motion by Alderperson Dekker and second by Alderperson Versey, the Report of Officer was accepted and placed on file and the licenses were granted, all Alderpersons present voting "Aye".

There being no further business, on motion by Alderperson Dekker and second by Alderperson Hammond, the meeting was then adjourned, all Alderpersons present voting "Aye".

Mayor

City Clerk