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COMMON COUNCIL

Official Proceedings of the Common Council of the City of Sheboygan.

ELEVENTH REGULAR MEETING

The Council met: Tuesday, September 6, 2005.

Mayor Juan Perez in the Chair:

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

Baumann, D. Berg, E. Burg, Cerda, Davis, Graf, Kittelson, Manny, Meyer, Montemayor, Radtke, Segalle, Stephen, Suscha, Van Akkeren, VanderWeele--16.

Absent and excused: None.

On motion by Alderperson Graf and second by Alderperson Burg, the reading of the minutes of the Tenth Regular Meeting held August 15, 2005 and the Special Council Meeting held August 17, 2005, were dispensed with, and the minutes were approved as entered on the record, all Alderpersons voting "Aye".

RESIGNATION

August 17, 2005

The Honorable Mayor Juan Perez
City Hall
828 Center Avenue
Sheboygan, WI 53081

Dear Honorable Mayor Perez:

It is with this letter that I am notifying you of my retirement effective December 31, 2005, at 5:00 p.m.

Thirty-three years ago, I walked into Station #1 as a rookie. I was very excited about my future of fighting fires and saving lives as a firefighter in the City of Sheboygan. My career led me from Firefighter to Fire Equipment Operator, Leadman, Lieutenant, Captain, and then Chief - in retrospect, a career that has passed all so quickly. I was proud and honored to serve in all capacities, but my biggest challenge was that of Fire Chief.

The men and women of the Sheboygan Fire Department are very dedicated and serve the citizens with commitment and respect. I feel I will be leaving this department a better place with higher morale, and ready to face the tough times ahead.

For your information, I have also officially served a letter to the Fire & Police Commission, informing them of my retirement date. It will be hard to walk out this door after so many years.

I have achieved my long term goal, and with good health in my favor, it is time to retire.

Respectfully submitted,

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MARK D. ZEIER
Fire Chief
SHEBOYGAN FIRE DEPARTMENT

On motion by Alderperson Manny and second by Alderperson Montemayor, the retirement letter was accepted and placed on file, all Alderpersons voting "Aye."

CONFIRMATION OF MAYOR'S APPOINTMENTS

August 15, 2005

HONORABLE MEMBERS OF THE COMMON COUNCIL:

I hereby submit the following appointment for your consideration:

Cleo Messner to be considered for appointment to the Historic Preservation Commission to fill the member position of Gene Davis. Cleo Messner's term will expire on 4/30/08.

I would also like to request the removal of Ald. Marilyn Montemayor from the Strategic Fiscal Planning Committee so as to abide by Res. No. 19-04-05 which deleted the Chairman of the Committee of the Whole as a member.

JUAN PEREZ, MAYOR

On motion by Alderperson Burg and second by Alderperson Graf, the appointment was confirmed, all Alderpersons voting "Aye."

August 15, 2005

HONORABLE MEMBERS OF THE COMMON COUNCIL:

I hereby submit the following appointment for your consideration:

Chuck Butler to be considered for appointment to the Coalition Ambulance Quality Assurance Committee to fill the unexpired term of Steve Schueffner whose term expires 4/30/06.

JUAN PEREZ, MAYOR

On motion by Alderperson Graf and second by Alderperson Meyer, the appointment was confirmed, all Alderpersons voting "Aye."

PUBLIC FORUM

Eric Edson, 3612 Rosewood Ct.; Dimple Adams, 1424 Virginia Ave. and John Boerner, 1919 Broadway spoke at the Public Forum.

CERTIFICATE OF RECOGNITION

Officer Melanie Schmidt, Firefighter Gary Kolberg and Andrew Kahalaf were presented with Certificates of Recognition by Mayor Juan Perez for

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outstanding service in saving the life of a patron at a local business.

MAYOR'S COMMENTS

Mayor Juan Perez and Finance Director/Treasurer Richards Gebhart spoke about the 2006 Budget.

HEARING

Hearing No. 23 - 05 - 06. September 6, 2005.

The Mayor announced that pursuant to a notice published and personal notices sent by the City Clerk, there is a hearing scheduled for this evening to amend the City of Sheboygan Official Zoning Map to change the Use District Classification of the following described property from Class HI Heavy Industrial to Class SC Suburban Commercial Classification:

Property located at 2838 Washington Ave. described as follows:

BEING PART OF THE SE 1/4 OF THE SE 1/4 OF SECTION 33, T. 15 N., R. 23 E. IN THE CITY OF SHEBOYGAN, SHEBOYGAN COUNTY, STATE OF WISCONSIN. BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 33, THENCE N 00°34'17" E ALONG THE EAST LINE OF SAID SECTION 670.10' THENCE S 89°51'53" W 341.94' TO THE POINT OF BEGINNING, THENCE CONTINUING S 89°51'53" W 461.60', THENCE S 00°08'26" E 130.00', THENCE S 39°56'29" E 117.06' TO THE NORTH R/W LINE OF WASHINGTON AVENUE, THENCE NORTH AND EAST ALONG SAID NORTH R/W LINE THE FOLLOWING COURSES, N 50°03'30" E 55.55', THENCE NORTHEASTERLY 201.05' ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 969.12' AND A CHORD WHICH BEARS N 56°00'05" E 200.69', THENCE N 28°03'20" W 20.00', THENCE NORTHEASTERLY 42.58' ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 989.12' AND A CHORD WHICH BEARS N 63°10'40" E 42.58', THENCE S 25°35'20" E 20.00', THENCE NORTHEASTERLY 150.18' ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 969.12' AND A CHORD WHICH BEARS N 68°51'02" E 150.03' TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 47,429.55 SQ. FT. OR 1.089 ACRES.

All interested persons will now be heard.

No persons appeared regarding the above hearing and on motion by Alderperson Graf and second by Alderperson Berg, the hearing was declared closed, all Alderpersons voting "Aye."

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

Ayes: Baumann, D. Berg, E. Burg, Cerda, Davis, Graf, Kittelson, Manny, Meyer, Montemayor, Radtke, Segalle, Stephen, Suscha, Van Akkeren, VanderWeele-16.

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Nays: None.

COMMUNICATIONS AND PETITIONS

Com. No. 51 - 05 - 06. September 6, 2005.

Submitting a communication from William Bolgert regarding moving the dog run to the beach frontage at the end of High Ave. as there is plenty of room for parking and plenty of room for dogs to run.

Was presented to the Common Council by Alderperson Cerda.

Was referred to the Board of Parks and Forestry Commissioners.

Com. No. 52 - 05 - 06. September 6, 2005.

Submitting a communication from Mark and Bonnie Briese, 2430 Erie Ave., regarding a concern they have with an improper parking ticket they received at the Marina on Saturday, July 30, 2005.

Was presented to the Common Council by Alderperson Baumann.

Was referred to the Committee on Public Protection and Safety and the Committee on Public Works.

Com. No. 53 - 05 - 06. September 6, 2005.

Submitting a communication from James Bohren presenting an article that ran in the Milwaukee Journal/Sentinel on August 26th regarding a law that has passed allowing Cities to disband their police departments.

Was presented to the Common Council by Alderperson Graf.

Was referred to the Committee on Public Protection and Safety.

Com. No. 54 - 05 - 06. September 6, 2005.

Submitting a communication from Mrs. Ruth Heller, 1522 S. 25th St., requesting a flat, blacktop surface from her neighborhood to the area near Aldi's and the Kohler Credit Union so that her and neighbors would be able to safely walk to and from those locations.

Was presented to the Common Council by Alderperson Graf.

Was referred to the Committee on Public Protection and Safety and the Committee on Public Works.

Com. No. 55 - 05 - 06. September 6, 2005.

Submitting a communication from Carol Robinson, 1637 N. 13th St., regarding concerns with safety issues and the fact that street lights are being blocked by trees on the west side of N. 13th St. about in the middle of the street. The rest of the street is very dark and there has been some suspicious activity in the neighborhood lately and correcting this may help.

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Was presented to the Common Council by Alderperson VanderWeele.

Was referred to the Committee on Public Protection and Safety and the Committee on Public Works.

Com. No. 56 - 05 - 06. September 6, 2005.

Submitting a communication from Jon Ripple, 2330 S. 17th St., requesting additional signage of the intersection of Martin Ave. and N. 14th St.

Was presented to the Common Council by Alderperson Montemayor.

Was referred to the Committee on Public Protection and Safety.

Com. No. 57 - 05 - 06. September 6, 2005.

Submitting a communication from Gene Wilhelm, 1513 Michigan Ave., stating that there are virtually no street lights on Michigan Ave. from N. 14th St. west to the Vollrath Company and is requesting that the City install lighting similar to the street lighting in the historical area of Michigan Ave. for the safety of the residents.

Was presented to the Common Council by Alderperson Montemayor.

Was referred to the Committee on Public Works.

Com. No. 58 - 05 - 06. September 6, 2005.

Submitting a communication from Marsha Ries, 1320 Maryland Ave. and Stephanie Soerens, 1320A Maryland Ave., stating that they are "sick and tired of being pushed aside" and requesting that the Mayor and Council listen to the neighborhood spokesperson Gina Steinhardt and solve the issues that they face.

Was presented to the Common Council by Alderperson Van Akkeren.

Was referred to the Committee of the Whole.

Com. No. 59 - 05 - 06. September 6, 2005.

Submitting a communication from John Winter, 2213 Broadway, stating recent events with the Common Council such as the VanderVaart site for the new Police Station, the Municipal Court, the Chamber of Commerce, the 5th Fire Station and the N. 23rd St. site for the Police Station and stating his concerns that the course this administration and Council are taking is not what is in the best interests of this community with regards to fiscal matters.

Was presented to the Common Council by Alderperson Cerda.

Was referred to the Committee of the Whole.

Com. No. 60 - 05 - 06. September 6, 2005.

Submitting a communication from Betty Davis concerning issues in the

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area of S. 13th and Maryland Ave. with broken windows, etc. and stating that Dean from Building Inspection and the Police Department have been contacted.

Was presented to the Common Council by Alderperson Van Akkeren.

Was referred to the Committee of the Whole.

Com. No. 61 - 05 - 06. September 6, 2005.

Submitting a communication from Roger and Candise Tykac stating that they support Gina Steinhardt in her effort to clean up and improve their neighborhood and that her efforts are appreciated and should not go unnoticed.

Was presented to the Common Council by Alderperson Van Akkeren.

Was referred to the Committee of the Whole.

REPORTS OF OFFICERS

*R. O. No. 237 - 05 - 06. By BOARD OF PARKS AND FORESTRY COMMISSIONERS.
September 6, 2005.

Your Commission to whom was referred the following:

1. Com. No. 39-05-06 submitting a communication from Wendy Safranski in favor of having a beach area/dog run and suggesting checking other communities to find out what they have to offer;
2. R. O. No. 183-05-06 by the City Clerk submitting a communication from Debbie Desmoulin asking the Council to consider her daughter's letter to the Sheboygan Press regarding reasons to allow leashed, well-behaved dogs to be accepted in all natural areas in the City; and
3. R. O. No. 220-05-06 by the City Clerk submitting a communication from Robert J. Thomas, Jr., regarding his and his family's desire to dedicating a portion of a park, a park bench, a tree, something in honor of his grandmother who was born in 1918 in Sheboygan;

recommends that the documents be accepted and placed on file.

*R. O. No. 238 - 05 - 06. By BOARD OF WATER COMMISSIONERS.
September 6, 2005.

We, hereby, submit the Board of Water Commissioners' Report on the Water Utility for the second quarter of 2005.

The water pumpage was down 0.5% from the same period in 2004. 1,232,461,000 gallons were pumped in the second quarter, compared to 1,238,357,000 in 2004.

Revenue increased \$194,458 from the same period in 2004. The net income for the Utility, as of the end of June 30, 2005 is \$244,176. Details are shown on the attached Income Statement and Balance Sheet.

Construction-Maintenance:

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Construction-maintenance work by the Water Utility during the second quarter of 2005:

Number of feet of 4 inch water main installed	22
Number of feet of 6 inch hydrant lead installed	177
Number of feet of 6 inch water main installed	49
Number of feet of 8 inch water main installed	540
Number of feet of 10 inch water main installed	7
Number of feet of 12 inch water main installed	711
Number of feet of 16 inch water main installed	1,042
Number of feet of 20 inch water main installed	0
Number of feet of 24 inch water main installed	366
Number of feet of water main abandoned or removed.....	3,959
Number of water main breaks repaired	1
Number of fire hydrants installed, replaced, relocated, removed, flushed, or major repairs made.....	234
Number of water main valves installed, repaired, removed, or replaced	56
Number of water service connections installed	7

Details are shown on the attached spreadsheets.

Other Utility Business:

During the 2nd Quarter of 2005 the Utility began the process of soliciting information and determining estimated costs and funding sources or future reservoir construction on the Erie Avenue and I-43 property acquired during the 1st Quarter of this year.

The Utility's health insurance plan was renewed in May with a fixed cost rate increase of approximately 9 percent for the plan year June 1, 2005 through May 31, 2006.

Utility costs per million gallons increased by 7.5% in the Second Quarter of 2005 for a total increase of 11.5% year to date compared to the same time period in 2004.

*R. O. No. 239 - 05 - 06. By CITY CLERK. September 6, 2005.

Submitting a communication from the Wisconsin Department of Administration stating that the change that was made to the certified plat of The Woods has been re-certified as complying with the requirements of the Wisconsin State Statutes.

*R. O. No. 240 - 05 - 06. By CITY CLERK. September 6, 2005.

Submitting an application for a private well permit for:

1. Robert Holtz, 2335 Mayflower Ave.

*R. O. No. 241 - 05 - 06. By CITY CLERK. September 6, 2005.

Submitting various license applications.

TEMPORARY CLASS "B" LICENSES

<u>No.</u>	<u>Name</u>	<u>Address</u>
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2066 Brennan's Dart Team	Brennan's parking lot west of bldg.
2370 Petek's Softball Team	2702 S. 8th St.
1377 St. Dominic's Church	2133 N. 22nd St. parking lot

SECONDHAND DEALER'S LICENSE

<u>No.</u>	<u>Name</u>	<u>Address</u>
2368	Egan Antiques	1507 Fairlawn Ave., Fond du Lac

*R. O. No. 242 - 05 - 06. By CITY PLAN COMMISSION. September 6, 2005.

Your Commission to whom was referred Gen. Ord. No. 30-05-06 and R. O. No. 224-05-06 relative to granting John Viglietti and Stefano Viglietti the privilege of encroaching upon described portions of South 8th Street located at 511 South 8th Street for the purpose of constructing and maintaining an awning, wishes to report this matter was discussed at the regular meeting of the City Plan Commission, August 23, 2005, and after due consideration, recommends the Ordinance be passed and the Report of Officer be placed on file.

*R. O. No. 243 - 05 - 06. By SHEBOYGAN TRANSIT COMMISSION.
September 6, 2005.

Your Commission to whom was referred the following:

1. A copy of R. O. No. 19-05-06 by the City Clerk submitting a communication from the John Michael Kohler Arts Center making various requests from the City for the Wisconsin Convertible Classic Car Show and barbeque to be held on and around the grounds;
2. R. O. No. 86-05-06 by the City Clerk submitting a communication from Grace Brown, President of The Wharf Bait and Tackle, requesting permission to use the parking lot between The Dockside and The Wharf during the two day Annual Coho Derby to be held on August 13th and 14th; and
3. R. O. No. 87-05-06 by the City Clerk submitting a communication from Grace Brown, President of The Wharf Bait and Tackle, requesting permission to use the parking lot between The Dockside and The Wharf on July 20, 2005 during the Annual Powder Puff Derby;

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

*R. O. No. 244 - 05 - 06. By SHEBOYGAN TRANSIT COMMISSION.
September 6, 2005.

Your Commission to whom was referred R. O. No. 233-05-06 by the City Clerk submitting a communication from Richard Meyer, Manager of the Harbor Centre BID, requesting permission to close off part of the parking lot on the Riverfront for the Annual Pumpkin Fest to be held on October 8, 2005; recommends that the Report of Officer be accepted and placed on file and permission be granted.

R. O. No. 245 - 05 - 06. By BOARD OF PARKS AND FORESTRY.
September 6, 2005.

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Your Commission to whom was referred a copy of Res. No. 42-05-06 by Alderperson Burg authorizing the study of establishing "pet-friendly" areas in city parks within the City of Sheboygan; recommends that the Resolution be placed on file as enough studies have been done.

On motion by Alderperson Baumann and second by Alderperson Graf, the Report of Officer was accepted and placed on file, all Alderpersons voting "Aye."

R. O. No. 246 - 05 - 06. By CITY CLERK. September 6, 2005.

Submitting a communication Coletta DeMuth, Loan Analyst of the Board of Commissioners of Public Lands stating that the loan application in the amount of \$720,000 to construct a fire station has been conditionally approved by their Loan Committee and has been forwarded to the Office of the Attorney General for legal review.

On motion by Alderperson Graf and second by Alderperson Berg, the Report of Officer was accepted and placed on file, all Alderpersons voting "Aye."

R. O. No. 247 - 05 - 06. By PURCHASING AGENT. September 6, 2005.

Submitting a tabulation of Bid #1820 received on August 17, 2005 for the construction of a new Fire Station #5.

<u>BIDDER</u>	<u>BASE BID LESS SELECTED DEDUCTS</u>
Corrigan's Custom Built Structures	\$753,478
Frank Zeise Construction	\$859,725
Jos. Schmitt & Sons Construction	\$757,450
Mike Koenig Construction	\$677,696
Quasius Construction	\$787,405
Stodola-Mass Construction	\$735,610

The low bid of Mike Koenig Construction Co., Inc. meets Wisconsin statutory requirements and is recommended for contract award.

It is possible that the City could save the 5% Wisconsin sales tax by reducing the Mike Koenig Construction contract and purchasing materials directly from his vendors. I am also asking for authorization to contract for "owner purchase" materials.

A motion by Alderperson Berg and second by Alderperson VanderWeele to suspend the rules of the Common Council was passed by unanimous consent.

On motion by Alderperson Berg and second by Alderperson Montemayor, the foregoing Report of Officer was passed on call of the roll:

Ayes: Baumann, Berg, Burg, Cerda, Davis, Graf, Kittelson, Manny, Meyer, Montemayor, Radtke, Segalle, Stephen, Van Akkeren, VanderWeele-15.

Nays: Suscha-1.

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R. O. No. 248 - 05 - 06. By CITY CLERK. September 6, 2005.

Submitting a communication from Van Der Vaart Holding Co., Inc., stating that they are interested in the property the City has on Hwy. 42 just west of I43. At least they would be interested in what the City has to offer in terms of a swap of some sort that could be of benefit to both the City and them.

On motion by Alderperson Cerda and second by Alderperson Segalle, the Report of Officer was accepted and placed on file, all Alderpersons voting "Aye."

R. O. No. 249 - 04 - 05. By CITY PLAN COMMISSION. September 6, 2005.

Your Commission to whom was referred Gen. Ord. No. 29-05-06 and R. O. No. 225-05-06 relative to rezoning property located at 2838 Washington Avenue from HI Heavy Industrial to SC Suburban Commercial; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, August 23, 2005, and after due consideration, recommends the Ordinance be passed and the Report of Officer be placed on file.

Lies over under the rules.

R. O. No. 250 - 05 - 06. By CITY CLERK. September 6, 2005.

Submitting a communication, received by the Mayor, from Beth Pinter stating that she and other dog owners have enjoyed the beach area south of Blue Harbor as the dog run and requesting that the area be moved to the south more so as not to interfere with the Blue Harbor guests.

Was referred to the Board of Parks and Forestry Commissioners.

R. O. No. 251 - 05 - 06. By CITY CLERK. September 6, 2005.

Submitting a communication from James Bohren stating that he is enthusiastic about the proposed Spaceport - Sheboygan and also stating his general areas of concern regarding this project and asking for answers to his questions.

Was referred to the City Plan Commission and the Committee of the Whole.

R. O. No. 252 - 05 - 06. By CITY CLERK. September 6, 2005.

Submitting a petition to vacate the east/west unpaved alley located within Fairview Subdivision between N. 27th St. and N. 27th Pl., signed by the owners of all the lots and lands abutting that portion of the alley sought to be vacated and discontinued.

Was referred to the City Plan Commission.

R. O. No. 253 - 05 - 06. By BOARD OF WATER COMMISSIONERS.
September 6, 2005.

To the Honorable, the Mayor and Common Council:

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Submitting, as a matter of record, in accordance with the Finance Committee request dated March 1, 1991, the Sheboygan Water Utility's Preliminary Budget for the year 2006. A copy of our final budget will be submitted to you at a later date.

Was referred to the Committee on Finance.

R. O. No. 254 - 05 - 06. By CITY CLERK. September 6, 2005.

Submitting a communication, received by the Mayor, from Richard Meyer, Manager of the Harbor Centre BID, requesting that for fiscal 2006 the City allocate \$28,000 of the room tax funds to the BID - this is \$11,000 over the \$17,000 they receive and would plan to use it to pay for the operating of the water feature.

Was referred to the Committee on Finance.

R. O. No. 255 - 05 - 06. By CITY CLERK. September 6, 2005.

Submitting a communication, received by the Mayor, from Allen Hanson regarding his concerns over the budget issues we are facing and the fact that, after personal observations, busses are traveling empty or nearly empty.

Was referred to the Committee on Finance and the Sheboygan Transit Commission.

R. O. No. 256 - 05 - 06. By CITY CLERK. September 6, 2005.

Submitting the July 2005 Circuit Court Report of fines, municipality fees, and City Officer fees in the total amount of \$32,267.81.

Was referred to the Committee on Finance.

R. O. No. 257 - 05 - 06. By FINANCE DIRECTOR/TREASURER.
September 6, 2005.

Submitting the attached summary of the 2006 Budget Requests for the Enterprise Funds, the Internal Service Funds, and the Trust Funds. The comparison is to the 2005 original budget.

Was referred to the Committee on Finance.

R. O. No. 258 - 05 - 06. By FINANCE DIRECTOR/TREASURER.
September 6, 2005.

Submitting the attached summary of the 2006 Budget Requests for the General Fund, the Special Revenue Funds, the Debt Service Funds, and the Capital Projects Funds. The comparison is to the 2005 original budget.

Was referred to the Committee on Finance.

R. O. No. 259 - 05 - 06. By CITY CLERK. September 6, 2005.

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Submitting a communication from Missy Guiney of the John Michael Kohler Arts Center making various requests for the 36th Annual Outdoor Arts Festival on July 15 and 16, 2006.

Was referred to the Committee on Law and Licensing, the Committee on Public Protection and Safety, the Committee on Public Works and the Sheboygan Transit Commission.

R. O. No. 260 - 05 - 06. By CITY CLERK. September 6, 2005.

Submitting various license applications for the period ending June 30, 2006 and June 30, 2007.

Was referred to the Committee on Law and Licensing.

R. O. No. 261 - 05 - 06. By CITY CLERK. September 6, 2005.

Submitting a communication, received by the Mayor, from Capt. Richard Caswell, President of the USS Des Moines Historic Naval Ship Project, Inc., submitting information regarding about the project and stating that after reviewing the Sheboygan River and harbor areas, they have concluded that the USS Des Moines would be too large for the area. They would like explore the possibility of bringing the USS Edson - a Navy destroyer - and considerably smaller to this area.

Was referred to the Marina and Harbor Committee.

R. O. No. 262 - 05 - 06. By FINANCE DIRECTOR/TREASURER. September 6, 2005.

Submitting the Harbor Centre Marina Balance Sheet from Operations dated July 31, 2005, as submitted by Skipper Marine.

Was referred to the Marina and Harbor Committee.

R. O. No. 263 - 05 - 06. By CITY CLERK. September 6, 2005.

Submitting a communication from Debbie Mamazza regarding the talk about the need for K-9 Units within various Police Departments and stating that there are two trained K-9 Units in Sheboygan and the Police Departments have access to them 24-7. The dogs are owned by Matt Elliott, Chief of Special Operations Detective Agency.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 264 - 05 - 06. By CITY CLERK. September 6, 2005.

Submitting a communication, received by the Mayor, from Lester Schlager thanking the Mayor for following through on bad sidewalks and stating that there is a serious issue with speeding cars and how much money could be made by ticketing these drivers.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 265 - 05 - 06. By CITY CLERK. September 6, 2005.

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Submitting a communication from Judy Stock of Wonderful World LLC on behalf of all the businesses on Michigan Ave. to ask permission for a celebration of the street opening to be held on Saturday, September 24th.

Was referred to the Committee on Public Protection and Safety and the Committee on Public Works.

R. O. No. 266 - 05 - 06. By CITY CLERK. September 6, 2005.

Submitting a communication Gervase M. Brown, Eagle Squadron Cadet stating information regarding the ship "U.S.S. Des Moines" as a maritime museum for Sheboygan.

Was referred to the Committee on Public Works.

R. O. No. 267 - 05 - 06. By DIRECTOR OF PUBLIC WORKS/ENGINEERING. September 6, 2005.

Submitting a letter from the Business Improvement District (BID) requesting permission to use the plaza area between the Mead Public Library and S. 8th St. for an event to be held on Saturday, September 24, 2005.

Was referred to the Committee on Public Works.

R. O. No. 268 - 05 - 06. By CITY CLERK. September 6, 2005.

Submitting a communication from John W. Webb of the Vietnam Veterans of America Chapter 18, Sheboygan, requesting permission to construct a Memorial at Veterans Park to honor all veterans all veterans of all wars.

Was referred to the Committee on Public Works.

R. O. No. 269 - 05 - 06. By CITY CLERK. September 6, 2005.

Submitting a communication from Susie Vander Weele of Aras, Beks & Pottiers requesting permission to once again hang the "Sidewalk Sale" banner across N. 8th St. parallel to New York Ave. during the Harbor Centre BID family event on Sept. 24th.

Was referred to the Committee on Public Works.

R. O. No. 270 - 05 - 06. By CITY CLERK. September 6, 2005.

Submitting a Notice and Application for Judgment of Foreclosure and Sale in the matter of Wells Fargo Bank vs. Michael W. Albrecht et. al.

Was referred to the Special Committee on Risk Management.

R. O. No. 271 - 05 - 06. By CITY CLERK. September 6, 2005.

Submitting a claim from Charles D. Zeichert for alleged damages to a rear entrance door at 1431 N. 11th St. when it was broken in by the Sheboygan Police Department Drug Unit twice.

Was referred to the Special Committee on Risk Management.

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R. O. No. 272 - 05 - 06. By CITY CLERK. September 6, 2005.

Submitting a claim from Nicole and Ryan Prue for alleged damages to a tire on their car when they backed up and hit a pothole that had a damaged sewer drain sticking out of the curb.

Was referred to the Special Committee on Risk Management.

R. O. No. 273 - 05 - 06. By CITY CLERK. September 6, 2005.

Submitting a Summons and Complaint in the matter of JP Morgan Chase Bank vs. Beverly Rios et al.

Was referred to the Special Committee on Risk Management.

R. O. No. 274 - 05 - 06. By CITY CLERK. September 6, 2005.

Submitting a communication from the Sheboygan Lodging Group stating that they are concerned with the future promotion in tourism of the Sheboygan area and asking the City to re-evaluate their intentions and consider contracting with the Chamber and CVB or provide them with a marketing plan, budget and goals that the city is intending to use to successfully market Sheboygan and to insure that occupancy in the lodging properties will continue to grow.

Was referred to the Committee of the Whole.

R. O. No. 275 - 05 - 06. By CITY CLERK. September 6, 2005.

Submitting a communication from Gina Steinhardt regarding numerous issues about the site selection for the new Police station and stating many "discrepancies" in the Zimmermann Report.

Was referred to the Committee of the Whole.

R. O. No. 276 - 05 - 06. By CITY CLERK. September 6, 2005.

Submitting a petition from residents near the area of the proposed N. 23rd St. site for the new Police Station and other concerned citizens requesting ceasing consideration of the N. 23rd St. and Superior Ave. site for the location of the proposed new Police Station. They are opposed to this site as it would be an interruption of residential life in the surrounding blocks, bringing an increase in traffic and noise. The possibility of adding traffic lights would devalue the neighborhood and curtail pedestrian activity.

Was referred to the Committee of the Whole.

RESOLUTIONS INTRODUCED

*Res. No. 110 - 05 - 06. By Alderperson Montemayor. September 6, 2005.

A RESOLUTION directing a public hearing to be held in connection with change in the text of the City's Official Zoning Ordinance relating to quorum requirements for the Zoning Board of Appeals.

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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 P.M., October 3, 2005, 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 Ordinance. The purpose of the amendment in the text of the Zoning Ordinance Section 15.934(3)(b) is to change the provision relating to quorum requirements for the City's Zoning Board of Appeals in order to remain consistent with state to read as follows:

Section 15.934(3)

. . .

"(b) In exercising the above-listed powers, the Board of Appeals may reverse or affirm wholly or in part or may modify any order, requirement, decision or determination appealed from and shall make such order, requirement, decision or determination in its opinion ought to be made in the premises and to that end shall have all the powers of the Zoning Administrator or other administrative officer from whom the appeal is taken. If a quorum is present, the Board of Appeals may take action under this subsection by a majority vote of the members."

*Res. No. 111 - 05 - 06. By Alderpersons Baumann and Kittelson.
September 6, 2005.

A RESOLUTION accepting a direct annexation petition concerning territory in the Town of Sheboygan situated on the south side of Indiana Ave.

WHEREAS, a petition for direct annexation of the following territory in the Town of Sheboygan, Sheboygan County, Wisconsin, to the City of Sheboygan was filed with the City Clerk on August 25, 2005:

Being part of the SE 1/4 of the NE 1/4 of Section 28, T. 15 N., R. 23 E. located in Sheboygan County in the State of Wisconsin. Being more particularly described as:

All of Lots 1 and 2 of a C.S.M. recorded in Certified Survey Map, Volume 13, Pages 260 and 261, except the South 10 feet of said lots and the South 119.2' of the East 10 feet of Lot 2. Said tract contains 72,153.24 square feet or 1.66 acres.

WHEREAS, the City Clerk has investigated said petition and certified to the Common Council that it was signed by the owners of all of the real property in the area in which no electors reside, that the territory to be annexed is properly described in the petition and shown on the scale map attached thereto, is contiguous to the City of Sheboygan, and is unincorporated;

NOW, THEREFORE, the Common Council of the City of Sheboygan, Wisconsin, determines that the petition for annexation of the above described territory is a sufficient and legal petition conforming with the requirements of §66.0217 of the Wisconsin Statutes; and

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RESOLVES: That the petition be and is hereby accepted, and the City Clerk is hereby directed to notify the Clerk of the Town of Sheboygan of this resolution of acceptance in accordance with §66.0217(7)(a)2. of the Wisconsin Statutes.

*Res. No. 112 - 05 - 06. By Alderpersons Van Akkeren and Suscha.
September 6, 2005.

A RESOLUTION confirming the exercise of police power in making an assessment for those benefited properties against which assessments are proposed for the water lateral replacements at 832 Michigan Ave. and 1125 Michigan Ave. (east one).

RESOLVED: That the assessments and schedule of the proposed assessments prepared by the Board of Water Commissioners for the proposed water laterals at 832 Michigan Ave. and 1125 Michigan Ave. (east one) are 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 in accordance with the report, as finally approved, and that payment thereof be made as therein provided.

Res. No. 113 - 05 - 06. By Alderperson Graf. September 6, 2005.

A RESOLUTION amending the Administrative Services Agreement between the City of Sheboygan and ICMA-RC Retirement Corporation (ICMA-RC) for Plan Number 300763.

WHEREAS, the Employer sponsors the Plan on behalf of its eligible employees and retirees, and

WHEREAS, the Employer entered the Agreement to engage RC to provide administrative services and investments for the Plan under the terms specified in the Agreement, and

WHEREAS, the parties wish to amend the Agreement to provide for an elimination of the Plan Administration fee under the Agreement for the Plan over the term of the Agreement contingent on the Employer's use of EZLink for enrollment and contribution processing over the term of the Agreement, and

WHEREAS, Section 10(a) of the Agreement provides that the Agreement may be amended pursuant to a written instrument signed by the parties.

NOW, THEREFORE BE IT FURTHER RESOLVED: The Agreement is hereby amended as follows:

FIRST

Section 6 of the Agreement, titled "Compensation and Payment" is amended by replacing subsection (a) with the following:

- (a) Plan Administration Fee. The amount to be paid for plan administration services under this Agreement shall be 0.0% of the amount of Plan assets invested in the Trust.

The compensation and payment set forth in this Section 6 is contingent upon Employer's continued use of EZLink for enrollment and contribution

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processing over the term of the Agreement. Employer agrees to support and facilitate communication of the fee elimination to all eligible employees.

The fee amendment specified in Section 6 of the Agreement will take effect in the calendar quarter following the Retirement Corporation's receipt of one fully-executed copy of this Amendment based upon the following schedule:

- Received by February 20: Effective April
- Received by May 20: Effective July
- Received by August 20: Effective October
- Received by November 20: Effective January

In all other respects, the Agreement is hereby ratified and affirmed.

On motion by Alderperson Graf and second by Alderperson Montemayor, the Resolution was passed, all Alderpersons voting "Ayes."

Res. No. 114 - 05 - 06. By Alderperson Radtke. September 6, 2005.

A RESOLUTION authorizing Scott Lewandoske to serve as a volunteer Assistant City Historian.

WHEREAS the City Historian has requested an assistant be appointed to assist him with different research projects and the discharge of his duties; and

WHEREAS the Assistant City Historian would assist the City Historian to preserve the history of the City of Sheboygan for future generations; and

WHEREAS, Assistant City Historian would serve under the direction of the City Historian without compensation or benefits;

NOW, THEREFORE BE IT RESOLVED: That Scott Lewandoske is hereby authorized to serve as a volunteer Assistant City Historian without pay or benefits under the direction of the City Historian.

On motion by Alderperson Radtke and second by Alderperson Cerda, the Resolution was passed, all Alderpersons voting "Aye."

Res. No. 115 - 05 - 06. By Alderperson Stephen. September 6, 2005.

A RESOLUTION authorizing the Purchasing Agent to enter into contract for the construction of a new Fire Station #5.

RESOLVED: That the Purchasing Agent is hereby authorized to enter into contract with Mike Koenig Construction Co., Inc. for the construction of a new Fire Station #5 at a cost of \$677,696.00 in accordance with City of Sheboygan Bid #1820.

BE IT FURTHER RESOLVED: That the Purchasing Agent is hereby authorized to change order the Mike Koenig Construction contract and enter into contract for "owner purchase" materials.

BE IT FURTHER RESOLVED: That the appropriate City Officials are hereby authorized to draw orders on the Fire Department 464-202100-621003-20503 in payment of same.

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A motion by Alderperson Berg and second by Alderperson VanderWeele to suspend the rules of the Common Council was passed by unanimous consent.

On motion by Alderperson Berg and second by Alderperson Graf, the foregoing Resolution was passed on call of the roll:

Ayes: Baumann, Berg, Burg, Cerda, Davis, Graf, Kittelson, Manny, Meyer, Montemayor, Radtke, Segalle, Stephen, Van Akkeren, VanderWeele-15.

Nays: Suscha-1.

Res. No. 116 - 05 - 06. By Alderperson VanderWeele. September 6, 2005.

A RESOLUTION to state that the Common Council has every intention to build a new police facility.

WHEREAS, the citizens of Sheboygan feel that the current police facility is out dated and in need of replacement, and

WHEREAS, the intention of the Common Council to build a new police facility has been questioned,

WHEREAS, at no time should the process of building a new police facility before completion be terminated or delayed, and

WHEREAS, termination or delaying the process of building a new police facility at any given time may result in the unintentional outcome of terminating the project permanently.

BE IT FURTHER RESOLVED: That the citizens of Sheboygan deserve to know whether or not the Common Council has the direct intent of building a new police facility.

A motion by Alderperson VanderWeele and second by Alderperson Cerda was made to pass the Resolution.

Alderperson Suscha moved to call the question. The roll was called:

Ayes: Meyer, Montemayor, Suscha-3.

Nays: Baumann, Berg, Burg, Cerda, Davis, Graf, Kittelson, Manny, Radtke, Segalle, Stephen, Van Akkeren, VanderWeele-13. The motion lost.

Before action was taken thereon, a motion by Alderperson VanderWeele and second by Alderperson Cerda to amend the Resolution to add "RESOLVED: The Common Council has every intention to build a new police facility" was passed on call of the roll:

Ayes: Baumann, Berg, Burg, Cerda, Davis, Graf, Kittelson, Manny, Meyer, Montemayor, Radtke, Segalle, Stephen, Suscha, Van Akkeren, VanderWeele-16.

Nays: None.

A motion by Alderperson Suscha and second by Alderperson Graf to amend the Resolution to delete the last two WHEREAS paragraphs was lost on call of the roll:

Ayes: Graf, Manny, Meyer, Montemayor, Radtke, Suscha-6.

Nays: Baumann, Berg, Burg, Cerda, Davis, Kittelson, Segalle, Stephen, Van

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Akkeren, VanderWeele-10.

On motion by Alderperson VanderWeele and second by Alderperson Berg, the Resolution, as amended, was passed on call of the roll:

Ayes: Baumann, Berg, Burg, Cerda, Davis, Kittelson, Radtke, Segalle, Stephen, Suscha, Van Akkeren, VanderWeele-12.

Nays: Graf, Manny, Meyer, Montemayor-4.

Res. No. 117 - 05 - 06. By Alderperson Stephen. September 6, 2005.

A RESOLUTION approving the terms and conditions of the Ground Lease and Contract for Lease of Land between the Redevelopment Authority and South Pier District I, LLC.

RESOLVED: That the City of Sheboygan hereby approves the terms and conditions of the Contract for Private Redevelopment and the form of the Ground Lease for office building and Ground Lease for townhouses between the Redevelopment Authority and South Pier District I, LLC, in form substantially similar to the documents attached hereto and incorporated herein by this reference.

A motion by Alderperson Stephen and second by Alderperson Graf to suspend the rules of the Common Council was passed by unanimous consent.

On motion by Alderperson Stephen and second by Alderperson Graf, the foregoing Resolution was passed on call of the roll:

Ayes: Baumann, Berg, Burg, Cerda, Davis, Graf, Kittelson, Manny, Meyer, Montemayor, Radtke, Stephen, VanderWeele-13.

Nays: Segalle, Suscha, Van Akkeren-3.

Res. No. 118 - 05 - 06. By Alderperson Graf, Stephen, Davis, Montemayor and Suscha. September 6, 2005.

A RESOLUTION for amending the 2005 Capital Improvements Program to delete the fire station project.

Res. No. 119 - 05 - 06. By Alderperson Graf. September 6, 2005.

A RESOLUTION to rescind Res. No. 81-05-06 that authorized the borrowing of \$720,000 from the Trust Funds of the State of Wisconsin for the purpose of constructing a fire station.

A motion by Alderperson Graf and second by Alderperson Montemayor was made to pass the two (2) Resolutions.

Before action was taken thereon, a motion by Alderperson Graf and second by Alderperson Montemayor to file the two (2) foregoing Resolutions was passed on call of the roll:

Ayes: Baumann, Berg, Burg, Cerda, Davis, Graf, Kittelson, Manny, Meyer, Montemayor, Radtke, Segalle, Stephen, Suscha, Van Akkeren, VanderWeele-16.

Nays: None.

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Res. No. 120 - 05 - 06. By Alderperson Baumann. September 6, 2005.

A RESOLUTION establishing a dress code for Alderpersons during Common Council Meetings, Special Common Council meetings, and Committee of the Whole meetings.

On motion by Alderperson Segalle and second by Alderperson Berg, the Resolution was filed on call of the roll:

Ayes: Baumann, Berg, Burg, Cerda, Davis, Graf, Kittelson, Manny, Meyer, Montemayor, Radtke, Segalle, Stephen, Suscha, Van Akkeren, VanderWeele-16.

Nays: None.

Res. No. 121 - 05 - 06. By Alderpersons Graf, Van Akkeren and Meyer. September 6, 2005.

A RESOLUTION accepting the liability insurance proposal from Cities and Villages Mutual Insurance Company and continuing membership in the CVMIC for 2006-2008 based on the premiums guaranteed by CVMIC for said policy years.

Lies over under the rules.

Res. No. 122 - 05 - 06. By Alderpersons Graf, Stephen, Montemayor, Suscha and Davis. September 6, 2005.

A RESOLUTION to authorize a transfer of appropriations in the 2005 Budget.

Lies over under the rules.

Res. No. 123 - 05 - 06. By Alderperson Baumann. September 6, 2005.

A RESOLUTION authorizing release of the easement for a mini-storm sewer at 2305 Silver Leaf Lane.

Was referred to the Committee on Public Works.

Res. No. 124 - 05 - 06. By Alderperson Baumann. September 6, 2005.

A RESOLUTION authorizing signing an easement for a mini-storm sewer to be constructed in portions of their property.

Was referred to the Committee on Public Works.

Res. No. 125 - 05 - 06. By Alderperson Graf. September 6, 2005.

A RESOLUTION establishing a guideline on the increase in the 2005 tax levy for the 2006 Budget.

Was referred to the Committee on Finance.

Res. No. 126 - 05 - 06. By Alderperson Graf. September 6, 2005.

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A RESOLUTION authorizing the adoption of the proposed Operating Plan for Harbor Centre Business Improvement District.

Was referred to the Committee on Finance.

Res. No. 127 - 05 - 06. By Alderperson Stephen. September 6, 2005.

A RESOLUTION establishing a tourism advisory committee for the City of Sheboygan.

Was referred to the Committee on Finance.

Res. No. 128 - 05 - 06. By Alderperson Suscha. September 6, 2005.

A RESOLUTION authorizing the appropriate City officials to enter into agreement with the Sheboygan Area School District relative to providing the public school system with school liaison officers from the Sheboygan Police Department.

Was referred to the Committee on Public Protection and Safety.

Res. No. 129 - 05 - 06. By Alderperson Suscha. September 6, 2005.

A RESOLUTION designating the National Incident Management System (NIMS) as the basis for incident management in the City of Sheboygan.

Was referred to the Committee on Public Protection and Safety.

Res. No. 130 - 05 - 06. By Alderperson Graf, Manny and Suscha.
September 6, 2005.

A RESOLUTION approving the Capital Improvements Program recommended by the Capital Improvements Commission, for the program period 2006-2010 and adopting the 2006 program for implementation.

Was referred to the City Plan Commission.

REPORTS OF COMMITTEES

*R. C. No. 159 - 05 - 06. By PUBLIC PROTECTION AND SAFETY.
September 6, 2005.

Your Committee to whom was referred a copy of Com. No. 29-05-06 from Ben Nelson, Wildlife Specialist of the USDA APHIS Wildlife Services, reporting on his site investigation of the seagull problems to the south of Washington Square and addressing gull related issues on a city-wide basis; recommends that the Communication be placed on file. Alderperson Radtke stated that the problem at Washington Square has been resolved.

R. C. No. 160 - 05 - 06. By PUBLIC PROTECTION AND SAFETY.
September 6, 2005.

Your Committee to whom was referred a copy of Com. No. 50-05-06 from

Constance Ziegelbauer regarding the safety issue with motor vehicle traffic
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on Eisner Ave. and the amount pedestrian and bike traffic that use Eisner Ave.; recommends referral of the document to the Capital Improvements Commission with a positive recommendation. Alderperson Montemayor advised that she spoke with Ms. Ziegelbauer who asked her to bring the message that she thinks all the people involved are willing to work together.

Was referred to the Committee on Public Works.

*R. C. No. 161 - 05 - 06. By PUBLIC PROTECTION AND SAFETY.
September 6, 2005.

Your Committee to whom was referred R. C. No. 60-05-06 by Public Protection and Safety and R. O. No. 505-04-05 by the City Clerk submitting a communication from Denny Moyer of the Sheboygan Athletic Club regarding the parking problems and safety issues that have evolved in the summer in the area at New Jersey Ave. and Wildwood Ave.; recommends that the documents be accepted and adopted. Sgt. Tarkowski and Ryan Sazama/Engineering submitted proposed changes to traffic pattern and driveway at the Wildwood Complex. Ryan Sazama/Engineering provided a diagram showing proposed locations where Wildwood Ave. would be blocked and a driveway into the complex on New Jersey Ave. would be blocked. It was recommended to take action on the proposal given by Ryan Sazama/Engineering.

*R. C. No. 162 - 05 - 06. By PUBLIC WORKS. September 6, 2005.

Your Committee to whom was referred a copy of R. O. No. 191-05-06 by the City Clerk submitting a communication from the Blue Harbor Resort stating that they will be holding an "Oktoberfest" event on September 24th to thank the public for all their support in the past years and making various requests including requesting that they are allowed to have beer and wine in a designated area outside of the licensed premises; recommends that the Report of Officer be accepted and placed on file and approve the request for using the space.

*R. C. No. 163 - 05 - 06. By WHOLE. September 6, 2005.

Your Committee to whom was referred the following:

1. R. O. No. 174-05-06 by the City Clerk submitting a communication from Michael Harvey, President of Van Der Vaart Holding Co., regarding the City's possible interest in their property for the new Police Station and possible options of purchase and/or land swap, and
2. R. O. No. 175-05-06 by the City Clerk submitting a draft of the Zimmermann Report on the Police Station sites;

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

*R. C. No. 164 - 05 - 06. By PUBLIC PROTECTION AND SAFETY.
September 6, 2005.

Your Committee to whom was referred R. O. No. 231-05-06 by the City Clerk submitting a communication from Tou Lee of TCL Fashions of the Orient requesting a two-hour parking limit along the west side of N. 13th St.

between Michigan Ave. and Huron Ave. during business hours; recommends that
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the Report of Officer be accepted and placed on file. Sgt. Tarkowski indicated he would prepare a document with a time/day and distance limit for two-hour parking.

*R. C. No. 165 - 05 - 06. By PUBLIC WORKS. September 6, 2005.

Your Committee to whom was referred the following:

1. Com. No. 49-05-06 from State Senator Leibham stating that Gov. Doyle vetoed the Eisner Ave. provision and he will continue to work with the City in making an application for assistance through the Local Road Improvement Program; and
2. R. O. No. 232-05-06 by the City Clerk submitting a communication from residents of the Apple Valley Subdivision on S. 17th St. stating their gratitude for the completion of the street paving and requesting that the City plant trees between the sidewalk and curb to complete this project;

recommends that the documents be accepted and placed on file.

R. C. No. 166 - 05 - 06. By PUBLIC PROTECTION AND SAFETY.
September 6, 2005.

Your Committee to whom was referred R. O. No. 168-05-06 by the City Clerk submitting a communication from Gina Steinhardt regarding continuing issues with the trucks driving to Rockline and not having the proper signage; recommends that the Report of Officer be placed on file. Discussion was held regarding making Maryland Ave. a truck route from 14th St. east to accommodate people at Mayline and Rockline and convert the street back to two-way traffic. It was stated that prior to any action, Alderperson Suscha wishes to talk to Mayline and Rockline. Alderperson Suscha asked that the police continue to be contacted in regards to the truck issues.

R. C. No. 167 - 05 - 06. By PUBLIC PROTECTION AND SAFETY.
September 6, 2005.

Your Committee to whom was referred R. O. No. 228-05-06 by the City Clerk submitting a communication from Gina Steinhardt regarding houses in desperate need of repair such as windows missing, a roof that is falling down, etc., and that the owners of the property were to take care of the problems in spring of this year and nothing has been done; recommends that the Report of Officer be placed on file. Larry Hilbelink/Building Inspection indicated his department has spent what he feels is an inordinate amount of time and resources in this neighborhood following up on complaints received from Ms. Steinhardt. Ms. Steinhardt was asked to address her future concerns to the appropriate department rather than addressing emailed complaints to all Alderpersons and City employees. Alderperson Suscha also indicated that resources cannot continually be allocated to looking into complaints and finding nothing wrong. Alderperson Suscha also explained that if there is an employee that is not cooperative or something doesn't get done in a timely fashion, Ms. Steinhardt should contact Alderperson Suscha.

R. C. No. 168 - 05 - 06. By PUBLIC PROTECTION AND SAFETY.
September 6, 2005.

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Your Committee to whom was referred R. O. No. 229-05-06 by the City Clerk submitting a communication from Gina Steinhardt regarding the ongoing issues with garbage being allowed to pile up in backyards, on porches, stuck between garages, etc., in her neighborhood; recommends that the Report of Officer be placed on file. Larry Hilbelink/Building Inspection indicated his department has spent what he feels is an inordinate amount of time and resources in this neighborhood following up on complaints received from Ms. Steinhardt. Ms. Steinhardt was asked to address her future concerns to the appropriate department rather than addressing emailed complaints to all Alderpersons and City employees. Alderperson Suscha also indicated that resources cannot continually be allocated to looking into complaints and finding nothing wrong. Alderperson Suscha also explained that if there is an employee that is not cooperative or something doesn't get done in a timely fashion, Ms. Steinhardt should contact Alderperson Suscha.

A motion by Alderperson Suscha and second by Alderperson Meyer was made to accept and adopt the three (3) foregoing Reports of Committee.

Before action was taken thereon, a motion by Alderperson Van Akkeren and second by Alderperson Cerda to refer the three (3) foregoing Reports of Committee to the Committee of the Whole was passed on call of the roll:

Ayes: Baumann, Berg, Burg, Cerda, Davis, Graf, Kittelson, Manny, Segalle, Stephen, Van Akkeren, VanderWeele-12.

Nays: Meyer, Montemayor, Radtke, Suscha-4.

R. C. No. 169 - 05 - 06. By PUBLIC PROTECTION AND SAFETY.
September 6, 2005.

Your Committee to whom was referred a copy of R. O. No. 221-05-06 by the City Clerk submitting a petition of residents on and near Eisner Ave. asking the City to put the rebuilding of Eisner Ave. near the top of its priority list for the Capital Improvement expenditures for 2007; recommends that the Report of Officer be referred to the Capital Improvements Commission with a positive recommendation.

Was referred to the Committee on Public Works.

R. C. No. 170 - 05 - 06. By PUBLIC PROTECTION AND SAFETY.
September 6, 2005.

Your Committee to whom was referred a copy of R. O. No. 222-05-06 by the City Clerk submitting a communication from Susan Katte, Sales & Marketing Manager of Terrace Estates, regarding concerns with the safety of seniors living at Terrace Estates when they walk on Eisner Ave.; recommends referral of the document to the Capital Improvements Commission with a positive recommendation.

Was referred to the Committee on Public Works.

*R. C. No. 171 - 05 - 06. By LAW AND LICENSING. September 6, 2005.

Your Committee to whom was referred, pursuant to R. O. No. 226-05-06 by the City Clerk, submitting various license applications for the period ending June 30, 2005, and June 30, 2006; recommends that the following licenses be

granted:
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CLASS "A" INTOXICATING LIQUOR LICENSE (June 30, 2006)

<u>No.</u>	<u>Name</u>	<u>Address</u>
2357	Cut Rate Liquor, LLC	2019 S. Business Dr.

CLASS "A" FERMENTED MALT BEVERAGE LICENSE (June 30, 2006)

<u>No.</u>	<u>Name</u>	<u>Address</u>
2360	Ochoa, Edmundo	1125 Michigan Ave.

BEVERAGE OPERATORS' LICENSES (June 30, 2007)
(All New Applicants)

<u>No.</u>	<u>Name</u>	<u>Address</u>
5787	Anderson, Tanya J.	8512 Cty Line Rd., Cleveland
2528	Behnke, Pamela M.	2507 N. 19th St.
6896	Daugherty, Gary D.	2114 Meadowland Dr., #103
6898	Ehler, Beverly A.	1419 S. 9th St.
6902	Graf, Mike P.	2720 S. 8th St.
6895	Hilbelink, Jason J.	1138 N. 27th St.
6897	Johnson, Amber L.	105 Elm St., Sheboygan Falls
6900	Klempke, Ashlee M.	1515 N. 7th St.
1765	Loiselle, Timothy L.	1721 Erie Ave.
6899	Schultz, Christopher M.	3602 N. 21st St.
6894	Setzer, Tammy	616 End Ct.

TAXICAB DRIVER LICENSES (June 30, 2006)
(All New Applicants)

<u>No.</u>	<u>Name</u>	<u>Address</u>
6901	Marquard, Zachery J.	1530 St. Clair Ave.

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. 172 - 05 - 06. By PUBLIC WORKS. September 6, 2005.

The Public Works Committee met and discussed the 2004 compliance Maintenance Annual Report (CMAR) from the Wisconsin DNR giving the Wastewater Treatment Plant a perfect score of 4.0. The CMAR is an annual self-evaluation of the WWTP, collection system and associated wastewater management activities. The letter states that the Sheboygan Wastewater Treatment Plant has a very effective operation.

R. C. No. 173 - 05 - 06. By FINANCE. September 6, 2005.

The Finance Committee reviewed the State's restraints on the tax levy and wishes to hereby report on the limited increase in the 2005 tax levy for the 2006 Budget for the operational funds.

STATE LIMIT BASED ON NEW CONSTRUCTION

The State of Wisconsin legislature has approved legislation that establishes

tax levy restraints for the 2006 Budget based on the increase in new construction.
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TAX LEVY LIMIT FOR OPERATIONAL FUNDS

The tax levy limit allows an increase of 3.339% for the City of Sheboygan tax levy for the operational funds.

The 2004 tax levies for the General Fund, Library Fund and Transit Fund 2005 Budget total \$16,781,726 and a 3.339% increase would total \$560,341.

Therefore, the 2005 tax levy for the 2006 Budget for the General Fund, Library Fund and Transit Fund shall not exceed \$17,342,067.

ESTIMATED DEBT SERVICE TAX LEVY INCREASE

The 2005 tax levy for the Debt Service Fund is estimated to increase approximately \$789,731 with the inclusion of the 2006 debt issuance requests.

The estimated total tax levy increase for the operational funds and the Debt Service Fund is approximately \$1,350,072, or an estimated increase of 6.8%.

ESTIMATED ASSESSED VALUE INCREASE

It is recognized that the tax levy increase would be offset by the increase in assessed values of approximately 2% that would create an estimated tax rate increase of approximately 4.8%.

On motion by Alderperson Graf and second by Alderperson Montemayor, the Report of Committee was accepted and adopted, all Alderpersons voting "Aye."

R. C. No. 174 - 05 - 06. By SALARIES AND GRIEVANCES.
September 6, 2005.

Your Committee to whom was referred the following:

1. R. O. No. 204-05-06 by the Library Director. The Mead Public Library Board has approved entering into the International City Management Association (ICMA) Retirement Corporation's VantageCare Retirement Health Savings Program; and
2. Res. No. 97-05-06 by Alderperson Manny adopting the VantageCare Retirement Health Savings Program for Mead Public Library employees;

recommends that the Report of Officer be accepted and placed on file and the Resolution be passed.

Was referred to the Committee on Finance.

*R. C. No. 175 - 05 - 06. By PUBLIC WORKS. September 6, 2005.

Your Committee to whom was referred Res. No. 107-05-06 by Alderperson Baumann authorizing signing an easement for a mini-storm sewer to be constructed in portions of their property; recommends that Resolution be passed.

*R. C. No. 176 - 05 - 06. By PUBLIC WORKS. September 6, 2005.

Your Committee to whom was referred Res. No. 108-05-06 by Alderperson Baumann authorizing entering into a contract for Professional Services for

the design of a South Pier Park Shelter/Toilet Building; recommends that the Resolution be passed.
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RESOLUTIONS ON SECOND READING

*Res. No. 107 - 05 - 06. By Alderperson Baumann. August 15, 2005.

A RESOLUTION authorizing signing an easement for a mini-storm sewer to be constructed in portions of their property.

RESOLVED: That the Mayor and City Clerk are hereby authorized to sign the easement for a mini-storm sewer for the following property:

1. Michael J. Baartz, 1123 N. 27 St.

*Res. No. 108 - 05 - 06. By Alderperson Baumann. August 15, 2005.

A RESOLUTION authorizing entering into a contract for Professional Services for the design of a South Pier Park Shelter/Toilet Building.

RESOLVED: That the Mayor and City Clerk are hereby authorized and directed to enter into contract with LJM Architects, Sheboygan, Wisconsin for the proposed sum of \$9,700 per their proposal dated August 1, 2005.

BE IT FURTHER RESOLVED: That the proper City Officials be and they are hereby authorized and directed to draw orders on the account number 411-503100-621010-25350 in payment of same.

ORDINANCES INTRODUCED

Gen. Ord. No. 31 - 05 - 06. By Alderperson Baumann. September 6, 2005.

AN ORDINANCE repealing and recreating Sections 34-124 and 34-170 relative to price of lots and interment charges to increase various fees.

Was referred to the Committee on Public Works.

Gen. Ord. No. 32 - 05 - 06. By Alderperson Burg. September 6, 2005.

AN ORDINANCE re-establishing the salary for the position of Alderperson of the City of Sheboygan.

Was referred to the Committee on Salaries and Grievances.

Gen. Ord. No. 33 - 05 - 06. By Alderperson Montemayor. September 6, 2005.

AN ORDINANCE repealing and recreating Section 15.934(3)(b) of the City of Sheboygan Zoning Code relating to quorum requirements for the Zoning Board of Appeals.

Was referred to the City Plan Commission.

Gen. Ord. No. 34 - 05 - 06. By Alderpersons Baumann & Kittelson.
September 6, 2005.

AN ORDINANCE annexing territory from the Town of Sheboygan to the City
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of Sheboygan situated on the south side of Indiana Avenue.

Was referred to the City Plan Commission.

Gen. Ord. No. 35 - 04 - 05. By Alderpersons Stephen and Meyer.
September 6, 2005.

AN ORDINANCE vacating the east/west unpaved alley located within
Fairview Subdivision between N. 27th St. and N. 27th Pl.

Was referred to the City Plan Commission.

MATTERS LAID OVER

Res. No. 105 - 05 - 06. By Alderpersons Graf, Stephen, Montemayor, Suscha
and Davis. August 15, 2005

A RESOLUTION to authorize a transfer of appropriations in the 2005
Budget.

RESOLVED: That the Finance Director be and is hereby authorized and directed
to make the following transfers of appropriations in the 2005 Budget for the
purposes of:

Establishing estimated revenue and appropriation for donations received for
K-9 expenses in the Police Department:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
General Fund Police Department K-9 Donations 101-201100-467101-80588	General Fund Police Department K-9 Expenses 101-201100-643852-80588	\$500

Establishing estimated revenue and appropriation for donations received for
Independence Day Celebration:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
General Fund Celebrations Contributions 101-505140-467111-70486	General Fund Celebrations Independence Day Celebration 101-505140-520112-70486	\$46,500

Establishing estimated revenue and appropriation for donation received for
park tree from Frank J. Paquette:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
General Fund Park Department Contribution 101-503100-467101-00000	General Fund Park Department Tree Planting 101-503100-540301-00000	\$150

Establishing appropriation for G.O. Refunding Bond proceeds:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
9/06/05		
Debt Service Fund	Debt Service Fund	
G.O. Refunding Bond	1995 G.O. Corp Purpose Debt	
301-105100-493506-0	301-701100-719951-0	\$1,490,000
	1998 G.O. Promissory Debt	
	301-701100-719981-0	\$1,400,000
	Rating Agencies	
	301-701140-520102-0	\$ 11,888
	Debt Issuance Expense	
	301-701140-520117-0	\$ 4,755
TID X Debt Service Fund	TID X Debt Service Fund	
G.O. Refunding Bond	1998 G.O. Promissory Note	
310-105100-493506-0	310-701100-719981-0	\$ 240,000
	Rating Agencies	
	310-701140-520102-0	\$ 987
	Debt Issuance Expense	
	310-701140-520117-0	\$ 395
TDI III Debt Service Fund	TID III Debt Service Fund	
G.O. Refunding Bond	G.O. Corporate Bonds	
306-105100-493506-0	306-701100-711791-0	\$2,300,000
	G.O. Refunding Bond	
	306-701100-711793-0	\$1,285,000
	Rating Agencies	
	306-701140-520102-0	\$ 13,450
	Debt Issuance Expense	
	306-701140-520117-0	\$ 5,850

BE IT FURTHER RESOLVED: That the City Clerk publish this budget change according to §65.90(5) of the Wisconsin Statutes.

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

Ayes: Baumann, Berg, Burg, Cerda, Davis, Graf, Kittelson, Manny, Meyer, Montemayor, Radtke, Segalle, Stephen, Suscha, Van Akkeren, VanderWeele-16.

Nays: None.

Gen. Ord. No. 28 - 05 - 06. By Alderpersons VanderWeele, Montemayor, Radtke and Meyer. August 15, 2005.

AN ORDINANCE relating to no parking anytime so as to add the east side of N. 10th St. from a point 153' south of the south curb line of Wisconsin Ave. to a point 100' south thereof.

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 no parking anytime

regulations are hereby amended so as to add the following:

9/06/05

"The east side of N. 10th St. from a point 153' south of the south curb line of Wisconsin Ave. to a point 100' south thereof."

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

On motion by Alderperson VanderWeele and second by Alderperson Radtke, the Ordinance was passed on call of the roll:

Ayes: Baumann, Berg, Burg, Cerda, Davis, Graf, Kittelson, Manny, Meyer, Montemayor, Radtke, Segalle, Stephen, Suscha, Van Akkeren, VanderWeele-16.

Nays: None.

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

Mayor

City Clerk