

CITY OF SHEBOYGAN

TWENTY-FOURTH REGULAR COMMON COUNCIL MEETING

Monday, March 16, 2020

ALDERPERSONS PRESENT: Todd Wolf, Mary Lynne Donohue, Jim Bohren (remote), Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Barbara Felde - 8 .

ALDERPERSONS ABSENT AND EXCUSED: Betty Ackley and Trey Mitchell - 2 .

Meeting called to order at 6: 00 PM

1. OPENING OF MEETING

1.1 ROLL CALL

1.2 PLEDGE OF ALLEGIANCE

1.3 APPROVAL OF MINUTES

MOTION TO APPROVE MINUTES Motion by Todd Wolf, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Barbara Felde - 8 .

1.4 CONFIRMATION OF MAYOR'S APPOINTMENT - Marlo Testwuide to the Harbor Centre Business Improvement District Board

MOTION TO CONFIRM Motion by Todd Wolf, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Barbara Felde - 7. Abstain: Jim Bohren - 1 .

1.5 CONFIRMATION OF MAYOR'S APPOINTMENT - James Owen to the Redevelopment Authority

MOTION TO CONFIRMMotion by Todd Wolf, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Barbara Felde - 8 .

1.6 CONFIRMATION OF MAYOR'S APPOINTMENT - Charlie Wigg to the Architectural Review Board

MOTION TO CONFIRMMotion by Todd Wolf, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Barbara Felde - 8 .

1.7 PUBLIC FORUM - Limit of five people having five minutes each with comments limited to items on this agenda. No one spoke.

1.8 PRESENTATION - Presentation on 2020 Downtown District Activation and Placemaking Plan by Chad Pelishek, Director of Planning and Development.

1.9 MAYOR'S ANNOUNCEMENTS - UPCOMING COMMUNITY EVENTS, PROCLAMATIONS, EMPLOYEE RECOGNITIONS, UPDATE ON COVID- 19

2. HEARINGS

2.1 Hearing No. 10 - 19 - 20 pursuant to a notice published and personal notices sent by the City Clerk, there is a hearing scheduled for this evening for the proposed assessments for the installation of new water main and/or laterals in Geele Avenue from Calumet Drive to N. 23 rd Street.

MOTION TO CLOSE HEARINGMotion by Todd Wolf, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Barbara Felde - 8 .

3. CONSENT AGENDA

3.1 MOTION TO RECEIVE AND FILE ALL RO'S, RECEIVE ALL RC'S AND ADOPT ALL RESOLUTIONS AND ORDINANCES

Resolution:

MOTION TO RECEIVE AND FILE ALL RO'S, RECEIVE ALL RC'S AND ADOPT ALL RESOLUTIONS AND ORDINANCESMotion by Todd Wolf, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Barbara Felde - 8 .

3.2 R. O. No. 171 - 19 - 20 by City Clerk submitting various license applications (CG Services LLC).

Resolution:

MOTION TO RECEIVE AND GRANT LICENSES Motion by Todd Wolf, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Barbara Felde - 8 .

3.3 R. O. No. 172 - 19 - 20 by City Clerk submitting a license application already issued (Elizabeth Ann Seton School).

Resolution:

MOTION TO RECEIVE AND FILE THE R. O. Motion by Todd Wolf, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Barbara Felde - 8 .

3.4 R. O. No. 173 - 19 - 20 by City Plan Commission to whom was referred R. O. No. 165 - 19 - 20 by Director of Planning and Development, submitting the final Downtown Districts Activation and Placemaking Plan for the downtown, uptown, Indiana Avenue and Michigan Avenue districts; recommends to file the document.

Resolution:

MOTION TO RECEIVE THE R. O. AND FILE THE DOCUMENT Motion by Todd Wolf, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Barbara Felde - 8 .

3.5 R. C. No. 272 - 19 - 20 by Finance and Personnel Committee to whom was referred various claims; recommends filing all claims.

Resolution:

MOTION TO RECEIVE THE R. C. AND FILE THE CLAIMS Motion by Todd Wolf, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Barbara Felde - 8 .

3.6 R. C. No. 273 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred pursuant to R. O. No. 161 - 19 - 20 by City Clerk submitting various license applications; recommends granting the licenses.

Resolution:

MOTION TO RECEIVE THE R. C. AND GRANT THE LICENSES Motion by Todd Wolf, second

by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Barbara Felde - 8 .

3.7 R. C. No. 274 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 167 - 19 - 20 by Chief of Police submitting the annual report of the Sheboygan Police Department for the year 2019 ; recommends filing the document.

Resolution:

MOTION TO RECEIVE THE R. C. AND FILE THE DOCUMENT Motion by Todd Wolf, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Barbara Felde - 8 .

3.8 R. C. No. 275 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred pursuant to R. O. No. 169 - 19 - 20 by City Clerk submitting various license applications; recommends granting the licenses.

Resolution:

MOTION TO RECEIVE THE R. C. AND GRANT THE LICENSES Motion by Todd Wolf, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Barbara Felde - 8 .

3.9 R. C. No. 276 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred DIRECT REFERRAL R. O. No. 170 - 19 - 20 by City Clerk submitting a license application for the period ending December 31, 2020 (Room to Breathe Massage & Wellness); recommends granting the license.

Resolution:

MOTION TO RECEIVE THE R. C. AND GRANT THE LICENSE Motion by Todd Wolf, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Barbara Felde - 8 .

3.10 R. C. No. 280 - 19 - 20 by Public Works Committee to whom was referred Res. No. 180 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing accepting a Storm Sewer Easement (LTC); recommends adopting the Resolution.

Resolution:

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION Motion by Todd Wolf, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Barbara Felde - 8 .

3.11 R. C. No. 277 - 19 - 20 by Public Works Committee to whom was referred Res. No. 181 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing the appropriate City officials to sign the Intergovernmental Agreement for Automated Side-Load Truck Training with the City of Green Bay; recommends adopting the Resolution.

Resolution:

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION Motion by Todd Wolf, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Barbara Felde - 8 .

3.12 R. C. No. 278 - 19 - 20 by Public Works Committee to whom was referred Res. No. 182 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing the appropriate City officials to enter into a Lease-Purchase Agreement with Bell Bank Equipment Finance to finance the purchase of a 2020 Vactor 2100 i Vac Excavator Truck with 2020 Freightliner 114 SD Chassis; recommends adopting the Resolution.

BEFORE ACTION WAS TAKEN, MOTION TO AMEND DOCUMENT WITH NEW LEASE AGREEMENT Motion by Todd Wolf, second by Ryan Sorenson.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Barbara Felde

- 8. MOTION TO ADOPT RESOLUTION WITH AMENDED LEASE Motion by Todd Wolf, second by Ryan Sorenson.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Barbara Felde - 8 .

3.13 R. C. No. 279 - 19 - 20 by Public Works Committee to whom was referred Res. No. 183 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing the appropriate City officials to enter into a contract with Dorner, Inc. regarding street and utility replacement on Geele Avenue from Calumet Drive to N. 23 rd Street and milling of Saemann Avenue from N. 21 st Street to N. 25 th Street; recommends adopting the Resolution.

Resolution:

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION Motion by Todd Wolf, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Barbara Felde - 8 .

4. REPORT OF OFFICER

4.1 R. O. No. 174 - 19 - 20 by City Clerk submitting a Petition, Notice, and List of Tax Liens of Sheboygan County being foreclosed by proceeding in rem. 2014, 2015, and 2016. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.2 R. O. No. 175 - 19 - 20 by City Clerk submitting a claim from West Bend Insurance for alleged damages to their insured client's (Roger Rodewald) vehicle when it was struck by a City of Sheboygan squad car. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.3 R. O. No. 176 - 19 - 20 by City Clerk submitting a Summons and Complaint in the matter of Wells Fargo Bank, N.A. vs. Ed Macias et al. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.4 R. O. No. 177 - 19 - 20 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

5. RESOLUTIONS

5.1 Res. No. 185 - 19 - 20 by Alderpersons Wolf and Donohue supporting Wisconsin Assembly Bill 48 (AB 48). SUSPEND THE RULES AND ADOPT THE RESOLUTION

MOTION TO SUSPEND AND ADOPT THE RESOLUTION Motion by Todd Wolf, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Barbara Felde - 8 .

5.2 Res. No. 186 - 19 - 20 by Alderpersons Donohue and Bohren providing for the sale of \$3,100,000 Taxable Water Utility Revenue Bond Anticipation Notes, Series 2020 B. REFER TO FINANCE AND PERSONNEL COMMITTEE

5.3 Res. No. 187 - 19 - 20 by Alderpersons Donohue and Bohren providing for the sale of \$4,985,000 General Obligation Promissory Notes, Series 2020 A. REFER TO FINANCE AND PERSONNEL COMMITTEE

5.4 Res. No. 188 - 19 - 20 by Alderpersons Donohue and Bohren terminating the City of Sheboygan Tax Incremental District (TID) No. 11 and authorizing the Finance Director to distribute excess increment to overlying taxing districts. REFER TO FINANCE AND PERSONNEL COMMITTEE

5.5 Res. No. 189 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing the appropriate City officials to execute an Aquatic Management Services Agreement with Wisconsin Lake & Pond Resource LLC regarding the pond at the intersection of Weeden Creek Road and Moenning Road. REFER TO PUBLIC WORKS COMMITTEE

5.6 Res. No. 190 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing the appropriate City officials to enter into the 4 th Revision to the

State/Municipal Agreement with the Wisconsin Department of Transportation for design and construction for the Sidewalk Gap Improvements. REFER TO PUBLIC WORKS COMMITTEE

5.7 Res. No. 191 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing the appropriate City officials to enter into a contract with northeast Asphalt, Inc. regarding tennis court reconstruction in Roosevelt Park located at 1103 Mead Avenue. REFER TO PUBLIC WORKS COMMITTEE

5.8 Res. No. 192 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing the appropriate City officials to execute the Amendment to Management Services Agreement between the City of Sheboygan and EOS Recreation LLC regarding Quarry Park. REFER TO PUBLIC WORKS COMMITTEE

5.9 Res. No. 193 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing the appropriate City officials to enter into a contract with Klunck Masonry, LLC for the 2020 Sidewalk Program. REFER TO PUBLIC WORKS COMMITTEE

5.10 Res. No. 194 - 19 - 20 by Alderpersons Wolf and Sorenson declaring May 23, 2020 World Migratory Bird Day. REFER TO PUBLIC WORKS COMMITTEE

6. REPORT OF COMMITTEES

6.1 R. C. No. 281 - 19 - 20 by Finance and Personnel Committee to whom was referred DIRECT REFERRAL Res. No. 184 - 19 - 20 by Alderpersons Donohue and Bohren approving the FY 2020 One-Year Annual Action Plan for the Community Development Block Grant (CDGB) Program Submission; recommends adopting the Resolution with amendments. RECEIVE THE R. C. AND ADOPT THE SUBSTITUTE RESOLUTION

MOTION TO RECEIVE THE R. C. AND ADOPT THE SUBSTITUTE RESOLUTION Motion by Mary Lynne Donohue, second by Jim Bohren.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Markus Savaglio, Dean Dekker, Rose Phillips, Barbara Felde - 8. Abstain: Ryan Sorenson

7. MATTERS LAID OVER

7.1 Res. No. 179 - 19 - 20 by Alderpersons Donohue and Wolf supporting our Hmong/Lao community and opposing federal deportation of Hmong/Leo residents to Laos. ADOPT RESOLUTION

MOTION TO ADOPT RESOLUTION Motion by Mary Lynne Donohue, second by Todd Wolf.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Barbara Felde - 8 .

7.2 Res. No. 178 - 19 - 20 by Alderperson Ackley confirming the exercise of police power in making an assessment for those benefited properties against which assessments are proposed for the installation of new water main and/or laterals in Geele Avenue from Calumet Drive to N. 23 rd Street. ADOPT RESOLUTION

MOTION TO ADOPT RESOLUTION Motion by Todd Wolf, second by Mary Lynne Donohue.
Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Barbara Felde - 8 .

8. OTHER MATTERS AUTHORIZED BY LAW

8.1 Res. No. 195 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing the appropriate City officials to enter into a contract with LeMahieu Tree Service for the complete removal of 80 trees and stumps and associated landscape restoration. REFER TO PUBLIC WORKS COMMITTEE

9. CLOSED SESSION

9.1 MOTION TO CONVENE IN CLOSED SESSION pursuant to: (a) the exemption in sec. 19.85 (1)(g), Wis. Stats., in order to confer with legal counsel for the City who is rendering oral advice concerning strategy to be adopted by the body with respect to litigation in which it is involved, to wit: discussion and possible action regarding assessment litigation relating to Wal-Mart, Sheboygan County Case Nos. 2017 CV 616, 2018 CV 441, and 2019 CV 444 ; and (b) the exemption in sec.

19.85 (1)(d) , Wis. Stats., in order to deliberate or negotiate the purchase of property from Union Pacific railway adjacent to South Business Drive/ S. 14 th Street between Union Avenue and Pennsylvania Avenue, including a spur between South 10 th Street and South 13 th Street adjacent to Indiana Avenue; and transfer of real property on the South Pier located at 501 and 502 Indiana Avenue formerly owned by Pentair Corporation and improvements to land located at 229 South Pier Drive.

MOTION TO CONVENE IN CLOSED SESSION Motion by Todd Wolf, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Barbara Felde - 8.*Alderperson Bohren left meeting remotely.

10. ADJOURN MEETING

10.1 Motion to Adjourn

MOTION TO ADJOURN AT 7: 17 PM Motion by Todd Wolf, second by Mary Lynne Donohue.
Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Ryan Sorenson, Markus

Savaglio, Dean Dekker, Rose Phillips, Barbara Felde - 7 .