

CITY OF SHEBOYGAN

TWENTIETH REGULAR COMMON COUNCIL MEETING - 6: 00 P.M.

Monday, January 20, 2020

ALDERPERSONS PRESENT: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Betty Ackley, Barbara Felde - 9 .

ALDERPERSON ABSENT AND EXCUSED: Trey Mitchell - 1 .

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, Betty Ackley, Barbara Felde - 9 .

1.4 MAYOR'S APPOINTMENTS - Katy Glodosky to the Harbor Centre Business Improvement District Board. LAYS OVER

1.5 PUBLIC FORUM - Limit of five people having five minutes each with comments limited to items on this agenda. NO ONE SPOKE

1.6 MAYOR'S ANNOUNCEMENTS - UPCOMING COMMUNITY EVENTS, PROCLAMATIONS, EMPLOYEE RECOGNITIONS

2. HEARING

2.1 Hearing No. 6 - 19 - 20 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 property located at 1108 South Wildwood Avenue from Class Urban Industrial (UI) to Class Suburban Office (SO).

MOTION TO CLOSE HEARING 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, Betty Ackley, Barbara Felde - 9 .

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 ORDINANCES 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, Betty Ackley, Barbara Felde - 9 .

3.2 R. O. No. 135 - 19 - 20 by City Clerk submitting various license applications (Alliant Energy).

Resolution:

MOTION TO RECEIVE THE R. O. 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, Betty Ackley, Barbara Felde - 9 .

3.3 R. O. No. 136 - 19 - 20 by Board of Contractor's Examiners submitting an application for a Building Contractor License already granted.

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, Betty Ackley, Barbara Felde - 9 .

3.4 R. C. No. 223 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred pursuant to R. O. No. 124 - 19 - 20 by City Clerk submitting various license applications; recommends denying Taxicab Driver License (NEW) application No. 2008 (Bethany B. Garcia) based upon her record of violations related to the licensed activity and her history as a habitual law offender.

Resolution:

MOTION TO RECEIVE THE R. C. AND DENY 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, Betty Ackley, Barbara Felde - 9 .

3.5 R. C. No. 224 - 19 - 20 by Licensing, Hearings, and Public Safety Committee pursuant to R. O. No. 134 - 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, Betty Ackley, Barbara Felde - 9 .

3.6 R. C. No. 225 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 142 - 19 - 20 by Alderpersons Sorenson and Mitchell authorizing the chief of police to enter into a Mutual Assistance Agreement between the Sheboygan County Sherriff's Office and the Sheboygan Police Department regarding law enforcement services during the 2020 PGA Ryder Cup golf tournament; 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, Betty Ackley, Barbara Felde - 9 .

3.7 R. C. No. 226 - 19 - 20 by Public Works Committee to whom was referred Res. No. 143 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing accepting a permanent limited easement (1113 Maryland Avenue - Northwest corner); 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, Betty Ackley, Barbara Felde - 9 .

3.8 R. C. No. 227 - 19 - 20 by Public Works Committee to whom was referred Res. No. 144 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing accepting a temporary limited easement (1137 Illinois Avenue - Sheboygan Paper Box); 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, Betty Ackley, Barbara Felde - 9 .

3.9 R. C. No. 228 - 19 - 20 by Public Works Committee to whom was referred Res.
No. 145 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing accepting a
temporary limited easement (1009 South 11 th Street - Warehouse location);
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, Betty Ackley, Barbara Felde - 9 .

3.10 R. C. No. 229 - 19 - 20 by Public Works Committee to whom was referred
Res. No. 146 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing accepting a
temporary limited easement (1113 Maryland Avenue - Northwest corner);
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, Betty Ackley, Barbara Felde - 9 .

3.11 R. C. No. 230 - 19 - 20 by Public Works Committee to whom was referred
Res. No. 147 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing accepting a
temporary limited easement (1113 Maryland Avenue - South 11 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, Betty Ackley, Barbara Felde - 9 .

3.12 R. C. No. 231 - 19 - 20 by Public Works Committee to whom was referred
Res. No. 148 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing executing a
one-year lease for the agricultural property in the City of Sheboygan formerly
owned by John Poth, Jr.; 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, Betty Ackley, Barbara Felde - 9 .

3.13 R. C. No. 232 - 19 - 20 by Public Works Committee to whom was referred Gen. Ord. No. 40 - 19 - 20 by Alderpersons Wolf and Sorenson re-establishing the bulkhead line along a portion of Broughton Drive north of the Sheboygan River in the City of Sheboygan; recommends filing the Ordinance.

Resolution:

MOTION TO RECEIVE THE R. C. AND FILE THE ORDINANCE 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, Betty Ackley, Barbara Felde - 9 .

4. REPORT OF OFFICER

4.1 R. O. No. 137 - 19 - 20 by City Plan Commission to whom was referred Gen. Ord. No. 38 - 19 - 20 by Alderperson Dekker and R. O. No. 119 - 19 - 20 by City Clerk amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification of property located at 1108 South Wildwood Avenue (Parcel # 59281215710) from Class Urban Industrial (UI) to Class Suburban Office (SO) Classification; recommends receiving the R. O. and adopting the Ordinance. RECEIVE THE R. O. AND ADOPT THE ORDINANCE

MOTION TO RECEIVE THE R. O. AND ADOPT THE ORDINANCE Motion by Jim Bohren, second by Dean Dekker.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Betty Ackley, Barbara Felde - 9 .

4.2 R. O. No. 138 - 19 - 20 by City Plan Commission to whom was referred Gen. Ord. No. 41 - 19 - 20 by Alderperson Donohue and R. O. No. 138 - 19 - 20 by City Clerk granting Schroeder & Holt Architects LLC, its successors and assigns, the privilege of encroaching upon described portions of Niagara Avenue on the property located at 832 N. 8 th Street in the City of Sheboygan for the purpose of constructing a balcony; recommends receiving the R. O. and adopting the Ordinance amended to reflect the encroachment be granted to the owner of the building, James J. DuBois, his heirs and assigns. RECEIVE THE R. O. AND ADOPT THE SUBSTITUTE ORDINANCE

MOTION TO RECEIVE THE R. O. AND ADOPT THE SUBSTITUTE ORDINANCE Motion by Jim Bohren, 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, Betty Ackley, Barbara Felde - 9 .

4.3 R. O. No. 139 - 19 - 20 by City Clerk submitting a claim from Mark Weidemann for alleged damages to the TV antenna on his camper from non-trimmed trees. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.4 R. O. No. 140 - 19 - 20 by City Clerk submitting a claim from the Sheboygan Area School District for recovery of 2019 property tax on Parcel No. 59281106170 and Parcel No. 59281106200. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.5 R. O. No. 141 - 19 - 20 by Fire Chief pursuant to section 50 - 564 of the Municipal Code, submitting the quarterly report of Benchmark Measurements for the Fire Department for the period commencing October 1, 2019 and ending December 31, 2019. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

4.6 R. O. No. 142 - 19 - 20 by Chief of Police Christopher Domagalski pursuant to section 54 - 65 of the Municipal Code, submitting the quarterly report showing the Benchmark Measurements for the Police Department for the period commencing October 1, 2019 and ending December 31, 2019. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

4.7 R. O. No. 143 - 19 - 20 by City Clerk submitting a communication from Robert J. Werner, President - Werner Homes, petitioning for the taking of a park (Parcel Number 59281 - 471040) for non-park use under Section 74.2 of the City of Sheboygan Municipal Code. REFER TO BOARD OF MARINA, PARKS, AND FORESTRY

5. RESOLUTIONS

5.1 Res. No. 150 - 19 - 20 by Alderpersons Bohren and Wolf expressing the sense of the council that the board of marina, parks and forestry commissioners consider beginning the process set forth under Sec. 74 - 2, Sheboygan Municipal Code, for the taking of a park for a non-park use. REFER TO BOARD OF MARINA, PARKS, AND FORESTRY

5.2 Res. No. 151 - 19 - 20 by Alderpersons Donohue and Bohren authorizing entering into an Agreement with Visit Sheboygan STEAM, Inc. REFER TO FINANCE AND PERSONNEL COMMITTEE

5.3 Res. No. 152 - 19 - 20 by Alderpersons Donohue and Bohren authorizing the appropriate City officials to execute the Fund for Lake Michigan Grant Agreement in order to accept \$75,000 grant funds. REFER TO FINANCE AND PERSONNEL COMMITTEE

5.4 Res. No. 153 - 19 - 20 by Alderpersons Sorenson and Mitchell authorizing the City of Sheboygan and Village of Kohler Municipal Court to enter into a Master Service Agreement with Language Line Services, Inc. regarding interpreter services. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

5.5 Res. No. 154 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing the appropriate City officials to execute a Statement of Willingness to Assume Financial Responsibility with regard to part of a line of railroad proposed for abandonment by Union Pacific Railroad. REFER TO PUBLIC WORKS COMMITTEE

5.6 Res. No. 155 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing entering into an Authorization for Professional Services with ECS Midwest, LLC regarding soil borings in the vicinity of the Badger State Lofts development. REFER TO PUBLIC WORKS COMMITTEE

5.7 Res. No. 156 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing the appropriate City officials to enter into a contract for the 2020 Concrete Pavement Projects (Superior Avenue and Niagara Avenue Bid # 2442 - 19). REFER TO PUBLIC WORKS COMMITTEE

6. REPORT OF COMMITTEES

6.1 R. C. No. 233 - 19 - 20 by Finance and Personnel Committee to whom was referred Res. No. 141 - 19 - 20 by Alderpersons Donohue and Bohren authorizing the acceptance of \$120,000 in funds from Festival Foods towards the 2020, 2021, and 2022 City Independence Day celebrations; recommends adopting the Resolution. RECEIVE THE R. C. AND ADOPT THE RESOLUTION

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

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Betty Ackley, Barbara Felde - 9 .

6.2 R. C. No. 234 - 19 - 20 by Public Works Committee to whom was referred DIRECT REFERRAL Res. No. 149 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing the appropriate City officials to enter into a contract with Vinton Construction Company, Inc. regarding street and utility replacement on Illinois Avenue, Maryland Avenue, South 10 th Street and South 11 th Street in the vicinity of the Badger State Lofts development; recommends adopting the Resolution. RECEIVE THE R. C. AND ADOPT THE 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, Betty Ackley, Barbara Felde - 9 .

6.3 R. C. No. 235 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred Gen. Ord. No. 39 - 19 - 20 by Alderpersons Sorenson and Mitchell amending various sections of Article III, Chapter 26, Sheboygan Municipal Code, so as to require a license for installation and repair, etc., of low voltage installations in commercial buildings and providing a fee for certain inspections and re-inspections for such installments; recommends adopting the Ordinance. RECEIVE THE R. C. AND ADOPT THE ORDINANCE

MOTION TO RECEIVE THE R. C. AND ADOPT THE ORDINANCE Motion by Ryan Sorenson, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Dean Dekker, Rose Phillips, Betty Ackley, Barbara Felde - 8. Nay: Markus Savaglio - 1. Motion by Jim Bohren, second by Markus Savaglio to reconsider R. C. No. 232 - 19 - 20. Motion passes on voice vote.

Motion by Ryan Sorenson, second by Mary Lynne Donohue to receive R. C. No. 232 - 19 - 20 and file Gen. Ord. No. 40 - 19 - 20. Motion passes on voice vote.

7. OTHER MATTERS AUTHORIZED BY LAW

7.1 R. O. No. 144 - 19 - 20 by City Clerk submitting various license applications (Edler). REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

8. CLOSED SESSION

8.1 MOTION TO CONVENE IN CLOSED SESSION under the exemption provided in Sec. 19.85 (1)(e), Wis. Stats., where competitive or bargaining reasons require a closed session related to a possible sale of the city-owned property at 229 South Pier Drive and possible purchase of public property known as tax parcel number 59030454492.

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, Betty Ackley, Barbara Felde - 9 .

9. ADJOURN MEETING

9.1 Motion to Adjourn

MOTION TO ADJOURN AT 6: 54 PM 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, Betty Ackley, Barbara Felde - 9 .