

CITY OF SHEBOYGAN

NINETEENTH REGULAR COMMON COUNCIL MEETING

Monday, January 6, 2020

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

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, Trey Mitchell, Betty Ackley, Barbara Felde - 10

1.4 CONFIRMATION OF MAYOR'S APPOINTMENTS - Four individuals 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, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde - 10

1.5 PRESENTATION - 2019 Year End Review of the Neighborhood Revitalization Focus Area by Nancy Maring, Community and Economic Development Planner

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

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

2. HEARINGS

2.1 Hearing No. 4 - 19 - 20 pursuant to a notice published by City Clerk, there is a hearing scheduled for this evening to give persons an opportunity to be heard relative to the proposed amendment to the City of Sheboygan's Zoning Ordinance. The purpose of the amendment is to eliminate the residency requirement for membership on the Architectural Review Board.

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, Trey Mitchell, Betty Ackley, Barbara Felde - 10

2.2 Hearing No. 5 - 19 - 20 pursuant to a notice published by the City Clerk, there is a hearing scheduled for this evening to give persons an opportunity to be heard relative to the proposed amendment to the City of Sheboygan's Zoning Ordinance. The purpose of the amendment is to add an architectural review fee.

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, Trey Mitchell, Betty Ackley, Barbara Felde - 10

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, Trey Mitchell, Betty Ackley, Barbara Felde - 10

3.2 R. O. No. 125 - 19 - 20 by City Clerk submitting various license applications (Badger Turf).

Resolution:

MOTION TO RECEIVE THE R. O. AND GRANT THE LICENSESMotion 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, Trey Mitchell, Betty Ackley, Barbara Felde - 10

3.3 R. O. No. 126 - 19 - 20 by City Attorney submitting, as a matter of record, the original Storm Sewer Easement dated November 22, 2019, between the City of Sheboygan and Eighth Street Investments, LLC, executed in accordance with Res. No. 104 - 19 - 20, which has been recorded in the Sheboygan County Register of Deeds Office.

Resolution:

MOTION TO RECEIVE THE R. O. AND FILE THE SIGNED EASEMENT

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, Trey Mitchell, Betty Ackley, Barbara Felde - 10

3.4 R. O. No. 127 - 19 - 20 by Transit Commission to whom was referred Res. No. 138 - 19 - 20 by Alderpersons Wolf and Donohue authorizing the Mayor to execute the 2020 General Contract between Sheboygan County Health & Human Services Department and Shoreline Metro regarding transportation for elderly and disabled individuals; recommends adopting the Resolution.

Resolution:

MOTION TO RECEIVE THE R. O. AND ADOPT THE RESOLUTIONMotion 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, Trey Mitchell, Betty Ackley, Barbara Felde - 10

3.5 R. C. No. 218 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 113 - 19 - 20 by City Clerk submitting various license applications; recommends receiving and filing the withdrawal of Taxicab Drivers License application No. 3014 (Deanna M. Preston).

Resolution:

MOTION TO RECEIVE THE R. C. AND FILE THE APPLICATIONMotion 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, Trey Mitchell, Betty Ackley, Barbara Felde - 10

3.6 R. C. No. 219 - 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 amending R. O. No. 124 - 19 - 20 to list Taxicab Drivers License application No. 2008 (Bethany B. Garcia) as "NEW" and not "RENEWAL" and granting the licenses on the amended R. O. and various caveats.

Resolution:

MOTION TO RECEIVE THE R. C., AMEND 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, Trey Mitchell, Betty Ackley, Barbara Felde - 10

4. REPORT OF OFFICER

4.1 R. O. No. 128 - 19 - 20 by City Clerk submitting a request from Schroeder & Holt Architects LLC to encroach upon portions of Niagara Avenue on property located at 832 N. 8 th Street for the purpose of constructing a balcony. REFER TO CITY PLAN COMMISSION

4.2 R. O. No. 129 - 19 - 20 by City Clerk submitting a Summons and Complaint in the matter of James Pulaski vs City of Sheboygan et al. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.3 R. O. No. 130 - 19 - 20 by City Clerk submitting a claim from Progressive Insurance on behalf of their insured, Jonathan Erlie, for alleged damages to their parked/unoccupied vehicle when it was struck by a City of Sheboygan Sanitation truck. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.4 R. O. No. 131 - 19 - 20 by City Clerk submitting a Notice of Circumstances of Claim and Claim pursuant to sec. 893 - 80 (1 d)(a) and (b) from Axley Brynelson, LLP on behalf of the claimants Audrey M. Brubake and Estate of Roman J. Martin. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.5 R. O. No. 132 - 19 - 20 by City Clerk submitting a Summons and Complaint in the matter of Morgan Stephen et al vs. American Family Mutual Insurance Company, S.I. et al. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.6 R. O. No. 133 - 19 - 20 by City Clerk submitting a communication from Toby Watson, South Pier Real Estate Development, regarding individual's personal property tax being applied to another individual. REFER TO FINANCE AND PERSONNEL COMMITTEE

5. RESOLUTIONS

5.1 Res. No. 139 - 19 - 20 by Alderpersons Wolf and Donohue authorizing the appropriate City officials to enter into a Section 125 Flexible Benefit Plan Adoption Agreement for plan year 2020. SUSPEND THE RULES AND ADOPT THE RESOLUTION

MOTION TO SUSPEND THE RULES 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, Trey Mitchell, Betty Ackley, Barbara Felde - 105.2 Res. No. 140 - 19 - 20 by Alderpersons Wolf and Donohue authorizing entering into an Agreement with Waste Management of Wisconsin, Inc. for residential refuse and recyclable material transfer and tipping services. SUSPEND THE RULES AND ADOPT THE RESOLUTION

MOTION TO SUSPEND THE RULES 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, Trey Mitchell, Betty Ackley, Barbara Felde - 10

5.3 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. REFER TO FINANCE AND PERSONNEL COMMITTEE

5.4 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 Sheriff's Office and the Sheboygan Police Department regarding law enforcement services during the 2020 PGA Ryder Cup golf tournament. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

5.5 Res. No. 143 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing accepting a permanent limited easement (1113 Maryland Ave. - Northwest corner). REFER TO PUBLIC WORKS COMMITTEE

5.6 Res. No. 144 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing accepting a temporary limited easement (1137 Illinois Ave. - Sheboygan Paper Box). REFER TO PUBLIC WORKS COMMITTEE

5.7 Res. No. 145 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing accepting a temporary limited easement (1009 South 11 th Street - Warehouse location). REFER TO PUBLIC WORKS COMMITTEE

5.8 Res. No. 146 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing accepting a temporary limited easement (1113 Maryland Ave. - Northwest corner). REFER TO PUBLIC WORKS COMMITTEE

5.9 Res. No. 147 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing accepting a temporary limited easement (1113 Maryland Ave. - South 11 th Street). REFER TO PUBLIC WORKS COMMITTEE

5.10 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. REFER TO PUBLIC WORKS COMMITTEE

6. REPORT OF COMMITTEES

6.1 R. C. No. 220 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 135 - 19 - 20 by Alderpersons Sorenson and Mitchell authorizing the acceptance of monies from Acuity Insurance in the amount of \$1,000.00 ; recommends adopting the Resolution. RECEIVE THE R. C. AND ADOPT THE RESOLUTION

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION Motion by Ryan Sorenson, second by Trey Mitchell.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde - 10

6.2 R. C. No. 221 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 136 - 19 - 20 by Alderpersons Sorenson and Mitchell authorizing the appropriate City officials to enter into a contract to license FireTEAM Testing from Ergometrics & Applied Personnel Research, Inc. for pre-employment testing of applicants seeking employment with the City of Sheboygan Fire Department; recommends adopting the Resolution. RECEIVE THE R. C. AND ADOPT THE RESOLUTION

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION Motion by Ryan Sorenson, second by Trey Mitchell.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde - 10

6.3 R. C. No. 222 - 19 - 20 by Public Works Committee to whom was referred Res. No. 137 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing a Relocation Order in the City of Sheboygan, Sheboygan County, Wisconsin; 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 Ryan Sorenson.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde - 10

7. GENERAL ORDINANCES

7.1 Gen. Ord. No. 41 - 19 - 20 by Alderperson Donohue 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. REFER TO CITY PLAN COMMISSION

8. MATTERS LAID OVER

8.1 R. O. No. 117 - 19 - 20 by City Plan Commission to whom was referred Gen. Ord. No. 35 - 19 - 20 by Alderpersons Bohren and Wolf repealing and recreating Subsection 15.935 (1)(a) of the City of Sheboygan Zoning Ordinance ("SZO") so as to eliminate the residency requirements for membership on the Architectural Review Board; recommends 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 Mary Lynne Donohue.

Final Resolution:

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

Nay: Ryan Sorenson - 1

8.2 R. O. No. 118 - 19 - 20 by City Plan Commission to whom was referred Gen. Ord. No. 36 - 19 - 20 by Alderpersons Bohren and Wolf creating Subsection 15.936 (1)(L) of the City of Sheboygan Zoning Ordinance ("SZO") so as to add an architectural review fee; recommends 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 Todd Wolf.

Final Resolution:

Motion Passes Aye: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde - 8

Nay: Ryan Sorenson, Markus Savaglio - 2

9. OTHER MATTERS AUTHORIZED BY LAW

9.1 R. O. No. 134 - 19 - 20 by City Clerk submitting various license applications (Bruinooge). REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

10. ADJOURN MEETING

10.1 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, Trey Mitchell, Betty Ackley,
Barbara Felde - 10