

CITY OF SHEBOYGAN

FIFTEENTH REGULAR COMMON COUNCIL MEETING

Monday, November 4, 2019

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

Meeting called to order at 6: 00 PM

1. OPENING OF MEETING

1.1 ROLL CALL

1.2 PLEDGE OF ALLEGIANCE - Pledge led by Boy Scout Troop 890 sponsored by Holy Family and St. Clements

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 RESIGNATION - Ray Haen from the Board of Water Commissioners

MOTION TO RECEIVE AND FILE 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 MAYOR'S APPOINTMENTS - Kay Hill to the Housing Authority. LAYS OVER

1.6 PRESENTATION - Downtown Grocery Market Study Findings by Chad Pelishek,

Director of Planning and Development

1.7 PRESENTATION 3 rd Quarter 2019 - Strategic Plan Action Items and Critical Measurements review by City Administrator Darrell Hofland

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

1.9 ANNOUNCEMENT - BOARD OF WATER COMMISSIONERS ELECTION TO BE HELD ON NOVEMBER 18, 2019 (UNEXPIRED TERM TO BEGIN IMMEDIATELY AND END SEPTEMBER 30, 2020)

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

MAYOR AND ALDERPERSONS FELDE, WOLF, SAVAGLIO, AND SORENSON PROVIDED REPORTS ON ATTENDANCE AT THE LEAGUE OF WISCONSIN MUNICIPALITIES CONFERENCE THEY ATTENDED

2. CONSENT AGENDA

2.1 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 .

2.2 R. O. No. 96 - 19 - 20 by Board of Water Commissioners submitting the Board of Water Commissioners' Report on the Water Utility for the third quarter of 2019.

Resolution:

MOTION TO RECEIVE AND FILE 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 .

2.3 R. O. No. 97 - 19 - 20 by City Clerk submitting a communication from Lakeshore Technical College along with their Tax Levy Report.

Resolution:

MOTION TO RECEIVE AND FILE 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 .

2.4 R. O. No. 98 - 19 - 20 by City Clerk submitting a Tax Levy Certification
for the 2019 - 2020 school year from the Kohler School District.

Resolution:
MOTION TO RECEIVE AND FILE 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 .

2.5 R. O. No. 99 - 19 - 20 by City Clerk submitting various license
applications (Friends of the Senior Center).

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

2.6 R. C. No. 164 - 19 - 20 by Finance and Personnel Committee to whom was
referred various claims; recommends filing the documents.

Resolution:
MOTION TO RECEIVE AND FILE THE DOCUMENTS 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 .

2.7 R. C. No. 165 - 19 - 20 by Finance and Personnel Committee to whom was
referred Com. No. 4 - 19 - 20 presented to the Common Council by City Clerk
submitting a communication from Dolcye Johnson regarding computation of
personnel costs related to operating the ambulance service; 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, Trey Mitchell, Betty Ackley,

Barbara Felde - 10 .

2.8 R. C. No. 166 - 19 - 20 by Finance and Personnel Committee to whom was referred R. O. No. 84 - 19 - 20 by City Attorney submitting, as a matter of record, a copy of the United States District Court, Eastern District of Wisconsin, Decision and Order Granting Defendant's Motion for Summary Judgment in the matter of Tyler Jones v. City of Sheboygan, Case No. 18 -CV- 709, which was issued on August 13, 2019, and became final on September 13, 2019 ; recommends filing the document.

Resolution:

MOTION TO RECEIVE 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, Trey Mitchell, Betty Ackley, Barbara Felde - 10 .

2.9 R. C. No. 167 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 93 - 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 July 1, 2019 and ending September 30, 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, Trey Mitchell, Betty Ackley, Barbara Felde - 10 .

2.10 R. C. No. 168 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred pursuant to R. O. No. 94 - 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, Trey Mitchell, Betty Ackley, Barbara Felde - 10 .

2.11 R. C. No. 169 - 19 - 20 by Finance and Personnel Committee to whom was referred Res. No. 101 - 19 - 20 by Alderpersons Donohue and Bohren adopting a Citizen Participation Plan which is required when funds are acquired from the U.S. Department of Housing and Urban Development, Community Development Block Grant Program; 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, Trey Mitchell, Betty Ackley, Barbara Felde - 10 .

2.12 R. C. No. 170 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 102 - 19 - 20 by Alderpersons Sorenson and Mitchell authorizing the Purchasing Agent to issue a purchase order for the purchase of six police squad car vehicles for the Sheboygan Police Department; 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, Trey Mitchell, Betty Ackley, Barbara Felde - 10 .

2.13 R. C. No. 171 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 103 - 19 - 20 by Alderpersons Sorenson and Mitchell authorizing City officials to issue a Purchase Order for the purchase of tactical body armor and related equipment for the Sheboygan Police Department; 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, Trey Mitchell, Betty Ackley, Barbara Felde - 10 .

2.14 R. C. No. 172 - 19 - 20 by Public Works Committee to whom was referred Gen. Ord. No. 28 - 19 - 20 by Alderpersons Wolf and Sorenson creating a no parking zone on the west side of N. 5 th Street north of New York Avenue; recommends adopting the Ordinance.

Resolution:

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

2.15 R. C. No. 173 - 19 - 20 by Public Works Committee to whom was referred

Gen. Ord. No. 29 - 19 - 20 by Alderpersons Wolf and Sorenson creating a no parking zone on the west side of N. 5 th Street south of New York Avenue; recommends adopting the Ordinance.

Resolution:

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

2.16 R. C. No. 174 - 19 - 20 by Public Works Committee to whom was referred Gen. Ord. No. 30 - 19 - 20 by Alderpersons Wolf and Sorenson amending Section 122 - 403, 122 - 404. and 122 - 405 of the Municipal Code relating to sewers and sewerage disposal so as to make changes to service charges; recommends adopting the Ordinance.

Resolution:

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

3. REPORTS OF OFFICERS

3.1 R. O. No. 100 - 19 - 20 by City Clerk submitting a claim from Montara Comer for alleged damages to her vehicle when a traffic barrier blew into it. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.2 R. O. No. 101 - 19 - 20 by Fire Chief pursuant to section 50 - 56 of the Municipal Code, submitting the quarterly report of Benchmark Measurements for the Fire Department for the period commencing July 1, 2019 and ending September 30, 2019. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

4. RESOLUTIONS

4.1 Res. No. 105 - 19 - 20 by Alderpersons Donohue and Bohren authorizing the appropriate city officials to execute an amendment to a Parking and Access Lease Agreement with Eighth Street Sheboygan Housing Corporation. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.2 Res. No. 106 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing entering into an Agreement with Making Spirits Bright, Inc. for use of Evergreen Park and the Quarryview Center for the annual Making Spirits Bright drive-through holiday lights display. REFER TO PUBLIC WORKS COMMITTEE

4.3 Res. No. 108 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing the emergency repair of an underground electrical feeder and related equipment at the Eighth Street Draw Bridge. REFER TO PUBLIC WORKS COMMITTEE

4.4 Res. No. 109 - 19 - 20 by Alderpersons Bohren and Mitchell demanding Union Pacific Railroad repair three at-grade railroad crossings in the City of Sheboygan in accordance with Wis. Stat.
86.

12. REFER TO PUBLIC WORKS COMMITTEE

4.5 Res. No. 110 - 19 - 20 by Alderperson Felde expressing the sense of the Council that they would support staff beginning the process for a request for proposal related to the future facility needs of Sheboygan's growing active senior community. REFER TO SENIOR ACTIVITY CENTER COMMISSION

4.6 Res. No. 107 - 19 - 20 by Alderperson Wolf authorizing the filing of an application with the United States of America Department of Transportation and authorizing the executing of the contract pertaining to grants for calendar year 2020, under former Section 9 (USC 5307) of the Federal Transit Act of 1964, as amended. REFER TO TRANSIT COMMISSION

5. REPORT OF COMMITTEES

5.1 R. C. No. 175 - 19 - 20 by Finance and Personnel Committee to whom was referred DIRECT REFERRAL R. O. No. 95 - 19 - 20 by Director of Planning and Development submitting the 2020 Business Improvement District (BID) Statement of Purpose, dated October 1, 2019, and the BID's 2020 Operating Budget; recommends filing the document. RECEIVE THE R. C. AND FILE THE DOCUMENT

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

Nay: Ryan Sorenson - 1 .

5.2 R. C. No. 176 - 19 - 20 by Public Works Committee to whom was referred DIRECT REFERRAL Res. No. 92 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing the emergency slope repair along the Sheboygan River near S. Water Street and Jefferson Avenue; recommends adopting the Resolution as amended. RECEIVE THE R. C. AND ADOPT THE SUBSTITUTE RESOLUTION

MOTION TO RECEIVE THE R. C. AND ADOPT THE SUBSTITUTE 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 .

5.3 R. C. No. 177 - 19 - 20 by Public Works Committee to whom was referred Res. No. 104 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing executing a storm sewer easement (Eighth Street Investments, LLC); recommends adopting the Resolution. REFER TO PUBLIC WORKS COMMITTEE

6. GENERAL ORDINANCES

6.1 Gen. Ord. No. 32 - 19 - 20 by Alderpersons Bohren and Wolf repealing and recreating Section 15.905 and Subsection 15.908 (1) of the City of Sheboygan Zoning Ordinance (SZO), so as to amend certain portions thereof so as to clarify any ambiguities in the Municipal Code relating to Conditional Use Permits, to incorporate into the Municipal Code established past practices of the Plan Commission relative to Conditional Uses, and to conform the Municipal Code to 2017 Wis. Act 67 and Sec. 62.23 (7)(de), Wis. Stats. REFER TO CITY PLAN COMMISSION

6.2 Gen. Ord. No. 33 - 19 - 20 by Alderpersons Donohue, Ackley, Felde, Savaglio, and Sorenson amending Section 70 - 251 of the Municipal Code so as to ban the carry, possession, or control of any firearm, facsimile firearm, or concealed weapon in City buildings upon which such ban is posted and to provide certain definitions of terms contained in the ordinance. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

6.3 Gen. Ord. No. 34 - 19 - 20 by Alderperson Sorenson amending Gen. Ord. No. 83 - 11 - 12, passed by Council on April 2, 2012, in order to update the polling locations for the thirty-one wards relating to Section 38 - 3 of the Municipal Code regarding wards and aldermanic districts. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

7. MATTERS LAID OVER

7.1 R. C. No. 158 - 19 - 20 by Committee of the Whole to whom was referred R. C. No. 135 - 19 - 20 by Finance and Personnel Committee and DIRECT REFERRAL Res. No. 83 - 19 - 20 by Alderpersons Donohue and Bohren establishing the 2020 Budget appropriations and the 2019 Tax Levy for use during the calendar year; 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 Ryan Sorenson, second by Todd Wolf.

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 .

7.2 R. C. No. 159 - 19 - 20 by Committee of the Whole to whom was referred R. C. No. 136 - 19 - 20 by Licensing, Hearings, and Public Safety Committee and a copy of DIRECT REFERRAL Res. No. 83 - 19 - 20 by Alderpersons Donohue and

Bohren establishing the 2020 Budget appropriations and the 2019 Tax Levy for use during the calendar year; recommends filing the document. RECEIVE THE R. C. AND FILE THE COPY OF THE RESOLUTION

MOTION TO RECEIVE THE R. C. AND FILE THE COPY OF THE RESOLUTION Motion by Ryan Sorenson, second by Todd Wolf.

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 .

7.3 R. C. No. 160 - 19 - 20 by Committee of the Whole to whom was referred R. C. No. 137 - 19 - 20 by Public Works Committee and a copy of DIRECT REFERRAL Res. No. 83 - 19 - 20 by Alderpersons Donohue and Bohren establishing the 2020 Budget appropriations and the 2019 Tax Levy for use during the calendar year; recommends filing the document. RECEIVE THE R. C. AND FILE THE COPY OF THE RESOLUTION

MOTION TO RECEIVE THE R. C. AND FILE THE COPY OF THE RESOLUTION Motion by Ryan Sorenson, second by Todd Wolf.

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 .

8. OTHER MATTERS AUTHORIZED BY LAW

8.1 R. O. No. 102 - 19 - 20 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

9. CLOSED SESSION

9.1 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 in downtown Sheboygan along Pennsylvania Avenue and 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, Trey Mitchell, Betty Ackley, Barbara Felde - 10 .

10. ADJOURN MEETING

10.1 Motion to Adjourn

MOTION TO ADJOURN AT 7: 41 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 .