

CITY OF SHEBOYGAN

FOURTEENTH REGULAR COMMON COUNCIL MEETING

Monday, October 21, 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

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 PRESENTATION - Sheboygan Housing Authority Project Update by Joe Rupnick, Executive Director

1.5 PUBLIC FORUM - Limit of five people having five minutes each with comments limited to items on this agenda. Dolcye Johnson spoke.

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

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. 88 - 19 - 20 by City Clerk submitting a communication (map) from David Gass, Rohde Dales LLP, addressing the recommendations of the Department of Administration regarding the proposed petition for Direct Annexation by Unanimous Consent for land currently located in the Town of Sheboygan (3820 N. 13 th Street - Tax Parcel No. 59024346190).

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. 89 - 19 - 20 by City Clerk submitting a communication from Erich Schmidtke, Department of Administration regarding the proposed petition for Direct Annexation by Unanimous Consent for land currently located in the Town of Sheboygan (3820 N. 13 th Street - Tax Parcel No. 59024346190), stating the proposed annexation has been reviewed and found to be in the public interest with two recommended notes.

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. 90 - 19 - 20 by City Plan Commission to whom was referred Com. No. 1 - 19 - 20, Com. No. 2 - 19 - 20 and Com. No. 3 - 19 - 20 submitted by Chris Merklein, Director of Development, Van Horn Real Estate, requesting encroachments for Kingsbury Village Apartments; recommends filing the communications and directing staff to draft Ordinances granting the requested encroachments.

Resolution:

MOTION TO RECEIVE THE R. O. AND DIRECT STAFF TO DRAFT ORDINANCES GRANTING THE REQUESTED ENCROACHMENTS 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. C. No. 161 - 19 - 20 by Finance and Personnel Committee submitting various claims; recommends filing claims.

Resolution:

MOTION TO RECEIVE AND FILE DOCUMENTSMotion 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. 162 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 80 - 19 - 20 by City Clerk submitting various license applications; recommends filing Beverage Operator's License application No. 2939 (Mahmutagic, Semir) due to the application being withdrawn.

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 .

2.7 R. C. No. 163 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 87 - 19 - 20 by City Clerk submitting various license applications; recommends granting the licenses.

Resolution:

RECEIVE THE R. C. AND GRANTING 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 .

2.8 R. C. No. 150 - 19 - 20 by Finance and Personnel Committee to whom was referred Res. No. 94 - 19 - 20 by Alderpersons Donohue and Bohren authorizing the appropriate City officials to execute a Vacant Land Offer to Purchase with Habitat for Humanity Lakeside, Inc. with regard to two City-owned vacant lots (Lots 11 and 12) on the northwest corner of Erie Avenue and North 10 th Street; recommends adopting the Resolution.

Resolution:

MOTION TO RECEIVE THE R. C. 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 .

2.9 R. C. No. 151 - 19 - 20 by Finance and Personnel Committee to whom was referred Res. No. 96 - 19 - 20 by Alderperson Donohue and Bohren consenting to the Assignment of Incentive Payments between Van Horn Development, LLC and Bank First, N.A.; 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 .

2.10 R. C. No. 152 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 97 - 19 - 20 by Alderpersons Sorenson and Mitchell authorizing the appropriate City officials to execute the Joint Powers Agreement for Sheboygan County and City of Sheboygan 911 Emergency Systems; 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 .

2.11 R. C. No. 153 - 19 - 20 by Public Works Committee to whom was referred Res. No. 98 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing entering into a Mooring Agreement with South Pier Family Investments Inc.; 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. 154 - 19 - 20 by Finance and Personnel Committee to whom was referred Gen. Ord. No. 21 - 19 - 20 by Alderpersons Donohue and Bohren repealing and recreating Section 74 - 82 of the Sheboygan Municipal Code regarding the imposition of impact fees to reflect changes in how the Federal government reports the Consumer Price Index; 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 .

2.13 R. C. No. 155 - 19 - 20 by the Public Works Committee to whom was referred DIRECT REFERRAL Gen. Ord. No. 22 - 19 - 20 by Alderpersons Wolf and Sorenson amending Section 42 - 104 of the Sheboygan Municipal Code to change the time period in which parking on emergency routes, boulevards, cul-de-sacs, and dead ends is prohibited during a snow emergency; 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 .

2.14 R. C. No. 156 - 19 - 20 by the Public Works Committee to whom was referred DIRECT REFERRAL Gen. Ord. No. 23 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing replacing certain No Parking signs throughout the City of Sheboygan to align with the current winter parking regulations; recommends adopting the Ordinance.

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

3. COMMUNICATIONS

3.1 Com. No. 4 - 19 - 20 presented to the Common Council by the City Clerk submitting a communication from Dolcye Johnson regarding computation of personnel costs related to operating the ambulance service. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.2 Com. No. 5 - 19 - 20 presented to the Common Council by Alderperson Savaglio submitting a communication from Hardik Khatri regarding Personal Property Tax for the Super

8. REFER TO FINANCE AND PERSONNEL COMMITTEE

4. REPORTS OF OFFICERS

4.1 R. O. No. 91 - 19 - 20 by City Clerk submitting a notice of claim from Mary E. Sommersberger for alleged injuries sustained when she tripped on a pothole while walking on Sunnyside Avenue. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.2 R. O. No. 92 - 19 - 20 by City Clerk submitting a notice of claim from American Family Insurance for alleged damages to their insured (Mollie R. Leffin) vehicle when it was struck by a City of Sheboygan vehicle. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.3 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. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

5. RESOLUTIONS

5.1 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. REFER TO FINANCE AND PERSONNEL COMMITTEE

5.2 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. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

5.3 Res. No. 103 - 19 - 20 by Alderpersons Sorenson and Mitchell authorizing the appropriate City officials to issue a Purchase Order for the purchase of tactical body armor and related equipment for the Sheboygan Police Department. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

5.4 Res. No. 104 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing executing a storm sewer easement. REFER TO PUBLIC WORKS COMMITTEE

6. REPORT OF COMMITTEES

6.1 R. C. No. 157 - 19 - 20 by Finance and Personnel Committee to whom was referred Res. No. 95 - 19 - 20 by Alderpersons Donohue and Bohren authorizing the appropriate City official to enter into an Intergovernmental Cooperative Agreement with Sheboygan County for Sales Tax Revenue-Sharing for Transportation Infrastructure Maintenance; recommends adopting the Resolution with amendment. 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, Ryan Sorenson,

Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde - 10 .

6.2 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. LAYS OVER

6.3 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 adopting the Resolution with amendments. LAYS OVER

6.4 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 adopting the Resolution with amendments. LAYS OVER

7. GENERAL ORDINANCES

7.1 Gen. Ord. No. 24 - 19 - 20 by Alderperson Phillips granting Van Horn Development LLC and Kingsbury Village LLC, its successors and assigns, the privilege of encroaching upon described portions of New York Avenue Right of Way in the City of Sheboygan for the purpose of constructing a sidewalk. ADOPT ORDINANCE

MOTION TO ADOPT ORDINANCE Motion by Rose Phillips, second by Jim Bohren.
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 Gen. Ord. No. 25 - 19 - 20 by Alderperson Phillips granting Van Horn Development LLC and Kingsbury Village LLC, its successors and assigns, the privilege of encroaching upon described portions of New York Avenue Right of Way in the City of Sheboygan for the purpose of constructing an access driveway. ADOPT ORDINANCE

MOTION TO ADOPT ORDINANCE Motion by Rose Phillips, second by Jim Bohren.
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 Gen. Ord. No. 26 - 19 - 20 by Alderperson Phillips granting Van Horn

Development LLC and Kingsbury Village LLC, its successors and assigns, the privilege of encroaching upon described portions of North Water Street Right of Way in the City of Sheboygan for the purpose of constructing a sidewalk. ADOPT ORDINANCE

MOTION TO ADOPT ORDINANCE Motion by Rose Phillips, second by Jim Bohren.

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 .

7.4 Gen. Ord. No. 27 - 19 - 20 by Alderperson Felde annexing territory to the City of Sheboygan, Wisconsin (3820 North 13 th Street). ADOPT ORDINANCE

MOTION TO ADOPT ORDINANCE Motion by Barbara Felde, second by Jim Bohren.

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 .

7.5 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. REFER TO PUBLIC WORKS COMMITTEE

7.6 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. REFER TO PUBLIC WORKS COMMITTEE

7.7 Gen. Ord. No. 30 - 19 - 20 by Alderpersons Wolf and Sorenson amending Sections 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. REFER TO PUBLIC WORKS COMMITTEE

8. MATTERS LAID OVER

8.1 R. O. No. 69 - 19 - 20 by City Plan Commission to whom was referred Gen. Ord. No. 16 - 19 - 20 by Alderperson Phillips and R. O. No. 63 - 19 - 20 by City Clerk submitting a communication from David Gass, Rohde Dales LLP, filing a petition for Direct Annexation by Unanimous Consent for land currently located in the Town of Sheboygan (3820 N. 13 th Street - Tax Parcel No. 59024346190); recommends receiving the R. O. and adopting the General Ordinance as amended. RECEIVE THE R. O. AND FILE SUBSTITUTE ORDINANCE

MOTION TO RECEIVE THE R. O. AND FILE THE SUBSTITUTE ORDINANCE Motion by Jim Bohren, 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 .

9. OTHER MATTERS AUTHORIZED BY LAW

9.1 R. O. No. 94 - 19 - 20 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

10. ADJOURN MEETING

10.1 Motion to Adjourn

MOTION TO ADJOURN at 6: 29 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 .