

CITY OF SHEBOYGAN

ELEVENTH REGULAR COMMON COUNCIL MEETING

Tuesday, September 3, 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 MAYOR'S APPOINTMENTS - Patrick Siebold to the Mayor's International Committee. LAYS OVER

1.5 PRESENTATION - Peace Park Update by Claudia Bricks and Mary Kozan from Friends of Peace Park Committee

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 ANNOUNCEMENT - BOARD OF WATER COMMISSIONERS ELECTION WILL BE HELD ON SEPTEMBER 16, 2019 (3 YEAR TERM TO BEGIN OCTOBER 1, 2019)

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

2. ITEMS FOR DISCUSSION ONLY

2.1 2020 Executive Program Budget - City Administrator Darrell Hofland presented.

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. 68 - 19 - 20 by Board of Water Commissioners transmitting the approved 2020 Budget for the Sheboygan Water Utility.

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

3.3 R. O. No. 74 - 19 - 20 by City Clerk submitting various license applications.

Resolution:

MOTION TO RECEIVE THE R. O. AND GRANT LICENSES WITH CAVEAT 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. C. No. 113 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 66 - 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 .

3.5 R. C. No. 114 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred DIRECT REFERRAL R. O. No. 67 - 19 - 20 by City Clerk submitting a license application; 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, Trey Mitchell, Betty Ackley, Barbara Felde - 10 .

3.6 R. C. No. 115 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 70 - 19 - 20 by Alderpersons Sorenson and Mitchell authorizing application for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program Fiscal Year 2019 Local Solicitation and entering into a Memorandum of Understanding with Sheboygan County; 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 .

3.7 R. C. No. 116 - 19 - 20 by Public Works Committee to whom was referred Res. No. 72 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing executing an easement for a mini-storm sewer (Strickland); 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 .

4. REPORTS OF OFFICERS

4.1 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 (3829 N. 13 th Street - Tax Parcel No. 59024346190); wishes to report this matter was discussed at the regular meeting of the City Plan Commission, August 27, 2019, and after due consideration, recommends receiving the R. O. and adopting the General Ordinance as amended. LAYS OVER

4.2 R. O. No. 70 - 19 - 20 by City Clerk submitting a claim from John Neuendorf for alleged damages to his boat when it struck the right cement dock that was not protected at the City of Sheboygan Public Launch Facility. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.3 R. O. No. 71 - 19 - 20 by City Clerk submitting a Summons and Complaint in the matter of Wal-Mart Stores, Inc. v. City of Sheboygan. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.4 R. O. No. 72 - 19 - 20 by City Clerk submitting a claim from Laura Spalinger for alleged damages to her vehicle when a tree branch fell on it when it was parked on Broadway Avenue. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.5 R. O. No. 73 - 19 - 20 by Board of Water Commissioners for the Sheboygan Water Utility recommends passage of an Ordinance repealing and recreating Article VIII, Division 4 of Chapter 26 of the Municipal Code entitled "Sewer and Water Services". REFER TO PUBLIC WORKS COMMITTEE

5. RESOLUTIONS

5.1 Res. No. 74 - 19 - 20 by Alderpersons Wolf and Donohue authorizing retaining outside legal counsel to represent the City in the matter of Wal-Mart Stores, Inc. v. City of Sheboygan, and authorizing payment for said services. SUSPEND AND ADOPT RESOLUTION

MOTION TO SUSPEND AND 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, Trey Mitchell, Betty Ackley, Barbara Felde - 10. 5.2 Res. No. 75 - 19 - 20 by Alderpersons Donohue and Bohren authorizing a transfer of appropriations in the 2019 budget (CDBG). REFER TO FINANCE AND PERSONNEL COMMITTEE

5.3 Res. No. 76 - 19 - 20 by Alderpersons Donohue and Bohren extending the life of Tax Incremental District No. 11 for one year to implement affordable housing and neighborhood revitalization activities. REFER TO FINANCE AND PERSONNEL COMMITTEE

5.4 Res. No. 77 - 19 - 20 by Alderpersons Sorenson and Mitchell authorizing the

appropriate City Officials to issue a Purchase Order for the purchase of Sig Sauer handguns, ammunition, spare parts, and holsters from Streicher's Inc. for the Sheboygan Police Department. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

5.5 Res. No. 78 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing the appropriate City officials to issue purchase orders for the purchase of two online phosphate analyzers and associated filtering accessories to be installed at the Wastewater Treatment Facility in order to improve control of effluent total phosphorous. REFER TO PUBLIC WORKS COMMITTEE

5.6 Res. No. 79 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing executing a storm sewer easement (Yang and Lee). REFER TO PUBLIC WORKS COMMITTEE

5.7 Res. No. 80 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing executing a storm sewer easement (Molenda). REFER TO PUBLIC WORKS COMMITTEE

5.8 Res. No. 81 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing executing a storm sewer easement (Holtz). REFER TO PUBLIC WORKS COMMITTEE

6. REPORT OF COMMITTEES

6.1 R. C. No. 117 - 19 - 20 by Finance and Personnel Committee to whom was referred Res. No. 68 - 19 - 20 by Alderpersons Donohue and Bohren approving an amendment to the Project Plan of Tax Incremental District No. 12, City of Sheboygan, 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 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. 118 - 19 - 20 by Finance and Personnel Committee to whom was referred Res. No. 69 - 19 - 20 by Alderpersons Donohue and Bohren approving an amendment to the Project Plan of Tax Incremental District No. 13, City of Sheboygan, 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 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.

6.3 R. C. No. 119 - 19 - 20 by Public Works Committee to whom was referred Res. No. 71 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing the appropriate city officials to take necessary action to obtain

property located at 3427 Union Avenue; 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, Betty Ackley, Barbara Felde - 9. Abstain: Trey Mitchell - 1. 6.4 R. C. No. 120 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 73 - 19 - 20 by Alderpersons Sorenson and Mitchell rescinding Resolution No. 41 - 03 - 04 ; 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 .

7. GENERAL ORDINANCES

7.1 Gen. Ord No. 17 - 19 - 20 by Alderpersons Wolf and Sorenson repealing and recreating Section 26 - 907 and Article VIII, Division 4 of Chapter 26 of the Municipal Code entitled "Sewer and Water Services". REFER TO PUBLIC WORKS COMMITTEE

7.2 Gen. Ord. No. 18 - 19 - 20 by Alderpersons Wolf and Sorenson repealing and recreating Section 74 - 42 of the Sheboygan Municipal Code to revise the fee schedule regarding the rental of city parks. REFER TO PUBLIC WORKS COMMITTEE

8. OTHER MATTERS AUTHORIZED BY LAW

8.1 R. O. No. 75 - 19 - 20 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

9. ADJOURN MEETING

9.1 Motion to Adjourn

MOTION TO ADJOURN at 7: 14 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 .

