

CITY OF SHEBOYGAN

TENTH REGULAR COMMON COUNCIL MEETING

Monday, August 19, 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 RESIGNATION - Ray Haen from the Architectural Review Board

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 PRESENTATION - Tourism Update by Amy Wilson, President of the Visit Sheboygan, Inc.

1.6 PRESENTATION - 2 nd Quarter 2019 - Strategic Plan Action Items and Critical

Measurements review by City Administrator Darrell Hofland

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

1.8 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. 59 - 19 - 20 by Board of Contractor's Examiners submitting applications for Building Contractor Licenses 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, Trey Mitchell, Betty Ackley, Barbara Felde - 10 .

2.3 R. O. No. 60 - 19 - 20 by City Clerk submitting various license applications (Gesangverein).

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 .

2.4 R. O. No. 61 - 19 - 20 by City Plan Commission to whom was referred Res. No. 58 - 19 - 20 by Alderperson Bohren pursuant to the extraterritorial plat approval jurisdiction of the City of Sheboygan approving the final plat of Lake Aire Subdivision No. 5, no preliminary plat having been submitted; recommends adopting the Resolution.

Resolution:

MOTION TO RECEIVE THE R. O. 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. 2.5 R. O. No. 62 - 19 - 20 by City Plan Commission to whom was referred Gen. Ord. No. 13 - 19 - 20 by Alderperson Phillips and R. O. No. 52 - 19 - 20 by City Clerk submitting a communication from David Gass, Rohde Dales LLP, on behalf of Office Service Company, LLP, requesting an encroachment upon the Niagara Avenue right-of-way located at 1320 Niagara Avenue (Parcel No. 52981500120) for the purpose of a canopy that hangs over the Niagara Avenue right-of-way; recommends receiving the R. O. and adopting the Ordinance.

Resolution:

MOTION TO RECEIVE THE R. O. 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 .

2.6 R. C. No. 96 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred R. C. No. 348 - 18 - 19 by Licensing, Hearings, and Public Safety Committee and R. O. No. 168 - 18 - 19 by City Clerk submitting various license applications; 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. 2.7 R. C. No. 97 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 24 - 19 - 20 by City Clerk submitting various license applications; recommends accepting the request for withdrawal of "Class B" Liquor License application No. 2301 (MoJo's) and filing the application.

Resolution:

MOTION TO RECEIVE THE R. C. AND ACCEPT AND FILE THE REQUEST FOR WITHDRAWAL 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. 98 - 19 - 20 by Finance and Personnel Committee to whom was referred R. O. No. 53 - 19 - 20 by City Clerk submitting an Amended Summons and Notice of Object of Action in the matter of Wisconsin Bank & Trust v. Scott M. Matula et al; recommends receiving the R. O. and 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 .

2.9 R. C. No. 99 - 19 - 20 by Finance and Personnel Committee to whom was referred R. O. No. 55 - 19 - 20 by Director of Human Resources and Labor Relations submitting the attached proposal from American Fidelity Assurance Company regarding their services as a Third Party Administrator ("TPA") to provide Section 125 ("cafeteria plan") administration, and Flexible Benefit Plan administration, enrollment solutions related to the health plan sponsored by the City of Sheboygan, and other supplemental benefits; recommends receiving the R. O. and 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. 100 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 56 - 19 - 20 by Fire Chief, pursuant to section 50 - 564 of the Municipal Code, submitting the quarterly report showing the Benchmark Measurements for the Fire Department for the period commencing April 1, 2019 and ending June 30, 2019 ; recommends receiving the R. O. and filing the report.

Resolution:

MOTION TO RECEIVE THE R. C. AND FILE THE REPORT 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. 101 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 57 - 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 April 1, 2019 and ending June 30, 2019 ; recommends receiving the R. O. and filing the report.

Resolution:

MOTION TO RECEIVE THE R. C. AND FILE THE REPORT 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. 102 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 58 - 19 - 20 by City Clerk submitting various license applications; recommends granting the licenses.

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 .

2.13 R. C. No. 103 - 19 - 20 by Finance and Personnel Committee to whom was referred Res. No. 59 - 19 - 20 by Alderpersons Donohue and Bohren authorizing the appropriate City officials to execute an Acceptance Form and accept the Liability Insurance Proposal dated June 20, 2019 from Cities and Villages Mutual Insurance Company ("CVMIC"); 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. 104 - 19 - 20 by Finance and Personnel Committee to whom was referred Res. No. 61 - 19 - 20 by Alderpersons Donohue and Bohren authorizing the appropriate City officials to execute the Agreement for Transit Service Between the City of Sheboygan and the City of Sheboygan Falls; 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 .

2.15 R. C. No. 105 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 64 - 19 - 20 by Alderpersons Sorenson and Mitchell declaring the City of Sheboygan's intent to continue to perform electrical inspections; 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 .

2.16 R. C. No. 106 - 19 - 20 by Public Works Committee to whom was referred Res. No. 65 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing the appropriate City officials to execute a Lease Agreement between the City of Sheboygan, the Ellwood H. May Environmental Park Association of Sheboygan County, Inc., and the Sheboygan Area School District; 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 .

2.17 R. C. No. 107 - 19 - 20 by Finance and Personnel Committee to whom was referred Gen. Ord. No. 14 - 19 - 20 by Alderpersons Donohue and Bohren amending Section 82 - 33 of the Sheboygan Municipal Code so as to modify the Department of Public Works Table of Organization; recommends adopting the Ordinance.

Motion by Mary Lynne Donohue to pull from Consent Agenda for a separate vote.

MOTION TO AMEND THE ORDINANCE SO AS TO DELETE THE FINAL LINE OF SECTION 1, THEREBY DELETING THE ADDITION OF A HALF-TIME MAINTENANCE WORKER I

Resolution:

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

### 3. REPORTS OF OFFICERS

3.1 R. O. No. 63 - 19 - 20 by City Clerk submitting a communication from Rhode 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). REFER TO CITY PLAN COMMISSION

3.2 R. O. No. 64 - 19 - 20 by City Clerk submitting a claim from Jon Erlie for

alleged damages to his vehicle when it was struck by a City garbage truck. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.3 R. O. No. 65 - 19 - 20 by City Clerk submitting a claim from Eugene O. Kohls for alleged damages to his vehicle when it was struck by a City garbage truck. REFER TO FINANCE AND PERSONNEL COMMITTEE

#### 4. RESOLUTIONS

4.1 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. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.2 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. REFER TO FINANCE AND PERSONNEL COMMITTEE

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

4.4 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. REFER TO PUBLIC WORKS COMMITTEE

4.5 Res. No. 72 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing executing an easement for a mini-storm sewer (2911 S. 15 th Street). REFER TO PUBLIC WORKS COMMITTEE

#### 5. REPORT OF COMMITTEES

5.1 R. C. No. 108 - 19 - 20 by Finance and Personnel Committee to whom was referred Res. No. 60 - 19 - 20 by Alderpersons Donohue and Bohren authorizing City officials to execute a Client Service Agreement between the City of Sheboygan and Grota Appraisals, LLC with regard to assessment services for the period January 1, 2020 through December 31, 2022 ; 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 .

5.2 R. C. No. 109 - 19 - 20 by Finance and Personnel Committee to whom was referred Res. No. 62 - 19 - 20 by Alderpersons Donohue and Bohren adopting certain changes to the City's Medical Benefit Plan and Dental Benefit Plan effective for calendar year 2020 coverage and establishing the monthly premium equivalent rates effective for January 2020 coverage and thereafter; 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 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 .

5.3 R. C. No. 110 - 19 - 20 by Finance and Personnel Committee to whom was referred Res. No. 63 - 19 - 20 by Alderpersons Donohue and Bohren authorizing a transfer of appropriations in the 2019 Budget (trees); 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 .

5.4 R. C. No. 111 - 19 - 20 by Finance and Personnel Committee to whom was referred Res. No. 67 - 19 - 20 by Alderpersons Donohue and Bohren authorizing a transfer of appropriations in the 2019 Budget (Finance 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 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 .

5.5 R. C. No. 112 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred Gen. Ord. No. 15 - 19 - 20 by Alderpersons Sorenson and Mitchell repealing and recreating Section 26 - 393 of the Municipal Code relating to the permit fee for fences, so as to increase the permit fee from \$25.00 to \$40.00 ; 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 Trey Mitchell.

Final Resolution:

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

Nay: Markus Savaglio - 1 .

## 6. GENERAL ORDINANCES

6.1 Gen. Ord. No. 16 - 19 - 20 by Alderperson Felde annexing territory to the City of Sheboygan, Wisconsin (3820 N. 13 th Street - Tax Parcel No. 59024346190). REFER TO CITY PLAN COMMISSION

## 7. OTHER MATTERS AUTHORIZED BY LAW

7.1 R. O. No. 66 - 19 - 20 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

7.2 Res. No. 73 - 19 - 20 by Alderpersons Sorenson and Mitchell rescinding Resolution No. 41 - 03 - 04. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

## 8. ADJOURN MEETING

### 8.1 Motion to Adjourn

MOTION TO ADJOURN at 6: 44 p.m. 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 .