

CITY OF SHEBOYGAN

THIRD REGULAR COMMON COUNCIL MEETING

Monday, May 6, 2019

ALDERPERSONS PRESENT: Todd Wolf, Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Betty Ackley, Barbara Felde - 8 .

ALDERPERSONS ABSENT AND EXCUSED: Trey Mitchell and Rose Phillips - 2 .

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, Betty Ackley, Barbara Felde - 8 .

1.4 PRESENTATION - 1 st Quarter 2019 - Strategic Plan Action Items and Critical Measurements review by City Administrator Darrell Hofland

1.5 PRESENTATION 2017 GFOA Certificate of Achievement for Excellence in Financial Reporting for the City of Sheboygan Comprehensive Annual Financial Report to Mayor Vandersteen by Finance Director Marty Halverson

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. CONSENT AGENDA

### 2.1 MOTION TO ACCEPT AND FILE ALL RO'S, ACCEPT AND ADOPT ALL RC'S AND PASS ALL RESOLUTIONS AND ORDINANCES

#### Resolution:

MOTION TO ACCEPT AND FILE ALL RO'S, ACCEPT AND ADOPT ALL RC'S AND PASS 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, Betty Ackley, Barbara Felde - 8 .

### 2.2 R. O. No. 2 - 19 - 20 by Board of Water Commissioners submitting their report on the Water Utility for the first quarter of 2019. ACCEPT AND FILE

#### Resolution:

MOTION TO ACCEPT 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, Betty Ackley, Barbara Felde - 8 .

### 2.3 R. O. No. 3 - 19 - 20 by Board of Water Commissioners submitting a copy of the 2018 Annual Audited Financial Statements, including Independent Auditor's Report, on the Sheboygan Water Utility, and the 2018 Annual Report to the Public Service Commission (PSC) of Wisconsin. ACCEPT AND FILE

#### Resolution:

MOTION TO ACCEPT 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, Betty Ackley, Barbara Felde - 8 .

### 2.4 R. O. No. 4 - 19 - 20 by City Clerk submitting a license application already issued (SEAS). ACCEPT AND FILE

#### Resolution:

MOTION TO ACCEPT 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, Betty Ackley, Barbara Felde - 8 .

### 2.5 R. O. No. 13 - 19 - 20 by Board of Contractors Examiners submitting applications for building Contractor Licenses already granted. ACCEPT AND FILE

#### Resolution:

MOTION TO ACCEPT 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, Betty Ackley, Barbara Felde - 8 .

2.6 R. O. No. 14 - 19 - 20 by City Clerk submitting various license applications (Christ Child). ACCEPT AND FILE

Resolution:

MOTION TO ACCEPT 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, Betty Ackley, Barbara Felde - 8 .

2.7 Res. No. 7 - 19 - 20 by Alderperson Phillips directing a public hearing to be held in connection with a change of the City's Official Zoning Map for property located at 1316 Niagara Avenue. PASS RESOLUTION

Resolution:

MOTION TO PASS 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, Betty Ackley, Barbara Felde - 8 .

2.8 Res. No. 8 - 19 - 20 by Alderperson Phillips declaring intent to exercise the police power to levy special assessments for replacement of lead and/or galvanized iron water laterals in South 11 th Street - Indiana Avenue to Maryland Avenue/Illinois Avenue - South 10 th Street to South Commerce Street/Illinois Avenue - South 10 th Street to South 12 th Street. PASS RESOLUTION

Resolution:

MOTION TO PASS 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, Betty Ackley, Barbara Felde - 8 .

2.9 R. C. No. 1 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred R. C. No. 349 - 18 - 19 by Licensing, Hearings, and Public Safety Committee and R. O. No. 234 - 18 - 19 by City Clerk submitting various licensing applications; recommends denying Beverage Operator's License application # 2628 (Mang Yang) based upon her ineligibility for a Beverage Operator's License. ACCEPT AND FILE

Resolution:

MOTION TO ACCEPT 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, Betty Ackley, Barbara Felde - 8 .

2.10 R. C. No. 2 - 19 - 20 by Licensing, Hearings, and Public Safety Committee to whom was referred pursuant to R. O. No. 248 - 18 - 19 by City Clerk submitting various license applications; recommends granting the license applications. ACCEPT AND FILE

Resolution:

MOTION TO ACCEPT 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, Betty Ackley, Barbara Felde - 8 .

2.11 R. C. No. 3 - 19 - 20 by Finance and Personnel Committee to whom was referred Res. No. 210 - 18 - 19 by Alderpersons Rindfleisch and Bohren authorizing the appropriate City officials to execute the First Restated Fiber Optic Network Intergovernmental Cooperative Agreement between the City of Sheboygan, Sheboygan County, and the Sheboygan Area School District; recommends approving the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

Resolution:

MOTION TO ACCEPT AND ADOPT AND PASS 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, Betty Ackley, Barbara Felde - 8 .

### 3. REPORTS OF OFFICERS

3.1 R. O. No. 5 - 19 - 20 by Director of Planning and Development submitting a report from Chad Pelishek noting acceptance of an additional \$20,000 in sponsorship contribution towards the 2019 City's Freedom Fest Celebration from PLENCO. ACCEPT AND FILE

MOTION TO ACCEPT 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, Betty Ackley, Barbara Felde - 8 .

3.2 R. O. No. 6 - 19 - 20 by City Clerk submitting an application from the City of Sheboygan for a change in the zoning classification of property located at 1316 Niagara Avenue from Class Urban Industrial (UI) to Class Urban Commercial (UC). REFER TO CITY PLAN COMMISSION

3.3 R. O. No. 7 - 19 - 20 by City Clerk submitting a pending claim from John Potter for alleged damages to his vehicle when it was struck by an ambulance. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.4 R. O. No. 8 - 19 - 20 by City Clerk submitting a Notice of Injury and Notice of Claim from Dierkes Law Office, LLC on behalf of their client, James S. Pulaski from the alleged wrongful taking of property, an improper raze, an

unlawful entry, seizure and destruction of property by the City of Sheboygan.  
REFER TO FINANCE AND PERSONNEL COMMITTEE

3.5 R. O. No. 9 - 19 - 20 by City Clerk submitting a claim from Todd Rautmann for alleged damages to his vehicle when it was struck by a snow plow. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.6 R. O. No. 10 - 19 - 20 by City Clerk submitting a Summons and Complaint in the matter of Wells Fargo Bank, N.A. vs. Julie K. Hansen et al. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.7 R. O. No. 11 - 19 - 20 by City Clerk submitting a claim from Denise Kelly for alleged damages to her vehicle when it struck a pothole on North Avenue. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.8 R. O. No. 12 - 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 January 1, 2019 and ending March 31, 2019. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

#### 4. RESOLUTIONS

4.1 Res. No. 5 - 19 - 20 by Alderperson Wolf officially recognizing the Memorial Neighborhood Association. LAYS OVER

4.2 Res. No. 6 - 19 - 20 by Alderpersons Wolf and Donohue authorizing the appropriate City officials to execute the Creation and Grant of Covenants by the City of Sheboygan to the United States Army Corps of Engineers regarding Outlot 1 in the Sheboygan Business Center. LAYS OVER

4.3 Res. No. 9 - 19 - 20 by Alderpersons Donohue and Bohren authorizing the appropriate City officials to execute an Agreement between the City of Sheboygan and Visit Sheboygan, Inc. Regarding a Loan to Visit Sheboygan, Inc. for Furnishings at its New Visitor Center. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.4 Res. No. 10 - 19 - 20 by Alderpersons Donohue and Bohren authorizing the appropriate City officials to execute the Agreement Between the City of Sheboygan and Visit Sheboygan, Inc. regarding Events Management. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.5 Res. No. 11 - 19 - 20 by Alderpersons Donohue and Bohren authorizing the appropriate City officials to execute the Agreement Between the City of Sheboygan, Visit Sheboygan, Inc., and Sheboygan Area Room Tax Commission Regarding Reimbursement of Expenditures Made By the City of Sheboygan Related to Blue Harbor Resort and Conference Center. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.6 Res. No. 12 - 19 - 20 by Alderpersons Donohue and Bohren authorizing the appropriate City officials to execute a Purchase and Sale Agreement for the purchase of land from the Union Pacific Railroad Company. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.7 Res. No. 13 - 19 - 20 by Alderpersons Donohue and Bohren approving the FY 2019 One-Year Annual Action Plan for the Community Development Block Grant (CDBG) Program Submission. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.8 Res. No. 14 - 19 - 20 by Alderpersons Sorenson and Mitchell authorizing the Purchasing Agent to issue a purchase order for the purchase of a Battalion Chief vehicle for the Sheboygan Fire Department. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

4.9 Res. No. 15 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing the appropriate City officials to execute the Amendment to Agreement Between the Mid-Lake Softball Organization, Inc. and the City of Sheboygan. REFER TO PUBLIC WORKS COMMITTEE

4.10 Res. No. 16 - 19 - 20 by Alderpersons Wolf and Sorenson authorizing the appropriate City Officials to enter into a Grant Agreement with the State of Wisconsin and to make necessary expenditures under that Grant Agreement in order to take advantage of the State of Wisconsin's Volkswagen Mitigation Transit Capital Assistance Grant Program. REFER TO TRANSIT COMMISSION

## 5. REPORT OF COMMITTEES

5.1 R. C. No. 274 - 18 - 19 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 183 - 18 - 19 by Alderpersons Wolf and Donohue dissolving the Sustainable Sheboygan Task Force; recommends approving the Substitute Resolution.

MOTION TO HOLD DOCUMENT 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, Betty Ackley, Barbara Felde - 8 .

5.2 R. C. No. 4 - 19 - 20 by Finance and Personnel Committee to whom was referred DIRECT REFERRAL Res. No. 4 - 19 - 20 by Alderpersons Donohue and Bohren authorizing City officials to negotiate and enter into a Development Agreement between Van Horn Development, LLC, the Redevelopment Authority of the City of Sheboygan ("RDA"), and the City of Sheboygan with regard to the former Kingsbury Property located on approximately 2.49 acres south of Wisconsin Avenue and west of North 10 th Street; recommends approving the Resolution. ACCEPT AND ADOPT AND PASS RESOLUTION

MOTION TO ACCEPT AND ADOPT AND PASS 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, Betty Ackley, Barbara Felde - 8 .

## 6. GENERAL ORDINANCE

6.1 Gen. Ord. No. 1 - 19 - 20 by Alderperson Phillips amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification of property located at 1316 Niagara Avenue from Class Urban Industrial (UI) to Class Urban Commercial (UC) Classification. REFER TO CITY PLAN COMMISSION

6.2 Gen. Ord. No. 2 - 19 - 20 by Alderpersons Sorenson and Mitchell repealing and recreating various sections of the Municipal Code so as to reflect the name change of the senior activity center department to the senior services department. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

6.3 Gen. Ord. No. 3 - 19 - 20 by Alderpersons Wolf and Sorenson placing stop signs at the northwest and southeast corners of the intersection of S. 22 nd Street and Elm Avenue and removing them from the southwest and northeast corners of said intersection. REFER TO PUBLIC WORKS COMMITTEE

## 7. OTHER MATTERS AUTHORIZED BY LAW

7.1 R. O. No. 15 - 19 - 20 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

## 8. ADJOURN MEETING

### 8.1 Motion to Adjourn

MOTION TO ADJOURN AT 6: 35 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, Betty Ackley, Barbara Felde - 8. Generated by City Clerk Meredith DeBruin on Tuesday, May 7, 2019