

CITY OF SHEBOYGAN

FOURTEENTH REGULAR COMMON COUNCIL MEETING

Monday, October 18, 2021

ALDERPERSONS PRESENT: Dean Dekker, Trey Mitchell, Betty Ackley, Barbara Felde (remote), Roberta Filicky-Peneski, Amanda Salazar, Grazia Perrella, Leslie Laster - 8 .

ALDERPERSON ABSENT AND EXCUSED: Markus Savaglio - 1 .

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 - 13 th Regular Council meeting held on October 4, 2021

MOTION TO APPROVE MINUTES Motion by Roberta Filicky-Peneski, second by Dean Dekker.

Final Resolution:

Motion Passes Aye: Dean Dekker, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Grazia Perrella, Leslie Laster- 8 .

1.4 ELECTION - Election to be held this evening to fill the unexpired term of Alderperson - District

10.

Joseph Heidemann, Susan J. Holzschuh, Robert W Puckett II, Todd W. Reinemann, and Andre L Walton all spoke. Motion by Roberta Filicky-Peneski, second by Dean Dekker that all candidates who provided applications to the City Clerk are hereby nominated, that any additional nominations be received from the floor, with voting to be done by open ballot via the instant runoff method where each voter will rank the candidates in order of preference. If no candidate receives a majority of first-choice votes, the candidate with the fewest votes will be eliminated and those votes transferred to their second choices. Ties will be

broken by looking back to who received the most votes in the previous rounds. This process is repeated until a candidate has a majority. A candidate cannot be elected unless he or she is ranked on a majority of ballots. Motion by Roberta Filicky-Peneski, seconded by Barbara Felde to close nominations. After voting was completed, Andre L Walton was appointed as the Alderperson for District 10 to complete the remaining term.

City Clerk, Meredith DeBruin administered the Oath of Office.

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

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

2. CONSENT

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 Roberta Filicky-Peneski, second by Dean Dekker.

Final Resolution:

Motion Passes Aye: Dean Dekker, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Grazia Perrella, Leslie Laster, Andre Walton - 9 .

2.2 R. C. No. 122 - 21 - 22 by Finance and Personnel Committee to whom was referred R. O. No. 86 - 20 - 21 by Finance Director reporting that, pursuant to Res. No. 66 - 20 - 21 authorizing the City Administrator to negotiate settlement of certain claims made by the City of Sheboygan, City Invoice No. 8001 in the amount of \$21,930.62 billed to Sign Me Up of Wisconsin, LLC regarding damage to a traffic control cabinet at 25 th Street and Kohler Memorial Drive on the 25 th of June, 2020, has been settled with payment to the City of Sheboygan in the amount of \$17,460. 48. The amount remaining of \$4,470.14 shall be written off due to the negotiated settlement; recommends filing the report.

Resolution:

MOTION TO RECEIVE THE R. C. AND FILE THE REPORT Motion by Roberta Filicky-Peneski, second by Dean Dekker.

Final Resolution:

Motion Passes Aye: Dean Dekker, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Grazia Perrella, Leslie Laster, Andre Walton - 9 .

2.3 R. C. No. 123 - 21 - 22 by Public Works Committee to whom was referred Res.

No. 74 - 21 - 22 by Alderpersons Dekker and Perrella authorizing the appropriate City officials to release part of an existing drainage easement and accept a new drainage easement on property owned by Fifth Generation Properties LLC along Gateway Drive between Weeden Creek Road and Behrens Parkway; recommends adopting the Resolution.

Resolution:

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION Motion by Roberta Filicky-Peneski, second by Dean Dekker.

Final Resolution:

Motion Passes Aye: Dean Dekker, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Grazia Perrella, Leslie Laster, Andre Walton - 9 .

2.4 R. C. No. 124 - 21 - 22 by Licensing, Hearings, and Public Safety Committee to whom was referred Gen. Ord. No. 25 - 21 - 22 by Alderpersons Felde and Filicky-Peneski repealing Sheboygan Municipal Code Section 38 - 3 relating to wards and voting polls and repealing Section 38 - 4 relating to aldermanic districts; recommends adopting the Ordinance.

Resolution:

MOTION TO RECEIVE THE R. C. AND ADOPT THE ORDINANCE Motion by Roberta Filicky-Peneski, second by Dean Dekker.

Final Resolution:

Motion Passes Aye: Dean Dekker, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Grazia Perrella, Leslie Laster, Andre Walton - 9 .

3. REPORT OF OFFICERS

3.1 R. O. No. 90 - 21 - 22 by City Clerk submitting a claim from Greg McGuire for alleged damages to his property at 913 A St. Clair Avenue when a garbage truck broke a hand railing on the back porch. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.2 R. O. No. 91 - 21 - 22 by Director of Planning and Development submitting the 2022 Business Improvement District (BID) Statement of Purpose, dated October 12, 2021, and the BID's 2022 Operating Budget. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.3 R. O. No. 92 - 21 - 22 by City Clerk submitting a Notice of Circumstances and Notice of Claim from William T. Stuart, Attorney at Law, regarding Sheboygan Acquisitions LLC and Sheboygan Resort Operator LLC. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.4 R. O. No. 93 - 21 - 22 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, 2021 and ending September 30, 2021. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

3.5 R. O. No. 94 - 21 - 22 by Fire Chief pursuant to section 50 - 564 of the Municipal Code, submitting the quarterly report of Benchmark Measurements for the Fire Department, for the period commencing July 1, 2021 and ending September

30. 2021. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

4. RESOLUTIONS

4.1 Res. No. 76 - 21 - 22 by Alderpersons Felde and Filicky-Peneski authorizing the IT Director to execute all necessary documents to enter into a contract with Darktrace Holdings Limited related to cybersecurity, and authorizing the Finance Director to make all necessary accounting entries as a result of the contract. LAYS OVER

4.2 Res. No. 77 - 21 - 22 by Alderpersons Mitchell and Filicky-Peneski amending Res. No. 103 - 20 - 21 to correct the 2020 property tax levy, and authorizing the Finance Director to make a necessary budget adjustment and appropriation in the 2021 budget. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.3 Res. No. 78 - 21 - 22 by Alderpersons Felde and Filicky-Peneski authorizing expenditure of funds received as part of the Criminal Justice, Law Enforcement Drug Trafficking Response (2022) Grant Solicitation. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

4.4 Res. No. 79 - 21 - 22 by Alderpersons Felde and Ackley authorizing the appropriate City officials to execute the Joint Powers Agreement for Sheboygan County and City of Sheboygan Emergency Systems. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

4.5 Res. No. 80 - 21 - 22 by Alderpersons Dekker and Perrella authorizing the appropriate City officials to execute the Timber Sale Agreement with Lakeshore Forest Products Inc. REFER TO PUBLIC WORKS COMMITTEE

5. REPORT OF COMMITTEES

5.1 R. C. No. 125 - 21 - 22 by Finance and Personnel Committee to whom was referred Res. No. 70 - 21 - 22 by Alderpersons Mitchell and Filicky-Peneski approving the adjustment of allowable city tax levy for 2021 payable in 2022 pursuant to Wis. Stat.

66.0602 (3)(f); recommends adopting the Resolution.

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION Motion by Trey Mitchell, second by Roberta Filicky-Peneski.

Final Resolution:

Motion Passes Aye: Dean Dekker, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Grazia Perrella, Leslie Laster, Andre Walton - 9 .

5.2 R. C. No. 126 - 21 - 22 by Finance and Personnel Committee to whom was referred Res. No. 71 - 21 - 22 by Alderpersons Mitchell and Filicky-Peneski expressing the Common Council s intent regarding funds received by the City of Sheboygan through the Coronavirus Local Fiscal Recovery Fund established under the American Rescue Plan Act, and authorizing the expenditure of ARPA funds for Administrative Expenses; recommends adopting the Resolution.

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION Motion by Trey Mitchell, second by Roberta Filicky-Peneski.

Final Resolution:

Motion Passes Aye: Dean Dekker, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Grazia Perrella, Leslie Laster, Andre Walton - 9 .

5.3 R. C. No. 127 - 21 - 22 by Finance and Personnel Committee to whom was referred Res. No. 72 - 21 - 22 by Alderpersons Mitchell and Filicky-Peneski authorizing the appropriate City officials to remove certain uncollected delinquent personal property taxes and uncollected accounts receivable from the City of Sheboygan s general ledger; recommends adopting the Resolution.

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION Motion by Trey Mitchell, second by Grazia Perrella.

Final Resolution:

Motion Passes Aye: Dean Dekker, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Grazia Perrella, Leslie Laster, Andre Walton - 9 .

5.4 R. C. No. 128 - 21 - 22 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 73 - 21 - 22 by Alderpersons Felde and Filicky-Peneski amending the ward boundaries for the City of Sheboygan following the official publication of the United States census data for the State of Wisconsin; recommends adopting the Resolution with the updated attachments.

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION WITH UPDATED ATTACHMENTS Motion by Roberta Filicky-Peneski, second by Dean Dekker.

Final Resolution:

Motion Passes Aye: Dean Dekker, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Grazia Perrella, Leslie Laster, Andre Walton - 9 .

5.5 R. C. No. 129 - 21 - 22 by Finance and Personnel Committee to whom was referred Res. No. 75 - 21 - 22 by Alderpersons Felde and Filicky-Peneski establishing the 2022 Budget appropriations and the 2021 Tax Levy for use during the calendar year; recommends adopting the Resolution. REFER TO COMMITTEE OF THE WHOLE

5.6 R. C. No. 130 - 21 - 22 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 75 - 21 - 22 by Alderpersons Felde and

Filicky-Peneski establishing the 2022 Budget appropriations and the 2021 Tax Levy for use during the calendar year; recommends adopting the Resolution.
REFER TO COMMITTEE OF THE WHOLE

5.7 R. C. No. 131 - 21 - 22 by Public Works Committee to whom was referred Res. No. 75 - 21 - 22 by Alderpersons Felde and Filicky-Peneski establishing the 2022 Budget appropriations and the 2021 Tax Levy for use during the calendar year; recommends adopting the Resolution. REFER TO COMMITTEE OF THE WHOLE

6. GENERAL ORDINANCES

7. OTHER MATTERS AUTHORIZED BY LAW

7.1 R. O. No. 95 - 21 - 22 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

8. CLOSED SESSION

8.1 Motion to convene in Closed Session under exemption provided in Sec. 19.85 (1)(e), Wis. Stats., where competitive and bargaining reasons require a closed session related to a development opportunity at the former Sheboygan Press building located at 632 Center Avenue and S 2 A Modular development agreement in the SouthPointe Enterprise Campus.

MOTION TO CONVENE IN CLOSED SESSION Motion by Roberta Filicky-Peneski, second by Dean Dekker.

Final Resolution:

Motion Passes Aye: Dean Dekker, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Grazia Perrella, Leslie Laster, Andre Walton - 9 .

9. ADJOURN MEETING

9.1 Motion to Adjourn

MOTION TO ADJOURN 7: 36 PM Motion by Roberta Filicky-Peneski, second by Grazia Perrella.

Final Resolution:

Motion Passes Aye: Dean Dekker, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Grazia Perrella, Leslie Laster, Andre Walton - 9 .