

ELEVENTH REGULAR COMMON COUNCIL MEETING AGENDA - 6:00 P.M.

"ATTITUDE IS A LITTLE THING THAT MAKES A BIG DIFFERENCE" Winston Churchill
Notice of the 11th Regular Meeting of the 2021-2022 Common Council at 6:00 p.m., TUESDAY, September 7, 2021 in City Hall, 3rd Floor - Council Chambers, 828 Center Avenue, Sheboygan, WI. Persons with disabilities who need accommodations to attend the meeting should contact Meredith DeBruin at the City Clerk's Office, 828 Center Avenue, (920) 459-3361. Members of the public who wish to participate in public forum remotely shall provide notice to the City Clerk at (920) 459-3361 at least 24 hours before the meeting so that the person may be provided a remote link for that purpose.

This meeting may be viewed LIVE on Charter Spectrum Channel 990, AT&T U-Verse Channel 99 and www.wcsssheboygan.com/vo

1. OPENING OF MEETING

1.1 ROLL CALL

1.2 PLEDGE OF ALLEGIANCE

1.3 APPROVAL OF MINUTES - 10th Regular Council meeting held on August 16, 2021

ATTACHMENT: minutes 8-16-21.pdf

1.4 ANNOUNCEMENT OF BOARD OF WATER COMMISSIONERS ELECTION TO BE HELD SEPTEMBER 20, 2021 (TERM BEGINNING OCTOBER 1, 2021)

ATTACHMENT: NOTICE ELECTION WATER.pdf

1.5 MAYORAL APPOINTMENTS - Dave Aldag to the Architectural Review Board

ATTACHMENT: Aldag appointment.pdf

1.6 COUNCIL RULES - Adopting amended rules regarding the location and availability of meetings

ATTACHMENT: council rules.pdf

1.7 PUBLIC FORUM - Limit of five people having five minutes each with comments limited to items on this agenda.

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

2. HEARINGS

2.1 Hearing No. 4-21-22. Pursuant to a notice published and personal notices sent by the City Clerk, there is a hearing scheduled for this evening to amend the City's Future Land Use Map of the Sheboygan Comprehensive Plan to change the Land Use Classification of the following described lands from Class Central Mixed Use to Class Multi-family Residential Classification.

ATTACHMENT: COMP PLAN HEARING 1 PARCEL.pdf

2.2 Hearing No. 5-21-22. Pursuant to a notice published and personal notices sent by the City Clerk, there is a hearing scheduled for this evening to amend the City's Future Land Use Map of the Sheboygan Comprehensive Plan to change the Land Use Classification of the following described lands from Class Neighborhood Preservation to Class Multi-family Residential Classification.

ATTACHMENT: COMP PLAN HEAR 3 PARCELS.pdf

2.3 Hearing No. 6-21-22. Pursuant to a notice published and personal notices sent by the City Clerk, there is a hearing scheduled for this evening to amend the City of Sheboygan Official Zoning Map to change the Use District Classification of the following described lands from Class Urban Commercial (UC) to Class Urban Residential (UR-12) Classification.

ATTACHMENT: REZONE HEAR 260 ADN 240.pdf

2.4 Hearing No. 7-21-22. Pursuant to a notice published and personal notices sent by the City Clerk, there is a hearing scheduled for this evening to amend the City of Sheboygan Official Zoning Map to change the Use District Classification of the following described lands from Class Urban Industrial (UI) to Class Urban Residential (UR-12) Classification.

ATTACHMENT: REZONE HEAR 350 AND 230.pdf

3. CONSENT

3.1 MOTION TO RECEIVE AND FILE ALL RO'S, RECEIVE ALL RC'S AND ADOPT ALL RESOLUTIONS AND ORDINANCES

3.2 R. O. No. 72-21-22 by City Clerk submitting a communication from the Public Service Commission of Wisconsin regarding application of American Transmission Company, LLC, as an Electric Public Utility, for a Certificate of Public Convenience and Necessity to Construct a New 138 kV Transmission Line from the Howards Grove Substation to the Erdman Substation located in Sheboygan County, Wisconsin.

ATTACHMENT: RO AMER TRANSMISSION COMPANY.pdf

3.3 R. O. No. 73-21-22 by City Clerk submitting a communication from the Public Service Commission of Wisconsin regarding application of City of Sheboygan, Sheboygan County, Wisconsin as a Water Public Utility, for Authority to Adjust Water Rates.

ATTACHMENT: RO WATER RATES.pdf

3.4 R. O. No. 74-21-22 by City Clerk submitting a communication from the Public Service Commission of Wisconsin regarding application of City of Sheboygan, as a Water Public Utility, for Authority to Construct a Raw Water Intake Pipeline, Shore Well and Pumping Station, in the City of Sheboygan, Sheboygan County, Wisconsin.

ATTACHMENT: RO RAW WATER INTAKE.pdf

3.5 R. O. No. 75-21-22 by Transit Commission to whom was referred Res. No. 44-21-22 by Alderpersons Dekker, Felde, and Mitchell authorizing the filing of an application with the Wisconsin Department of Transportation and authorizing the executing of the contract pertaining to grants for calendar year 2022, under Federal Mass Transit Operating Assistance program, 49 U.S.C. 5307, and State Urban Mass Transit Operating Assistance program, Wis. Stat. 85.20 and

85.205, as amended; recommends adopting the Resolution.

ATTACHMENT: RES 44.pdf

3.6 R. C. No. 88-21-22 by Licensing, Hearings, And Public Safety Committee to whom was referred R. O. No. 70-21-22 by City Clerk submitting a communication from Dolcye Johnson regarding the Fire Department's ambulance service for 2020; recommends filing the document.

ATTACHMENT: RO 70.pdf

3.7 R. C. No. 89-21-22 by Public Works Committee to whom was referred Res. No. 43-21-22 by Alderpersons Dekker and Perrella 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.

ATTACHMENT: RES 43.pdf

ATTACHMENT: RES 43.pdf

3.8 R. C. No. 90-21-22 by Public Works Committee to whom was referred Res. No. 47-21-22 by Alderpersons Dekker and Perrella authorizing the appropriate City officials to accept a grant from the Sheboygan County Stewardship Fund and a grant from Restoration of Our Trees Sheboygan for Emerald Ash Borer Mitigation; recommends adopting the Resolution.

ATTACHMENT: RES 47.pdf

3.9 R. C. No. 91-21-22 by Public Works Committee to whom was referred Gen. Ord. No. 21-21-22 by Alderpersons Dekker and Perrella creating parking limits so as to add a two-hour parking limit between 8:00 a.m. and 5:00 p.m. Monday through Saturday for four parking stalls in South Pier Parking Lot A; recommends adopting the Ordinance.

ATTACHMENT: GO 21.pdf

4. REPORT OF OFFICERS

4.1 R. O. No. 76-21-22 by City Plan Commission to whom was referred Gen. Ord. No. 18-21-22 by Alderperson Filicky-Peneski amending the City's Future Land Use Map of the Sheboygan Comprehensive Plan to change the Land Use Classification of property located 418 Geele Avenue (Parcel #59281004850 and Parcel #59281004870) from Institutional and Community Facilities to Two-Family Residential Classification; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, August 24, 2021, and after due consideration, recommends adopting the Ordinance. LAYS OVER

ATTACHMENT: Gen. Ord. No. 18-21-22.pdf

4.2 R. O. No. 77-21-22 by City Plan Commission to whom was referred R. O. No. 64-21-22 and Gen. Ord. No. 19-21-22 by Alderperson Filicky-Peneski amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification for 418 Geele Avenue (Parcel #59281004850 and Parcel #59281004870) from Class Suburban Residential (SR-5) to Mixed Residential (MR-8) Classification; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, August 24, 2021, and after due consideration, recommends filing the R. O. and adopting the Ordinance. LAYS OVER

ATTACHMENT: R. O. No. 64-21-22.pdf

4.3 R. O. No. 78-21-22 by City Clerk submitting a claim from Jacob O. Smith for alleged damages to his vehicle when he drove on a roadway that was missing pavement on North 6th Street. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: SMITH CLAIM.pdf

4.4 R. O. No. 79-21-22 by City Clerk submitting a Summons and Complaint in the matter of Washington School Apartments, LLC vs. City of Sheboygan. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: Washington School.pdf

5. RESOLUTIONS

5.1 Res. No. 49-21-22 by Alderpersons Mitchell and Filicky-Peneski authorizing retaining outside counsel to represent the City in the matter of Washington School Apartments, LLC v. City of Sheboygan, and authorizing payment for said services. SUSPEND THE RULES AND ADOPT THE RESOLUTION

ATTACHMENT: WASHINGTON SCHOOL.pdf

5.2 Res. No. 50-21-22 by Alderpersons Felde and Michell approving an amendment to the project plan of Tax Incremental District No. 18, City of Sheboygan, Wisconsin. REFER TO CITY PLAN COMMISSION

ATTACHMENT: TID.pdf

5.3 Res. No. 51-21-22 by Alderpersons Mitchell and Filicky-Peneski authorizing the appropriate City officials to execute an Engagement Letter Agreement with Baker Tilly US, LLP for Strategic Plan Consulting, authorizing the City Administrator to enter into future scope appendices with Baker Tilly, and authorizing the Finance Director to make a necessary budget adjustment and appropriation in the 2021 budget. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: BAKER TILLY.pdf

5.4 Res. No. 52-21-22 by Alderpersons Mitchell and Filicky-Peneski authorizing entering into a Development Agreement with Water's Edge Development of Sheboygan, LLC and Watershed Development, LLC. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: WATERS EDGE.pdf

5.5 Res. No. 53-21-22 by Alderpersons Dekker and Perrella 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 County YMCA. REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: ymca.pdf

5.6 Res. No. 54-21-22 by Alderpersons Dekker and Perrella authorizing the appropriate City officials to enter into a contract with Wheeler Lumber, LLC for the purchase of a prefabricated bridge to be installed in Evergreen Park. REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: lumber.pdf

ATTACHMENT: lumber.pdf

5.7 Res. No. 55-21-22 by Alderpersons Dekker and Perrella authorizing the Purchasing Agent to issue a purchase order to Industrial Marketing & Consulting for the purchase of a replacement street sweeper for the Public Works Department. REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: street sweep.pdf

6. REPORT OF COMMITTEES

6.1 R. C. No. 92-21-22 by Public Works Committee to whom was referred DIRECT REFERRAL Res. No. 24-21-22 by Alderpersons Dekker and Perrella authorizing the appropriate City officials to execute a Permanent Easement, Underground Utility Easements, and a Temporary Easement between the City of Sheboygan and its Board of Water Commissioners, that are specific to the new Raw Water Improvements Project; recommends adopting the Resolution.

ATTACHMENT: easements.pdf

ATTACHMENT: RES 24.pdf

6.2 R. C. No. 93-21-22 by Finance and Personnel Committee to whom was referred Res. No. 46-21-22 by Alderpersons Mitchell and Filicky-Peneski authorizing the appropriate City officials to execute a Services Agreement between the City of Sheboygan and Municipal Code Corporation regarding meeting and agenda management; recommends adopting the Resolution.

ATTACHMENT: Municode contract.pdf

ATTACHMENT: RES 46.pdf

6.3 R. C. No. 94-21-22 by Public Works Committee to whom was referred Res. No. 48-21-22 by Alderpersons Dekker and Perrella authorizing the appropriate City officials to enter into a contract with Tweet/Garot Mechanical, Inc. for the construction of improvements to the HVAC System at the Waste Water Treatment Plant, and to make related expenditures; recommends adopting the Resolution.

ATTACHMENT: Res 48.pdf

ATTACHMENT: RES 48.pdf

6.4 R. C. No. 95-21-22 by Licensing, Hearings, And Public Safety Committee to whom was referred R. O. No. 71-21-22 by City Clerk submitting a communication from Toni Becker to raise awareness of wide-spread "unrestrained dog" issues in the City; recommends referring the document to the Pet-Friendly Task Group. REFER TO PET-FRIENDLY TASK GROUP

ATTACHMENT: RO 71.pdf

7. GENERAL ORDINANCES

7.1 Gen. Ord. No. 22-21-22 by Alderpersons Felde and Mitchell annexing territory owned by the City to the City of Sheboygan, Wisconsin. REFER TO CITY PLAN COMMISSION

ATTACHMENT: ANNEX.pdf

7.2 Gen. Ord. No. 23-21-22 by Alderpersons Felde, Ackley, and Dekker amending Section 118-447 of the Municipal Code so as to clarify the parallel

procedures used in Sections 118-133 (related to parking tickets) and Section 118-447 (related to bicycle tickets.) REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

ATTACHMENT: SECTION 118-447.pdf

8. MATTERS LAID OVER

8.1 R. O. No. 60-21-22 by City Plan Commission to whom was referred Gen. Ord. No. 14-21-22 by Alderperson Perrella amending the City's Future Land Use Map of the Sheboygan Comprehensive Plan to change the Land Use Classification of property located off of S. 14th Street between Illinois Avenue and Indiana Avenue - Parcel #59281506350 from Class Central Mixed Use to Class Multi-family Residential Classification; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, August 10, 2021, and after due consideration, recommends receiving the R. O. and adopting the General Ordinance. RECEIVE THE R. O. AND ADOPT THE ORDINANCE

ATTACHMENT: RO 60.pdf

8.2 R. O. No. 61-21-22 by City Plan Commission to whom was referred Gen. Ord. No. 15-21-22 by Alderperson Perrella amending the City's Future Land Use Map of the Sheboygan Comprehensive Plan to change the Land Use Classification of property located off of the corner of S. 14th Street and Illinois Avenue - Parcel #59281506260, Parcel #59281506240, and Parcel #59281506230 from Class Neighborhood Preservation to Class Multi-family Residential Classification; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, August 10, 2021, and after due consideration, recommends receiving the R. O. and adopting the General Ordinance. RECEIVE THE R. O. AND ADOPT THE ORDINANCE

ATTACHMENT: RO 61.pdf

8.3 R. O. No. 62-21-22 by City Plan Commission to whom was referred Gen. Ord. No. 16-21-22 by Alderperson Perrella and R. O. No. 54-21-22 by City Clerk amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification for property located off of S. 14th Street and Illinois Avenue - Parcel #59281506260 and Parcel #59281506240 from Class Urban Commercial (UC) to Class Urban Residential (UR-12) Classification; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, August 10, 2021, and after due consideration, recommends adopting the Ordinance and filing the R. O. RECEIVE THE R. O. AND ADOPT THE ORDINANCE

ATTACHMENT: RO 62.pdf

8.4 R. O. No. 63-21-22 by City Plan Commission to whom was referred Gen. Ord. No. 17-21-22 by Alderperson Perrella and R. O. No. 55-21-22 by City Clerk amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification for property located off of S. 14th Street between Illinois Avenue and Indiana Avenue - Parcel #59281506350 and Parcel #59281506230 from Class Urban Industrial (UI) to Class Urban Residential (UR-12) Classification; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, August 10, 2021, and after due consideration, recommends adopting the Ordinance and filing the R. O. RECEIVE THE R. O. AND ADOPT THE ORDINANCE

ATTACHMENT: RO 63.pdf

9. OTHER MATTERS AUTHORIZED BY LAW

9.1 R. O. No. 80-21-22 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

ATTACHMENT: referred.pdf

9.2 Res. No. 56-21-22 by Alderpersons Dekker and Perrella authorizing the appropriate City officials to accept the necessary permanent and temporary easements for the City to construct a sidewalk on the northside of Union Avenue. REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: Res. No. 56-21-22 signed.pdf

ATTACHMENT: easements.pdf

10. CLOSED SESSION

10.1 MOTION TO CONVENE IN CLOSED SESSION under the exemption provided in Sec. 19.85(1)(e), Wis. Stats., where competitive or bargaining reasons require a closed session related to a possible development incentive for the project known as S2A Modular in the SouthPointe Enterprise Campus and for the purpose of negotiating with one or more property owners regarding the potential purchase of land on the City's southern border for residential housing.

11. ADJOURN MEETING

11.1 Motion to Adjourn

In compliance with Wisconsin's Open Meetings Laws, this agenda was posted in the following locations more than 24 hours prior to the time of the meeting:

City Hall
Mead Public Library
Sheboygan County Administration Building
City's website