

CITY OF SHEBOYGAN

TENTH REGULAR COMMON COUNCIL MEETING

Monday, August 16, 2021

ALDERPERSONS PRESENT: Jim Bohren (remote), Markus Savaglio, Dean Dekker, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Leslie Laster - 9 .

ALDERPERSON EXCUSED: Grazia Perrella - 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 - 9 th Regular Council meeting held on August 2, 2021

MOTION TO APPROVE MINUTES Motion by Barbara Felde, second by Roberta Filicky-Peneski.

Final Resolution:

Motion Passes Aye: Jim Bohren, Markus Savaglio, Dean Dekker, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Leslie Laster

1.4 PUBLIC FORUM - Limit of five people having five minutes each with comments limited to items on this agenda. Dolcye Johnson spoke.

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

2. HEARINGS

2.1 Hearing No. 2 - 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 land on 530 / 532 S. 14 th Street (Parcel # 59281502500) from Class Neighborhood Preservation to Class Neighborhood Mixed Use Classification.

MOTION TO CLOSE THE HEARING Motion by Barbara Felde, second by Roberta Filicky-Peneski.

Final Resolution:

Motion Passes Aye: Jim Bohren, Markus Savaglio, Dean Dekker, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Leslie Laster - 9 .

2.2 Hearing No. 3 - 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 land on 530 / 532 S. 14 th Street (Parcel # 59281502500) from Class Neighborhood Residential (NR- 6) to Class Neighborhood Commercial (NC).

MOTION TO CLOSE THE HEARING Motion by Barbara Felde, second by Roberta Filicky-Peneski.

Final Resolution:

Motion Passes Aye: Jim Bohren, Markus Savaglio, Dean Dekker, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Leslie Laster - 9 .

### 3. CONSENT

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 Barbara Felde, second by Roberta Filicky-Peneski.

Final Resolution:

Motion Passes Aye: Jim Bohren, Markus Savaglio, Dean Dekker, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Leslie Laster - 9 .

3.2 R. O. No. 59 - 21 - 22 by Board of License Examiners submitting applications for Building Contractor Licenses already granted.

Resolution:

MOTION TO RECEIVE AND FILE THE DOCUMENT Motion by Barbara Felde, second by Roberta Filicky-Peneski.

Final Resolution:

Motion Passes Aye: Jim Bohren, Markus Savaglio, Dean Dekker, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Leslie

Laster - 9 .

3.3 R. C. No. 83 - 21 - 22 by Finance and Personnel Committee to whom was referred Res. No. 42 - 21 - 22 by Alderpersons Mitchell and Filicky-Peneski authorizing the appropriate City officials to enter into a Master Subscription Agreement with Granicus, LLC; recommends adopting the Resolution.

Resolution:

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

Final Resolution:

Motion Passes Aye: Jim Bohren, Markus Savaglio, Dean Dekker, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Leslie Laster - 9 .

3.4 R. C. No. 84 - 21 - 22 by Licensing, Hearings, And Public Safety Committee to whom was referred R. O. No. 57 - 21 - 22 by City Clerk submitting various license applications for the period ending June 30, 2022 ; recommends granting the license applications contingent on 8 th Street Ale Haus providing a more detailed map for their change of premise.

Resolution:

MOTION TO RECEIVE THE R. C. AND GRANT THE LICENSE APPLICATIONS CONTINGENT ON 8 TH STREET ALE HAUS PROVIDING A MORE DETAILED MAP FOR THEIR CHANGE OF PREMISE Motion by Barbara Felde, second by Roberta Filicky-Peneski.

Final Resolution:

Motion Passes Aye: Jim Bohren, Markus Savaglio, Dean Dekker, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Leslie Laster - 9 .

3.5 R. C. No. 85 - 21 - 22 by Licensing, Hearings, and Public Safety Committee to whom was referred pursuant to R. O. No. 57 - 21 - 22 by City Clerk submitting various license applications; recommends filing the application (Union Avenue BP).

Resolution:

MOTION TO RECEIVE THE R. C. AND FILE THE APPLICATION Motion by Barbara Felde, second by Roberta Filicky-Peneski.

Final Resolution:

Motion Passes Aye: Jim Bohren, Markus Savaglio, Dean Dekker, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Leslie Laster - 9 .

3.6 R. C. No. 86 - 21 - 22 by Licensing, Hearings, And Public Safety Committee to whom was referred DIRECT REFERRAL R. O. No. 58 - 21 - 22 by City Clerk submitting various license applications; recommends granting the license applications contingent upon street festival permits being issued.

Resolution:

MOTION TO RECEIVE THE R. C. AND GRANT THE LICENSE APPLICATIONS CONTINGENT UPON

STREET FESTIVAL PERMITS BEING ISSUED Motion by Barbara Felde, second by Roberta Filicky-Peneski.

Final Resolution:

Motion Passes Aye: Jim Bohren, Markus Savaglio, Dean Dekker, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Leslie Laster - 9 .

#### 4. REPORT OF OFFICERS

4.1 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. 14 th 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. LAYS OVER

4.2 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. 14 th 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. LAYS OVER

4.3 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. 14 th 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. LAYS OVER

4.4 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. 14 th 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. LAYS OVER

4.5 R. O. No. 64 - 21 - 22 by City Clerk submitting an application from A

Million Dreamz Inc. for a change in zoning classification for 418 Geele Avenue (Parcel # 59281004850 and Parcel # 59281004870) from Class Suburban Residential (SR- 5) to Mixed Residential (MR- 8). REFER TO CITY PLAN COMMISSION

4.6 R. O. No. 65 - 21 - 22 by City Clerk submitting a claim from Daniel Cotet for alleged damages to his vehicle when it was hit by a rock from a lawnmower. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.7 R. O. No. 66 - 21 - 22 by City Clerk submitting a claim from Peter Reichelsdorfer for alleged damages to his vehicle from a tree branch. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.8 R. O. No. 67 - 21 - 22 by City Clerk submitting a Summons and Complaint in the matter of Samaria Wright vs. John Rupnick and the City of Sheboygan. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.9 R. O. No. 68 - 21 - 22 by City Clerk submitting a Summons and Complaint in the matter of Wal-Mart Real Estate Business Trust vs. City of Sheboygan. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.10 R. O. No. 69 - 21 - 22 by City Clerk submitting a claim of alleged unlawful tax collected from FedEx Services by the City of Sheboygan for the 2020 tax year, plus interest as provided by law, with respect to certain property located in the City and known by the personal property tax Account Number 59281950534 P. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.11 R. O. No. 70 - 21 - 22 by City Clerk submitting a communication from Dolcye Johnson regarding the Fire Department's ambulance service for 2020. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

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

## 5. RESOLUTIONS

5.1 Res. No. 45 - 21 - 22 by Alderpersons Mitchell and Filicky-Peneski authorizing retaining outside legal counsel to represent the City in the matter of Wal-Mart Real Estate Business Trust v. City of Sheboygan, and authorizing payment for said services. SUSPEND THE RULES AND ADOPT THE RESOLUTION

MOTION TO SUSPEND THE RULES AND ADOPT THE RESOLUTION Motion by Barbara Felde, second by Roberta Filicky-Peneski.

Final Resolution:

Motion Passes Aye: Jim Bohren, Markus Savaglio, Dean Dekker, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Leslie Laster - 9 .

5.2 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. REFER TO FINANCE AND PERSONNEL COMMITTEE

5.3 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. REFER TO PUBLIC WORKS COMMITTEE

## 6. REPORT OF COMMITTEES

6.1 R. C. No. 87 - 21 - 22 by Finance and Personnel Committee to whom was referred Res. No. 41 - 21 - 22 by Alderpersons Mitchell and Filicky-Peneski authorizing a transfer in the 2021 budget related to donations received in support of the Sheboygan Police Department's K- 9 program; 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: Jim Bohren, Markus Savaglio, Dean Dekker, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Leslie Laster - 9 .

## 7. GENERAL ORDINANCES

7.1 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. REFER TO CITY PLAN COMMISSION

7.2 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. REFER TO CITY PLAN COMMISSION

7.3 Gen. Ord. No. 20 - 21 - 22 by Alderpersons Dekker and Perrella creating a no parking zone on the east side of North 9 th Street north of Center Avenue. REFER TO PUBLIC WORKS COMMITTEE

7.4 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. REFER TO PUBLIC WORKS COMMITTEE

## 8. MATTERS LAID OVER

8.1 R. O. No. 52 - 21 - 22 by City Plan Commission to whom was referred Gen. Ord. No. 11 - 21 - 22 by Alderperson Dekker amending the City's Future Land Use Map of the Sheboygan Comprehensive Plan to change the Land Use Classification of property located at 530 - 532 S. 14 th Street (Parcel # 59281502500) from Class Neighborhood Preservation to Class Neighborhood Mixed Use Classification; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, July 27, 2021, and after due consideration, recommends adopting the Ordinance.

MOTION TO RECEIVE THE R. O. AND ADOPT THE ORDINANCE Motion by Dean Dekker, second by Markus Savaglio.

Final Resolution:

Motion Passes Aye: Jim Bohren, Markus Savaglio, Dean Dekker, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Leslie Laster - 9 .

8.2 R. O. No. 53 - 21 - 22 by City Plan Commission to whom was referred R. O. No. 39 - 21 - 22 by City Clerk and Gen. Ord. No. 12 - 21 - 22 by Alderperson Dekker amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Land Use Classification of property located at 530 - 532 S. 14 th Street (Parcel # 59281502500) from Class Neighborhood Residential (NR- 6) to Class Neighborhood Commercial (NC) Classification; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, July 27, 2021, and after due consideration, recommends adopting the Ordinance and filing the R. O.

MOTION TO RECEIVE THE R. O. AND ADOPT THE ORDINANCE Motion by Dean Dekker, second by Markus Savaglio.

Final Resolution:

Motion Passes Aye: Jim Bohren, Markus Savaglio, Dean Dekker, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Leslie Laster - 9 .

## 9. OTHER MATTERS AUTHORIZED BY LAW

9.1 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. REFER TO PUBLIC WORKS COMMITTEE

## 10. ADJOURN MEETING

10.1 Motion to Adjourn

MOTION TO ADJOURN 6: 35 PM Motion by Barbara Felde, second by Roberta Filicky-Peneski.

Final Resolution:

Motion Passes Aye: Jim Bohren, Markus Savaglio, Dean Dekker, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Leslie Laster - 9 .