

CITY OF SHEBOYGAN

SIXTH REGULAR COMMON COUNCIL MEETING

Monday, June 21, 2021

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

ALDERPERSONS ABSENT AND EXCUSED: Betty Ackley - 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 - 5 th Regular Council meeting held on June 7, 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, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Grazia Perrella, Leslie Laster - 9 .

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

1.5 CONFIRMATION OF MAYOR'S APPOINTMENTS - Various

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

Final Resolution:

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

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 Barbara Felde, second by Roberta Filicky-Peneski.

Final Resolution:

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

2.2 R. O. No. 28 - 21 - 22 by Board of License Examiners submitting an application for Building Contractor License already granted.

Resolution:

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

Final Resolution:

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

2.3 R. O. No. 29 - 21 - 22 by City Clerk submitting various license applications (Sheboygan Jaycees).

Resolution:

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

Final Resolution:

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

2.4 R. O. No. 30 - 21 - 22 by Board of Water Commissioners requesting modification of an existing permanent easement and approval of a utility easement.

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, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Grazia Perrella, Leslie Laster - 9 .

2.5 R. C. No. 37 - 21 - 22 by Finance and Personnel Committee to whom was referred R. C. No. 328 - 20 - 21 by Finance and Personnel Committee to whom was referred R. O. No. 130 - 20 - 21 by City Clerk submitting a claim from Acuity Insurance for alleged damages to their insured (Steven L, and Susan M. Aubry) vehicle when it was backed into by a City owned vehicle; recommends filing the document.

Resolution:

MOTION TO RECEIVE THE R. C. 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, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Grazia Perrella, Leslie Laster - 9 .

2.6 R. C. No. 38 - 21 - 22 by Finance and Personnel Committee to whom was referred R. C. No. 329 - 20 - 21 by Finance and Personnel Committee to whom was referred R. O. No. 131 - 20 - 21 by City Clerk submitting a claim of alleged unlawful tax collected from Midstate Amusement Games, LLC by the City 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 59281860858 P; recommends filing the document.

Resolution:

MOTION TO RECEIVE THE R. C. 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, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Grazia Perrella, Leslie Laster - 9 .

2.7 R. C. No. 39 - 21 - 22 by Licensing, Hearings, and Public Safety Committee to whom was referred R. C. No. 332 - 20 - 21 by Licensing, Hearings, and Public Safety Committee and R. O. No. 173 - 20 - 21 by City Clerk submitting various license applications; recommends granting the license application contingent upon their providing all necessary documents to the clerk's office.

Resolution:

MOTION TO RECEIVE THE R. C. AND GRANT THE LICENSE CONTINGENT UPON THEIR PROVIDING ALL NECESSARY DOCUMENTS TO THE CLERK'S OFFICE Motion by Barbara Felde, second by Roberta Filicky-Peneski.

Final Resolution:

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

Laster - 9 .

2.8 R. C. No. 40 - 21 - 22 by Licensing, Hearings, and Public Safety Committee to whom was referred R. C. No. 324 - 20 - 21 by Licensing, Hearings, and Public Safety Committee and R. O. No. 98 - 20 - 21 by City Clerk submitting various license applications; recommends filing the change of premise application as the issue was dealt with when Meijer renewed the license.

Resolution:

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

Final Resolution:

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

2.9 R. C. No. 41 - 21 - 22 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 9 - 21 - 22 by City Clerk submitting various license applications; recommends granting the license with a warning to follow the law.

Resolution:

MOTION TO RECEIVE THE R. C. AND GRANT THE LICENSE WITH WARNING

Motion by Barbara Felde, second by Roberta Filicky-Peneski.

Final Resolution:

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

2.10 R. C. No. 42 - 21 - 22 by Finance and Personnel Committee to whom was referred R. O. No. 12 - 21 - 22 by City Clerk submitting a claim from Zachary D. Brill for alleged damages to his vehicle when driving through construction area on North Taylor Drive; recommends filing the document.

Resolution:

MOTION TO RECEIVE THE R. C. 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, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Grazia Perrella, Leslie Laster - 9 .

2.11 R. C. No. 43 - 21 - 22 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 16 - 21 - 22 by City Clerk submitting various license applications; recommends granting the license application with a warning to follow the law.

Resolution:

MOTION TO RECEIVE THE R. C. AND GRANT THE LICENSE WITH WARNING Motion by Barbara Felde, second by Roberta Filicky-Peneski.

Final Resolution:

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

2.12 R. C. No. 44 - 21 - 22 by Finance and Personnel Committee to whom was referred R. O. No. 24 - 21 - 22 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. 7975 in the amount of \$6,007.49 billed to Kenneth Koopman regarding damage to a traffic control signal located at the corner of South Business Drive and Wilson Avenue on November 16, 2019, has been settled with a payment to the City of Sheboygan in the amount of \$5,715.24 ; recommends filing the document.

Resolution:

MOTION TO RECEIVE THE R. C. 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, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Grazia Perrella, Leslie Laster - 9 .

2.13 R. C. No. 45 - 21 - 22 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 27 - 21 - 22 by City Clerk submitting various license applications; recommends granting the license application with various caveats.

Resolution:

MOTION TO RECEIVE THE R. C. AND GRANT THE LICENSES WITH CAVEATS

Motion by Barbara Felde, second by Roberta Filicky-Peneski.

Final Resolution:

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

2.14 R. C. No. 46 - 21 - 22 by Finance and Personnel Committee to whom was referred Res. No. 16 - 21 - 22 by Alderpersons Mitchell and Filicky-Peneski authorizing the appropriate City officials to execute the Financial Management Planning Services Agreement with Ehlers, Inc. and to make a necessary budget adjustment and appropriation in the 2021 budget; 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, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Grazia Perrella, Leslie Laster - 9 .

2.15 R. C. No. 47 - 21 - 22 by Finance and Personnel Committee to whom was referred Res. No. 17 - 21 - 22 by Alderpersons Mitchell and Filicky-Peneski authorizing the appropriate City officials to execute the agreement with Assessment Technologies of Wisconsin, LLC d/b/a Grota Appraisals for assessment services between 2023 and 2026 and for revaluation services, and to make a necessary budget adjustment and appropriation in the 2021 budget; 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, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Grazia Perrella, Leslie Laster - 9 .

2.16 R. C. No. 48 - 21 - 22 by Finance and Personnel Committee to whom was referred Res. No. 18 - 21 - 22 by Alderpersons Mitchell and Filicky-Peneski authorizing the Director of Planning & Development to accept the Proposal for Environmental Services Wetland Delineation at Parcels 59281 - 628961 and 52981 - 657937 from Stantec Consulting Services Inc.; 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, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Grazia Perrella, Leslie Laster - 9 .

2.17 R. C. No. 49 - 21 - 22 by Licensing, Hearings, and Public Safety Committee to whom was referred Gen. Ord. No. 7 - 21 - 22 by Alderpersons Felde and Ackley amending the Municipal Code so as to take advantage of the provisions of 2019 Wisconsin Act 166 authorizing issuance of alcohol beverage operator's licenses by a designated municipal official and applying similar provisions to other licenses issued by the city where issuance by such an official is not proscribed by state law; recommends adopting the Ordinance.

Resolution:

MOTION TO RECEIVE THE R. C. AND ADOPT THE ORDINANCE

Motion by Barbara Felde, second by Roberta Filicky-Peneski.

Final Resolution:

Motion Passes Aye: Jim Bohren, Markus Savaglio, Dean Dekker, Trey Mitchell,

Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Grazia Perrella, Leslie Laster - 9 .

3. REPORT OF OFFICERS

3.1 R. O. No. 31 - 21 - 22 by City Plan Commission to whom was referred Gen. Ord. No. 4 - 21 - 22 by Alderperson Dekker and R. O. No. 22 - 21 - 22 by City Clerk to amend the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification of vacant land on N. 15 th Street - Part of Parcel # 59281550000 from Class Urban Residential (UR-12) to Class Urban Commercial (UC) Classification; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, June 15, 2021, and after due consideration, recommends approving the Ordinance and filing the R. O. LAYS OVER

3.2 R. O. No. 32 - 21 - 22 by City Clerk submitting a Summons and Complaint in the matter of Link Media Wisconsin, LLC v. City of Sheboygan. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.3 R. O. No. 33 - 21 - 22 by City Clerk submitting a claim from Robert Konrad for alleged damages to his basketball cover when it was hit by a garbage truck. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.4 R. O. No. 34 - 21 - 22 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

3.5 R. O. No. 35 - 21 - 22 by City Clerk submitting a communication from Charles Paul regarding seagulls nesting on the roof of the old Pick 'n Save. REFER TO PUBLIC WORKS COMMITTEE

4. RESOLUTIONS

5. REPORT OF COMMITTEES

5.1 R. C. No. 50 - 21 - 22 by Committee of the Whole to whom was referred R. C. No. 21 - 21 - 22 by Finance and Personnel Committee to whom was referred DIRECT REFERRAL R. O. 10 - 21 - 22 by director of Human Resources submitting the Internal Controls Assessment City of Sheboygan Benefits Administration Assessment dated April 19, 2021 which was prepared by CliftonLarsonAllen LLP (CLA); recommends filing the document, directing the City Administrator and HR Director to provide quarterly reports to council, and to bring to the Finance and Personnel Committee the pros and cons of each suggested audit in the report. RECEIVE THE R. C. AND FILE THE DOCUMENT, DIRECT THE CITY ADMINISTRATOR AND HR DIRECTOR TO PROVIDE QUARTERLY REPORTS TO COUNCIL, AND TO BRING TO THE FINANCE AND PERSONNEL COMMITTEE THE PROS AND CONS OF EACH SUGGESTED AUDIT IN THE REPORT.

MOTION TO RECEIVE THE R. C. AND FILE THE DOCUMENT, DIRECT THE CITY

ADMINISTRATOR AND HR DIRECTOR TO PROVIDE QUARTERLY REPORTS TO COUNCIL, AND TO BRING TO THE FINANCE AND PERSONNEL COMMITTEE THE PROS AND CONS OF EACH SUGGESTED AUDIT IN THE REPORT. Motion by Dean Dekker, second by Jim Bohren.

Final Resolution:

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

5.2 R. C. No. 51 - 21 - 22 by Finance and Personnel Committee to whom was referred Res. No. 19 - 21 - 22 by Alderpersons Mitchell and Filicky-Peneski approving the Tax Incremental Financing (TIF) Policy of the City of Sheboygan; recommends adopting the Resolution. RECEIVE THE R. C. AND ADOPT 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, Barbara Felde, Roberta Filicky-Peneski, Amanda Salazar, Grazia Perrella, Leslie Laster - 9 .

5.3 R. C. No. 52 - 21 - 22 by Licensing, Hearings, and Public Safety Committee to whom was referred Gen. Ord. No. 5 - 21 - 22 by Alderpersons Felde and Ackley amending the City of Sheboygan's Code of Ethics; recommends adopting the Ordinance. RECEIVE THE R. C. AND ADOPT THE ORDINANCE

MOTION TO RECEIVE THE R. C. AND ADOPT THE ORDINANCE Motion by Barbara Felde, second by Dean Dekker.

Final Resolution:

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

5.4 R. C. No. 53 - 21 - 22 by Licensing, Hearings, and Public Safety Committee to whom was referred Gen. Ord. No. 6 - 21 - 22 by Alderpersons Felde and Ackley amending the Municipal Code as to add provision for a parklet permit, to modify provisions related to drinking on public streets to account for the creation of parklets, to update the provisions related to street festival permits and sidewalk cafe permits so as to make them more congruent with each other and the parklet provisions, and to remove an ordinance no longer applicable related to drinking on the erstwhile Plaza 8 ; recommends adopting the Ordinance as amended. RECEIVE THE R. C. AND ADOPT THE SUBSTITUTE ORDINANCE

MOTION TO RECEIVE THE R. C. AND ADOPT THE SUBSTITUTE ORDINANCE Motion by Barbara Felde, second by Dean Dekker.

Final Resolution:

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

6. GENERAL ORDINANCES

7. OTHER MATTERS AUTHORIZED BY LAW

7.1 Res. No. 23 - 21 - 22 by Alderpersons Mitchell, Filicky-Peneski, Bohren, and Felde updating the policy for applying the undesignated fund balance for the General Fund's ensuing year's budget. REFER TO FINANCE AND PERSONNEL COMMITTEE

8. ADJOURN MEETING

8.1 Motion to Adjourn

MOTION TO ADJOURN 6: 31 P.M. Motion by Grazia Perrella, second by Barbara Felde.
Final Resolution:

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