

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

"COMMUNICATION WORKS FOR THOSE WHO WORK AT IT" Notice of the 5th Regular Meeting of the 2021-2022 Common Council at 6:00 p.m., MONDAY, June 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.

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

**1. OPENING OF MEETING**

1.1 ROLL CALL - Alderpersons Ackley, Bohren, Dekker, Felde, Filicky-Peneski, Laster, Mitchell, Perrella, Salazar, Savaglio may attend meeting remotely

1.2 PLEDGE OF ALLEGIANCE

1.3 APPROVAL OF MINUTES - 4th Regular Council meeting held on May 17, 2021

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

1.5 MAYOR'S APPOINTMENTS - Various

ATTACHMENT: Nick Laurie Resume.pdf

ATTACHMENT: Peter Janssen 2021.docx.pdf

ATTACHMENT: DSW Mayor International Committee resume 6 2 21 (002).pdf

ATTACHMENT: Tony Rammer (002).pdf

ATTACHMENT: appointments.pdf

1.6 CONFIRMATION OF MAYOR'S APPOINTMENTS - Various

ATTACHMENT: confirm appointments.pdf

1.7 CONFIRMATION OF MAYOR'S APPOINTMENT - Leslie Laster to the Licensing, Hearings, and Public Safety Committee

ATTACHMENT: confirm LHPS.pdf

1.8 PRESENTATION - Senior Center Rebranding by Director of Senior Services Emily Rendall-Araujo

1.9 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

2.2 R. O. No. 19-21-22 by Board of License Examiners submitting applications for building Contractor Licenses already granted.

ATTACHMENT: boLe.pdf

2.3 R. O. No. 20-21-22 by City Clerk submitting various license applications (Sertich).

ATTACHMENT: granted.pdf

2.4 R. C. No. 23-21-22 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 179-20-21 by City Clerk submitting various license applications; recommends denying Taxicab Driver License application No. 4447 (Carey M. Henning) due to his record of violations related to the licensed activity, his record as a repeat law offender, and his failure to cooperate with staff for the committee.

ATTACHMENT: RO 179.pdf

2.5 R. C. No. 24-21-22 by Finance and Personnel Committee to whom was referred R. O. No. 11-21-22 by City Clerk submitting a communication from the State of Wisconsin Tax Appeals State Board of Assessors for Manufacturing Property in the matter of Georgia-Pacific Consumer Operations, LLC and Georgia-Pacific Corrugated, LLC v. Wisconsin Department of Revenue; recommends filing the document.

ATTACHMENT: RO 11.pdf

2.6 R. C. No. 25-21-22 by Finance and Personnel Committee to whom was referred R. O. No. 13-21-22 by Director of Planning and Development submitting a communication from the Harbor Centre Business Improvement District requesting that the City of Sheboygan release all funds collected on their behalf and those funds allocated to them for fiscal year 2021; recommends filing the document and directing the Finance department to release the funds contingent on receiving a copy of the 2020 audited financials.

ATTACHMENT: RO 13.pdf

2.7 R. C. No. 26-21-22 by Finance and Personnel Committee to whom was referred R. O. No. 14-21-22 by City Clerk submitting a communication from the State of Wisconsin Tax Appeals Commission regarding the filing of Petitions for Review of Determination by State Board of Assessors for Manufacturing Property in the matter of Nematik USA Inc. v. Wisconsin Department of Revenue; recommends filing the document.

ATTACHMENT: RO 14.pdf

2.8 R. C. No. 27-21-22 by Licensing, Hearings, and Public Safety Committee to whom was referred pursuant to R. O. No. 16-21-22 by City Clerk submitting various license applications; recommends granting the license applications.

ATTACHMENT: RO 16.pdf

2.9 R. C. No. 28-21-22 by Licensing, Hearings, and Public Safety Committee to whom was referred pursuant to R. O. No. 17-21-22 by City Clerk submitting various license applications; recommends granting the license applications.

ATTACHMENT: Pursuant RO 17.pdf

2.10 R. C. No. 29-21-22 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 17-21-22 by City Clerk submitting various license applications; recommends granting the license applications with various caveats.

ATTACHMENT: RO 17.pdf

2.11 R. C. No. 30-21-22 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 18-21-22 by City Clerk submitting various license applications; recommends granting all change of premise applications contingent upon the applicants obtaining the necessary street festival permits.

ATTACHMENT: RO 18.pdf

2.12 R. C. No. 31-21-22 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 11-21-22 by Alderpersons Felde and Ackley authorizing the City Attorney's Office to take all appropriate action on behalf of the City of Sheboygan related to Purdue Pharma, L.P.'s bankruptcy; recommends adopting the Resolution.

ATTACHMENT: Res 11.pdf

2.13 R. C. No. 32-21-22 by Public Works Committee to whom was referred Res. No. 12-21-22 by Alderpersons Dekker and Perrella authorizing the appropriate City officials to execute the Second Amendment to Management Services Agreement between the City of Sheboygan and EOS Recreation LLC regarding Quarry Park; recommends adopting the Resolution.

ATTACHMENT: quarry signed.pdf

ATTACHMENT: Res 12.pdf

2.14 R. C. No. 33-21-22 by Public Works Committee to whom was referred Res. No. 13-21-22 by Alderpersons Dekker and Perrella authorizing the Mayor to sign the Reinstatement and Third Amendment to Purchase and Sale Agreement, further extending several dates in the previous Agreement authorized pursuant to Res. No. 12-19-20 , for the purchase of land from the Union Pacific Railroad Company; recommends adopting the Resolution.

ATTACHMENT: Res 13.pdf

2.15 R. C. No. 34-21-22 by Public Works Committee to whom was referred Res. No. 14-21-22 by Alderpersons Dekker and Perrella authorizing the appropriate City officials to execute the License to Use U.S. Coast Guard Real Property to place signs along the Sheboygan River; recommends adopting the Resolution.

ATTACHMENT: RES 14.pdf

### **3. REPORT OF OFFICERS**

3.1 R. O. No. 21-21-22 by City Plan Commission to whom was referred Res. No. 9-21-22 by Alderpersons Mitchell and Perrella approving the Capital Improvements Program as recommended by the Capital Improvements Commission for the program period of 2022-2026 and adopting the program for implementation; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, April 25, 2021, and after due consideration, recommends adopting the Resolution. RECEIVE THE R. O. AND ADOPT THE RESOLUTION

ATTACHMENT: RES 9.pdf

3.2 R. O. No. 22-21-22 by City Clerk submitting an application from Paul Weaver, Watershed Development, LLC, for a change in zoning classification of vacant land on N. 15th Street (Part of Parcel #59281550000) from Class Urban Residential (UR-12) to Class Urban Commercial (UC) Classification. REFER TO CITY PLAN COMMISSION

ATTACHMENT: RO rezone.pdf

3.3 R. O. No. 23-21-22 by City Clerk submitting a notice of claim from Randy Roth for alleged damages to his skid steer glass door when a stone hit it from a City worker's lawnmower. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: roth claim.pdf

3.4 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. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: Res 66.pdf

3.5 R. O. No. 25-21-22 by City Clerk submitting a claim from Shari Smith for alleged damages to her vehicle from road debris and/or unsafe conditions on road due to construction on Taylor Drive. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: smith claim.pdf

3.6 R. O. No. 26-21-22 by City Clerk submitting a Notice of Claim from the Law Office of Daniel J. Raymonds regarding alleged injuries their client (Mao Yang) suffered when struck by debris from a City of Sheboygan snow plow. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: Raymonds claim.pdf

#### **4. RESOLUTIONS**

4.1 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. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: Ehlers.pdf

4.2 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. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: grota.pdf

4.3 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. REFER TO FINANCE AND

## PERSONNEL COMMITTEE

ATTACHMENT: Wetland delineation.pdf

4.4 Res. No. 19-21-22 by Alderpersons Mitchell and Filicky-Peneski approving Tax Increment Financing (TIF) Policy of the City of Sheboygan. REFER TO FINANCE AND PERSONNEL COMMITTEE

ATTACHMENT: tif.pdf

4.5 Res. No. 20-21-22 by Alderpersons Dekker and Perrella authorizing the appropriate City officials to approve Change Order No. 2 to the Agreement with Wondra Construction, Inc. regarding Butzen Sports Complex. REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: wondra.pdf

4.6 Res. No. 21-21-22 by Alderpersons Dekker and Perrella authorizing the appropriate City officials to enter into a contract with Buteyn-Peterson Construction Company, Inc. for the Union Avenue Reconstruction (Georgia Avenue to S. 26th Street). REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: buteyn-peterson.pdf

4.7 Res. No. 22-21-22 by Alderpersons Dekker and Perrella informing the Wisconsin Department of Natural Resources (WDNR) that the 2020 Compliance Maintenance Annual Report (CMAR) has been reviewed. REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: cmar.pdf

## 5. REPORT OF COMMITTEES

5.1 R. C. No. 35-21-22 by Finance and Personnel Committee to whom was referred Res. No. 10-21-22 by Alderpersons Mitchell and Filicky-Peneski authorizing a budget adjustment and appropriation in the 2021 budget regarding the MyCivic Citizen Engagement Software System; recommends adopting the Resolution.

ATTACHMENT: Res. 10.pdf

5.2 R. C. No. 36-21-22 by Licensing, Hearings, and Public Safety Committee to whom was referred Gen. Ord. No. 3-21-22 by Alderpersons Felde, Ackley, and Dekker amending the Municipal Code so as to temporarily reduce fees for sidewalk cafes; recommends adopting the Ordinance.

ATTACHMENT: GO 3.pdf

## 6. GENERAL ORDINANCES

6.1 Gen. Ord. No. 4-21-22 by Alderperson Dekker amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification of vacant land on N. 15th Street - Part of Parcel #59281550000 from Class Urban Residential (UR-12) to Class Urban Commercial (UC) Classification. REFER TO CITY PLAN COMMISSION

ATTACHMENT: GO rezone.pdf

6.2 Gen. Ord. No. 5-21-22 by Alderpersons Felde and Ackley amending the City of Sheboygan's Code of Ethics. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

ATTACHMENT: code of ethics.pdf

6.3 Gen. Ord. No. 6-21-22 by Alderpersons Felde and Ackley amending the Municipal Code so 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. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

ATTACHMENT: PARKLET.pdf

6.4 Gen. Ord. No. 7-21-22 by Alderpersons Felde and Ackley amending the Municipal Code so as to take advantage of the provisions in 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. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

ATTACHMENT: licenses.pdf

6.5 Gen. Ord. No. 8-21-22 by Alderpersons Dekker and Perrella placing a stop sign at the northwest corner of S. 7th Street and Lakeshore Drive. REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: stop sign 7.pdf

6.6 Gen. Ord. No. 9-21-22 by Alderpersons Dekker and Perrella placing a stop sign at the northwest corner of S. 14th Street and Broadway Avenue. REFER TO PUBLIC WORKS COMMITTEE

ATTACHMENT: stop sign 14.pdf

## **7. OTHER MATTERS AUTHORIZED BY LAW**

7.1 R. O. No. 27-21-22 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

ATTACHMENT: referred.pdf

## **8. CLOSED SESSION**

8.1 Motion to convene in closed session under the exemption provided in Sec. 19.85(1)(e), Wis. Stats., for the purpose of a discussion related to a possible development incentive regarding the former Shopko Store located at 518 S. Taylor Drive where competitive and bargaining sessions require a closed session; and under the exemption provided in Sec. 19.85(1)(g), Wis. Stats., for the purpose of a discussion related to possible litigation related to the termination of one or more City employees where legal counsel will render oral advice concerning strategy to be adopted by the body with respect to litigation in which it is likely to become involved.

## **9. ADJOURN MEETING**

9.1 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