

\* TWENTY-SIXTH REGULAR COMMON COUNCIL MEETING AGENDA - 6:00 P.M

"CELEBRATE ENDINGS - FOR THEY PRECEDE NEW BEGINNINGS" Notice of the 26th Regular Meeting of the 2020-2021 Common Council at 6:00 p.m., MONDAY, April 19, 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 Bohren, Donohue, Felde, Ackley, Phillips, Dekker, Sorenson, Savaglio, Filicky-Peneski, and Mitchell may attend meeting remotely

1.2 PLEDGE OF ALLEGIANCE

1.3 APPROVAL OF MINUTES - 25th Regular Council meeting held on April 7, 2021

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

1.5 RESIGNATION - Robert Ecker from the Board of Zoning Appeals

ATTACHMENT: ecker resignation.pdf

1.6 RESIGNATION - Ryan Sorenson from the Sheboygan Common Council

ATTACHMENT: Ryan resignation.pdf

1.7 RESIGNATION - Ryan Zinkel from the Sheboygan Transit Commission

ATTACHMENT: Zinkel resignation.pdf

1.8 MAYOR'S ANNOUNCEMENTS - UPCOMING COMMUNITY EVENTS, PROCLAMATIONS, EMPLOYEE RECOGNITIONS, STATE SHARED REVENUE, UPDATE ON COVID-19

**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. 174-20-21 by Board of License Examiners submitting applications for Building Contractor Licenses already granted.

ATTACHMENT: BOLE.pdf

2.3 R. O. No. 175-20-21 by City Clerk submitting a license application (Bruce the Stump Guy).

ATTACHMENT: GRANTED.pdf

2.4 R. C. No. 305-20-21 by Finance and Personnel Committee to whom was referred various Summons and Complaints; recommends filing the documents.

ATTACHMENT: RC 307.pdf

2.5 R. C. No. 306-20-21 by Finance and Personnel Committee to whom was referred various claims; recommends filing the claims.

ATTACHMENT: RC 315.pdf

2.6 R. C. No. 307-20-21 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 117-20-21 by City Clerk submitting various license applications; recommends denying Taxicab Driver License application No. 3441 (Darrin L. Felton) due to his record of violations related to the licensed activity and his failure to cooperate with staff for the committee.

ATTACHMENT: RO 117.pdf

2.7 R. C. No. 308-20-21 by Finance and Personnel Committee to whom was referred R. O. No. 170-20-21 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 Sheboygan Paper Box Co. v. Wisconsin Department of Revenue.

ATTACHMENT: RO 170.pdf

2.8 R. C. No. 309-20-21 by Finance and Personnel Committee to whom was referred R. O. No. 171-20-21 by City Clerk submitting a communication from Deb Yochis and Jim Longo regarding property located at 905 S. 14th Street/1333 Maryland Avenue; recommends filing the document and directing the City Attorney to send a letter to the home owner.

ATTACHMENT: RO 171.pdf

2.9 R. C. No. 310-20-21 by Licensing, Hearings, and Public Safety Committee to whom was referred pursuant to R. O. No. 173-20-21 by City Clerk submitting various license applications; recommends granting the license applications.

ATTACHMENT: PUR RO 173.pdf

2.10 R. C. No. 311-20-21 by Finance and Personnel Committee to whom was referred Res. No. 194-20-21 by Alderpersons Donohue and Bohren to authorize establishing an appropriation in the 2021 budget for grant funds received under the 2021 Wisconsin Bureau of Transportation Safety, Bicycle and Pedestrian Enforcement Grant; recommends adopting the Resolution.

ATTACHMENT: RES 194.pdf

2.11 R. C. No. 312-20-21 by Finance and Personnel Committee to whom was referred Res. No. 195-20-21 by Alderpersons Donohue and Bohren authorizing the appropriate City officials to accept a grant from the U.S. Department of the Interior for fishing Access at Kiwanis and Evergreen Parks; recommends adopting the Resolution.

ATTACHMENT: RES 195.pdf

2.12 R. C. No. 313-20-21 by Public Works Committee to whom was referred Res. No. 196-20-21 by Alderpersons Dekker and Sorenson authorizing the Mayor and

City Clerk to execute the necessary documents to dedicate a temporary limited easement to Sheboygan County at 2412 Indiana Avenue; recommends adopting the Resolution.

ATTACHMENT: RES 196.pdf

2.13 R. C. No. 314-20-21 by Public Works Committee to whom was referred Res. No. 197-20-21 by Alderpersons Dekker and Sorenson authorizing the appropriate City officials to enter into a contract with Buteyn-Peterson Construction Company for the construction of the 2021 Streets Improvements - Package 2 (Geele Avenue); recommends adopting the Resolution.

ATTACHMENT: RES 197.pdf

2.14 R. C. No. 315-20-21 by Public Works Committee to whom was referred Res. No. 198-20-21 by Alderpersons Dekker and Sorenson authorizing the appropriate City officials to enter into a contract with Vinton Construction Company, Inc. for pavement repair of Calumet Drive between Erie Avenue and Saemann Avenue; recommends adopting the Resolution.

ATTACHMENT: RES 198.pdf

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

3.1 R. O. No. 176-20-21 by City Plan Commission to whom was referred Res. No. 193-20-21 by Alderperson Bohren receiving the City of Sheboygan Affordable Housing Market Study prepared by MSA Professional Services, Inc. and encouraging staff to take action to implement the findings, strategies, and recommendations of the Study; recommends adopting the Resolution. RECEIVE THE R. O. AND ADOPT THE RESOLUTION

ATTACHMENT: RES 193.pdf

3.2 R. O. No. 177-20-21 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 January 1, 2021 and ending March 31, 2021. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE OF THE 2021-2022 COUNCIL

ATTACHMENT: FIRE QUARTERLY.pdf

3.3 R. O. No. 178-20-21 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 department for the period commencing January 1, 2021 and ending March 31, 2021. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE OF THE 2021-2022 COUNCIL

ATTACHMENT: QUARTERLY PD.pdf

### **4. RESOLUTIONS**

4.1 Res. No. 200-20-21 by Alderpersons Ackley, Donohue, Bohren, Savaglio, Filicky-Peneski, Felde, Phillips, Sorenson, Mitchell, and Dekker commemorating the distinguished service of Michael Vandersteen to the City of Sheboygan. ADOPT RESOLUTION

ATTACHMENT: MAYOR VANDERSTEEN.pdf

4.2 Res. No. 201-20-21 by Alderpersons Sorenson and Dekker authorizing expenditure of funds received as part of the Criminal Justice, JAG Drug Task Forces Grant Solicitation. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY

COMMITTEE OF THE 2021-2022 COUNCIL

ATTACHMENT: JAG.pdf

**5. REPORT OF COMMITTEES**

5.1 R. C. No. 316-20-21 by Finance and Personnel Committee to whom was referred Res. No. 199-20-21 by Alderpersons Donohue and Bohren approving the FY 2021 One-Year Annual Action Plan for the Community Development Block Grant (CDBG) Program Submission; recommends adopting the Resolution amended to include the amounts to be granted. RECEIVE THE R. C. AND ADOPT THE SUBSTITUTE RESOLUTION

ATTACHMENT: 199-20-21.pdf

ATTACHMENT: RES 199.pdf

5.2 R. C. No. 317-20-21 by Licensing, Hearings, and Public Safety Committee to whom was referred DIRECT REFERRAL Gen. Ord. No. 43-20-21 by Alderpersons Sorenson and Dekker regulating the rental and operation of electric scooters in the City of Sheboygan; recommends adopting the Ordinance. RECEIVE THE R. C. AND ADOPT THE ORDINANCE

ATTACHMENT: GO 43.pdf

5.3 R. C. No. 318-20-21 by Finance and Personnel Committee to whom was referred R. C. No. 311-19-20 by Finance and Personnel Committee to whom was referred R. O. No. 91-19-20 by City Clerk submitting a notice of claim from Mary E. Sommersberger for alleged injuries sustained when she tripped on a pothole while walking on Sunnyside Avenue; recommends referring to the Finance and Personnel Committee of the 2021-2022 Council. REFER TO FINANCE AND PERSONNEL COMMITTEE OF THE 2021-2022 COUNCIL

ATTACHMENT: rc 311.pdf

5.4 R. C. No. 319-20-21 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 5-20-21 by City Clerk submitting various license applications; recommends referring documents to the Licensing, Hearings, and Public Safety Committee of the 2021-2022 Council. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE OF THE 2021-2022 COUNCIL

ATTACHMENT: RO 5.pdf

5.5 R. C. No. 320-20-21 by Finance and Personnel Committee to whom was referred R. O. No. 46-20-21 by City Clerk submitting a Summons and Complaint in the matter of Audrey Brubaker and the Estate of Roman Martin v. City of Sheboygan; recommends referring to the Finance and Personnel Committee of the 2021-2022 Council. REFER TO FINANCE AND PERSONNEL COMMITTEE OF THE 2021-2022 COUNCIL

ATTACHMENT: RO 46.pdf

5.6 R. C. No. 321-20-21 by Finance and Personnel Committee to whom was referred R. O. No. 75-20-21 by City Clerk submitting a pending claim from Linda Arentsen for alleged injuries when she tripped on a raised part of the sidewalk on Center Avenue; recommends referring to the Finance and Personnel Committee of the 2021-2022 Council. REFER TO FINANCE AND PERSONNEL COMMITTEE OF THE 2021-2022 COUNCIL

ATTACHMENT: RO 75.pdf

5.7 R. C. No. 322-20-21 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 76-20-21 by City Clerk submitting various license applications; recommends referring documents to the Licensing, Hearings, and Public Safety Committee of the 2021-2022 Council. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE OF THE 2021-2022 COUNCIL

ATTACHMENT: RO 76.pdf

5.8 R. C. No. 323-20-21 by Finance and Personnel Committee to whom was referred R. O. No. 79-20-21 by City Clerk submitting a Summons and Complaint in the matter of the Estate of Daniel C. Wilson v. Richard A. Pocian and City of Sheboygan; recommends referring to the Finance and Personnel Committee of the 2021-2022 Council. REFER TO FINANCE AND PERSONNEL COMMITTEE OF THE 2021-2022 COUNCIL

ATTACHMENT: RO 79.pdf

5.9 R. C. No. 324-20-21 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 98-20-21 by City Clerk submitting various license applications; recommends referring documents to the Licensing, Hearings, and Public Safety Committee of the 2021-2022 Council. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE OF THE 2021-2022 COUNCIL

ATTACHMENT: RO 98.pdf

5.10 R. C. No. 325-20-21 Finance and Personnel Committee to whom was referred R. O. No. 109-20-21 by City Clerk submitting a Summons and Complaint in the matter of Wal-Mart Real Estate Business Trust vs. City of Sheboygan; recommends referring to the Finance and Personnel Committee of the 2021-2022 Council. REFER TO FINANCE AND PERSONNEL COMMITTEE OF THE 2021-2022 COUNCIL

ATTACHMENT: RO 109.pdf

5.11 R. C. No. 326-20-21 by Finance and Personnel Committee to whom was referred R. O. No. 123-20-21 by City Clerk submitting an amended Notice of Circumstances of Claim from Habush Habush & Rottier S.C. for alleged injuries that Austin Stiebs sustained on December 18, 2020; recommends referring to the Finance and Personnel Committee of the 2021-2022 Council. REFER TO FINANCE AND PERSONNEL COMMITTEE OF THE 2021-2022 COUNCIL

ATTACHMENT: RO 123.pdf

5.12 R. C. No. 327-20-21 by Finance and Personnel Committee to whom was referred R. O. No. 124-20-21 by City Clerk submitting a Summons and Complaint in the matter of UnitedOne Credit Union vs. Kathleen Repphun-Burss et al.; recommends referring to the Finance and Personnel Committee of the 2021-2022 Council. REFER TO FINANCE AND PERSONNEL COMMITTEE OF THE 2021-2022 COUNCIL

ATTACHMENT: RO 124.pdf

5.13 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 referring to the Finance and Personnel Committee of the 2021-2022 Council. REFER TO FINANCE AND PERSONNEL COMMITTEE OF THE 2021-2022 COUNCIL

ATTACHMENT: RO 130.pdf

5.14 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 59281860858P; recommends referring to the Finance and Personnel Committee of the 2021-2022 Council. REFER TO FINANCE AND PERSONNEL COMMITTEE OF THE 2021-2022 COUNCIL

ATTACHMENT: RO 131.pdf

5.15 R. C. No. 330-20-21 by Finance and Personnel Committee to whom was referred R. O. No. 143-20-21 by City Clerk submitting a claim from Gina M. Gordon for alleged damages to her car when it was struck by a Department of Public Works vehicle; recommends referring to the Finance and Personnel Committee of the 2021-2022 Council. REFER TO FINANCE AND PERSONNEL COMMITTEE OF THE 2021-2022 COUNCIL

ATTACHMENT: RO 143.pdf

5.16 R. C. No. 331-20-21 by Finance and Personnel Committee to whom was referred R. O. No. 160-20-21 by City Clerk submitting a Petition for Writ of Certiorari in the matter of Chad Shelton v. Sheboygan City Licensing, Hearings, and Public Safety Committee; recommends referring to the Finance and Personnel Committee of the 2021-2022 Council. REFER TO FINANCE AND PERSONNEL COMMITTEE OF THE 2021-2022 COUNCIL

ATTACHMENT: RO 160.pdf

5.17 R. C. No. 332-20-21 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 173-20-21 by City Clerk submitting various license applications; recommends referring documents to the Licensing, Hearings, and Public Safety Committee of the 2021-2022 Council. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE OF THE 2021-2022 COUNCIL

ATTACHMENT: RO 173.pdf

## **6. GENERAL ORDINANCES**

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

7.1 R. O. No. 179-20-21 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE OF THE 2021-2022 COUNCIL

ATTACHMENT: referred.pdf

7.2 Res. No. 202-20-21 by Alderpersons Donohue and Bohren authorizing the appropriate City officials to execute a Cancellation Agreement and Mutual Release in order to terminate the listing contract with CBRE, Inc. regarding SouthPointe Enterprise Campus. REFER TO FINANCE AND PERSONNEL COMMITTEE OF THE 2021-2022 COUNCIL

ATTACHMENT: terminate.pdf

## **8. ADJOURN MEETING**

8.1 Motion to Adjourn sine die

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