

CITY OF SHEBOYGAN

TWENTY-FIRST REGULAR COMMON COUNCIL MEETING

Monday, February 1, 2021

ALDERPERSONS PRESENT: Mary Lynne Donohue (remote), Jim Bohren (remote), Ryan Sorenson, Markus Savaglio (remote), Dean Dekker, Rose Phillips (remote), Trey Mitchell (remote), Betty Ackley (remote), Barbara Felde (remote), Roberta Filicky-Peneski (remote) - 10 .

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 - 20 th Regular Council meeting held on January 18, 2021

MOTION TO APPROVE MINUTES Motion by Ryan Sorenson, second by Mary Lynne Donohue.  
Final Resolution:  
Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

1.4 CONFIRMATION OF MAYORAL APPOINTMENTS - William Bulson to the Library Board

MOTION TO CONFIRM Motion by Ryan Sorenson, second by Mary Lynne Donohue.  
Final Resolution:  
Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

1.5 RESIGNATION - Martha Leppanen from the Senior Activity Center Commission

MOTION TO RECEIVE AND FILE Motion by Ryan Sorenson, second by Mary Lynne

Donohue.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

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

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

Resolution:

MOTION TO RECEIVE AND FILE ALL RO'S, RECEIVE ALL RC'S AND ADOPT ALL RESOLUTIONS AND ORDINANCES Motion by Ryan Sorenson, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

2.2 R. O. No. 129 - 20 - 21 by City Clerk submitting various license applications (Evergreen Lawn & Land LLC).

Resolution:

MOTION TO RECEIVE THE R. O. AND GRANT THE LICENSES Motion by Ryan Sorenson, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

2.3 R. C. No. 231 - 20 - 21 by Licensing, Hearings, and Public Safety Committee to whom was referred pursuant to R. O. No. 128 - 20 - 21 by City Clerk submitting various license applications; recommends granting the license applications.

Resolution:

MOTION TO RECEIVE THE R. C. AND GRANT THE LICENSE APPLICATIONS Motion by Ryan Sorenson, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

2.4 R. C. No. 232 - 20 - 21 by Finance and Personnel Committee to whom was referred Res. No. 147 - 20 - 21 by Alderpersons Donohue and Bohren authorizing the Director of Planning and Development to execute a SAAS Services Agreement with Benevate Inc. for Neighborly Software; recommends adopting the Resolution.

Resolution:

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION Motion by Ryan Sorenson, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

2.5 R. C. No. 233 - 20 - 21 by Finance and Personnel Committee to whom was referred Res. No. 146 - 20 - 21 by Alderpersons Donohue and Bohren authorizing the appropriate City officials to execute the Site Lease Agreement between the Wisconsin Power and Light Company and the City of Sheboygan regarding a solar photovoltaic generating facility; recommends adopting the Resolution.

Resolution:

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION Motion by Ryan Sorenson, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

2.6 R. C. No. 234 - 20 - 21 by Public Works Committee to whom was referred Res. No. 150 - 20 - 21 by Alderpersons Dekker and Sorenson authorizing the appropriate City officials to enter into an Agreement with Sheboygan County Interfaith Organization for use of Fountain Park for the operation of a Summer Farmer's Market in 2021, 2022, 2023, 2024, and 2025 ; recommends adopting the Resolution.

Resolution:

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION Motion by Ryan Sorenson, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

2.7 R. C. No. 235 - 20 - 21 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 148 - 20 - 21 by Alderpersons Sorenson and Dekker authorizing the appropriate City officials to execute the Sheboygan County Dive Team Intergovernmental Cooperative Agreement between the City of Sheboygan and Sheboygan County; recommends adopting the Resolution.

Resolution:

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION Motion by Ryan Sorenson, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

2.8 R. C. No. 236 - 20 - 21 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 149 - 20 - 21 by Alderpersons Sorenson and Dekker authorizing the Purchasing Agent to issue a Purchase Order for the purchase of 24 ruggedized laptop computers and vehicle mounting hardware for the Sheboygan Police Department; recommends adopting the Resolution.

Resolution:

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION Motion by Ryan Sorenson, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

2.9 R. C. No. 237 - 20 - 21 by Finance and Personnel Committee to whom was referred R. C. No. 316 - 19 - 20 by Finance and Personnel Committee to whom was referred R. C. No. 342 - 18 - 19 by Finance and Personnel Committee and R. O. No. 214 - 18 - 19 by City Clerk submitting a claim from Kailee Ridenour, on behalf of her minor child, for alleged injuries that occurred when she slipped on ice and fell on her child; recommends filing the claim.

Resolution:

MOTION TO RECEIVE THE R. C. AND FILE THE CLAIM Motion by Ryan Sorenson, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

2.10 R. C. No. 238 - 20 - 21 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 126 - 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 October 1, 2020 and ending December 31, 2020 ; recommends filing the document.

Resolution:

MOTION TO RECEIVE THE R. C. AND FILE THE DOCUMENT Motion by Ryan Sorenson, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

2.11 R. C. No. 239 - 20 - 21 by Licensing, Hearings, and Public Safety

Committee to whom was referred R. O. No. 127 - 20 - 21 by Chief of Police Christopher Domagalski, pursuant to section 54 - 65 of the Municipal Code, submitting the quarterly report of Benchmark Measurements for the Police Department, for the period commencing October 1, 2020 and ending December 31, 2020 ; recommends filing the document.

Resolution:

MOTION TO RECEIVE THE R. C. AND FILE THE DOCUMENT Motion by Ryan Sorenson, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

### 3. REPORT OF OFFICERS

3.1 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. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.2 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. REFER TO FINANCE AND PERSONNEL COMMITTEE.

3.3 R. O. No. 132 - 20 - 21 by City Clerk submitting a Summons and Complaint in the matter of Roswitha T. Both vs. City Plan Commission of the City of Sheboygan. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.4 R. O. No. 133 - 20 - 21 by Director of Human Resources and Labor Relations submitting for information the signed Tentative Agreement regarding the collective bargaining contract between the City of Sheboygan and the International Association of Firefighters Local 483. The final contract will be submitted for approval by the Common Council once it has been finalized. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.5 R. O. No. 134 - 20 - 21 by City Attorney submitting, as a matter of record, a copy of the Stipulation for Dismissal filed with the United States District Court, Eastern District of Wisconsin, on January 26, 2021 in the matter of Kurt R. Klessig and Mary A. Heitzmann v. Anthony Hamilton, Brandon Kehoe, City of Sheboygan, City of Sheboygan Police Department, et al., Case No. 17 -CV- 00031. REFER TO FINANCE AND PERSONNEL COMMITTEE

### 4. RESOLUTIONS

4.1 Res. No. 153 - 20 - 21 by Alderpersons Donohue and Bohren providing for the sale of approximately \$5,140,000 General Obligation Promissory Notes, series

## 2021 A. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.2 Res. No. 154 - 20 - 21 by Alderpersons Donohue and Bohren authorizing the appropriate City officials to contract with Wisconsin Public Finance Professionals, LLC for financial advisory services in 2021. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.3 Res. No. 155 - 20 - 21 by Alderpersons Donohue and Bohren repealing Res. No. 196 - 19 - 20 regarding an Early Retirement Incentive Program offered to qualifying city employees. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.4 Res. No. 156 - 20 - 21 by Alderpersons Donohue and Bohren authorizing the Purchasing Agent to issue purchase orders for the purchase of a new Pierce Manufacturing Rescue Engine and other necessary equipment related to that Rescue Engine for the Sheboygan Fire Department. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.5 Res. No. 157 - 20 - 21 by Alderpersons Dekker and Sorenson authorizing executing an easement for a mini-storm sewer (Kraus). REFER TO PUBLIC WORKS COMMITTEE

4.6 Res. No. 158 - 20 - 21 by Alderpersons Dekker and Sorenson authorizing executing an easement for a mini-storm sewer (Meyer). REFER TO PUBLIC WORKS COMMITTEE

4.7 Res. No. 159 - 20 - 21 by Alderpersons Dekker and Sorenson authorizing executing an easement for a mini-storm sewer (Steinmeyer). REFER TO PUBLIC WORKS COMMITTEE

4.8 Res. No. 160 - 20 - 21 by Alderpersons Dekker and Sorenson authorizing executing an easement for a mini-storm sewer (Wuestenhagen). REFER TO PUBLIC WORKS COMMITTEE

4.9 Res. No. 161 - 20 - 21 by Alderpersons Dekker and Sorenson authorizing the appropriate City officials to enter into a contract for the construction of the Kiwanis Park Trail Extension. REFER TO PUBLIC WORKS COMMITTEE

## 5. REPORT OF COMMITTEES

5.1 R. C. No. 240 - 20 - 21 by Finance and Personnel Committee to whom was referred DIRECT REFERRAL Res. No. 151 - 20 - 21 by Alderpersons Donohue and Bohren authorizing the appropriate City officials to execute an Amendment to Offer Purchase with Martens-Trilling True Value extending the closing date to July 30, 2021 due to continued environmental testing; recommends adopting the Resolution.

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION Motion by Mary Lynne

Donohue, second by Jim Bohren.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

5.2 R. C. No. 241 - 20 - 21 by Public Works Committee to whom was referred DIRECT REFERRAL Res. No. 152 - 20 - 21 by Alderpersons Dekker and Sorenson authorizing the appropriate City officials to enter into a contract with Foth Infrastructure and Environment, LLC for design services related to the South Side Interceptor System (SIS) Rehab/Access Road/Shoreline Protection Program; recommends adopting the Resolution.

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION Motion by Dean Dekker, second by Ryan Sorenson.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .

## 6. GENERAL ORDINANCES

## 7. OTHER MATTERS AUTHORIZED BY LAW

7.1 Res. No. 162 - 20 - 21 by Alderpersons Dekker and Sorenson authorizing the appropriate City officials to enter into an Agreement with Sheboygan Athletic Club, Inc. regarding the operation and management of Wildwood Baseball Park. REFER TO PUBLIC WORKS COMMITTEE

7.2 R. O. No. 135 - 20 - 21 by City Clerk submitting various license applications. REFER TO LICENSING, HEARING, AND PUBLIC SAFETY COMMITTEE

## 8. ADJOURN MEETING

### 8.1 Motion to Adjourn

MOTION TO ADJOURN 6: 15 PM Motion by Ryan Sorenson, second by Mary Lynne Donohue.

Final Resolution:

Motion Passes Aye: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Dean Dekker, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde, Roberta Filicky-Peneski - 10 .