

CITY OF SHEBOYGAN

SEVENTEENTH REGULAR COMMON COUNCIL MEETING

Monday, December 7, 2020

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 - 16 th Regular Council meeting held on November 16, 2020

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

1.5 MAYORAL APPOINTMENTS - Emily Rendall-Araujo to the position of Director of Senior Services. Lays over.

1.6 MAYOR'S ANNOUNCEMENTS - UPCOMING COMMUNITY EVENTS, PROCLAMATIONS, EMPLOYEE RECOGNITIONS, UPDATE ON COVID- 19

2. HEARINGS

2.1 Hearing No. 4 - 20 - 21 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 property located at 1125 N. 13 th Street from Class Employment to Class Community Mixed-Use Classification. John Elmendorf spoke.

MOTION TO CLOSE HEARING 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 Hearing No. 5 - 20 - 21 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 property located at 1125 N. 13 th Street from Class Urban Industrial (UI) to Class Urban Commercial (UC).

MOTION TO CLOSE HEARING 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. 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 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 .

3.2 R. O. No. 111 - 20 - 21 by City Clerk submitting various license applications (Tree Care).

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 .

3.3 R. C. No. 188 - 20 - 21 by Finance and Personnel Committee to whom was referred R. O. No. 96 - 20 - 21 by City Clerk submitting a Notice of Claim from Kinstler Law Office, LLC for their client Charlene Ruffin-Brand, on behalf of the estate of Kevan O. Ruffin, Jr.; 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 .

3.4 R. C. No. 189 - 20 - 21 by Licensing, Hearings, and Public Safety Committee to whom was referred pursuant to R. O. No. 106 - 20 - 21 by City Clerk submitting various license applications; recommends adopting the licenses.

Resolution:

MOTION TO RECEIVE 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 .

3.5 R. C. No. 190 - 20 - 21 by Finance and Personnel Committee to whom was referred Res. No. 119 - 20 - 21 by Alderpersons Donohue and Bohren expressing the intent of the Common Council of the City of Sheboygan to exercise its police powers in levying a special assessment for the 2020 cost of operating and maintaining the off-street parking facilities within the Parking Assessment District No. 1 ; 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 .

3.6 R. C. No. 191 - 20 - 21 by Finance and Personnel Committee to whom was referred Res. No. 120 - 20 - 21 by Alderpersons Donohue and Bohren expressing the intent of the Common Council of the City of Sheboygan to exercise its police powers in levying a special assessment for the 2020 cost of operating and maintaining the off-street parking facilities within the Parking Assessment District No. 2 ; 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 .

3.7 R. C. No. 192 - 20 - 21 by Finance and Personnel Committee to whom was referred Res. No. 121 - 20 - 21 by Alderpersons Donohue and Bohren expressing the intent of the Common Council of the City of Sheboygan to exercise its police powers in levying a special assessment for the 2020 cost of operating and maintaining the off-street parking facilities within the Parking Assessment District No. 4 ; 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 .

3.8 R. C. No. 193 - 20 - 21 by Finance and Personnel Committee to whom was referred Res. No. 122 - 20 - 21 by Alderpersons Donohue and Bohren expressing the intent of the Common Council of the City of Sheboygan to exercise its police powers in levying a special assessment for the 2020 cost of operating and maintaining the off-street parking facilities within the Parking Assessment District No. 5 ; 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 .

3.9 R. C. No. 194 - 20 - 21 by Public Works Committee to whom was referred Res. No. 124 - 20 - 21 by Alderpersons Dekker and Sorenson authorizing the Purchasing Agent to issue a purchase order to Industrial Marketing & Consulting for the purchase of a replacement street sweeper for Public Works 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 .

3.10 R. C. No. 195 - 20 - 21 by Public Works Committee to whom was referred Gen. Ord. No. 24 - 20 - 21 by Alderpersons Dekker and Sorenson creating a Handicap Parking stall on the south side of Heller Avenue east of N. 16 th Street; recommends adopting the Ordinance.

Resolution:

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

4. REPORT OF OFFICER

4.1 R. O. No. 108 - 20 - 21 by Transit Commission to whom was referred Res. No. 118 - 20 - 21 by Alderperson Sorenson authorizing the filing of an application with the United States of America Department of Transportation and authorizing the executing of the contract pertaining to grants for calendar year 2021, under former Section 9 (USC 5307) of the federal Transit Act of 1964, as amended; recommends adopting the Resolution. RECEIVE THE R. O. AND ADOPT THE RESOLUTION

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

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 .

4.2 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. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.3 R. O. No. 110 - 20 - 21 by City Clerk submitting a claim from Kara Bergin for alleged injuries from a trip and fall on uneven cement on N. 8 th Street. REFER TO FINANCE AND PERSONNEL COMMITTEE

5. RESOLUTIONS

5.1 Res. No. 128 - 20 - 21 by Alderpersons Sorenson and Donohue authorizing the appropriate City officials to enter into an agreement with Municode regarding phased recodification of the City's Code of Ordinances. SUSPEND THE RULES AND ADOPT THE RESOLUTION

MOTION TO SUSPEND THE RULES 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 .

5.2 Res. No. 129 - 20 - 21 by Alderpersons Donohue and Bohren authorizing submitting a Substantial Amendment to the U. S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) program for the 2019 - 2020 Program Year to accept \$229,479.30 in CDBG-CV 2 funding from the State of Wisconsin. SUSPEND THE RULES AND ADOPT THE RESOLUTION

MOTION TO SUSPEND THE RULES 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 .

5.3 Res. No. 130 - 20 - 21 by Alderpersons Sorenson and Dekker authorizing the City Attorney to execute a License Agreement with Cycom Data Systems, Inc. for CityLaw Legal Case Management System Software. SUSPEND THE RULES AND ADOPT THE RESOLUTION

MOTION TO SUSPEND THE RULES AND ADOPT THE RESOLUTION Motion by Ryan Sorenson, second by Dean Dekker.

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 .

5.4 Res. No. 131 - 20 - 21 by Alderpersons Donohue and Bohren authorizing a transfer of appropriations in the 2020 Budget and authorizing reimbursement for funds expended for the purchase of property located at 1807 North 8 th Street. REFER TO FINANCE AND PERSONNEL COMMITTEE

5.5 Res. No. 132 - 20 - 21 by Alderpersons Sorenson and Dekker adopting the Sheboygan County, Wisconsin Hazard Mitigation Plan 2020 - 2025. REFER TO PUBLIC WORKS COMMITTEE

## 6. REPORT OF COMMITTEES

6.1 R. C. No. 196 - 20 - 21 by Public Works Committee to whom was referred Res. No. 123 - 20 - 21 by Alderpersons Dekker and Sorenson authorizing the Mayor to sign the Reinstatement and Second Amendment to Purchase and Sale Agreement, 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. RECEIVE THE R. C. AND ADOPT 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 .

6.2 R. C. No. 197 - 20 - 21 by Public Works Committee to whom was referred Res. No. 125 - 20 - 21 by Alderperson Dekker adopting a Master Plan for Jaycee Park and DIRECT REFERRAL R. O. No. 107 - 20 - 21 by Director of Public Works submitting a recommendation from the Board of Marina, Parks and Forestry Commissioners to adopt the Master Plan for Jaycee Park; recommends filing the Report of Officer and adopting the Resolution. RECEIVE AND FILE THE R. O. AND ADOPT THE RESOLUTION

MOTION TO RECEIVE AND FILE THE R. O. 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 .

6.3 R. C. No. 198 - 20 - 21 by Finance and Personnel Committee to whom was referred DIRECT REFERRAL Res. No. 127 - 20 - 21 by Alderpersons Donohue and Bohren authorizing the appropriate City Officials to enter into a contract with Groth Design Group for architectural and engineering services for the conversion of 1817 North 8 th Street into the Senior Activity Center 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 Mary Lynne Donohue, second by Roberta Filicky-Peneski.

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 .

6.4 R. C. No. 199 - 20 - 21 by Licensing, Hearings, and Public Safety Committee to whom was referred Gen. Ord. No. 25 - 20 - 21 by Alderperson Sorenson, Ackley, Donohue, Felde, Filicky-Peneski, and Savaglio amending portions of Chapter 46, Sheboygan Municipal Code, relating to the regulation of nondiscrimination and fair housing; recommends adopting the Ordinance. RECEIVE THE R. C. AND ADOPT THE ORDINANCE

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

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 .

## 7. GENERAL ORDINANCES

7.1 Gen. Ord. No. 26 - 20 - 21 by Alderperson Dekker amending Sections 118 - 276 and 118 - 279 of the Municipal Code relating to unlicensed vehicles. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

7.2 Gen. Ord. No. 27 - 20 - 21 by Alderpersons Dekker and Sorenson amending Sections 122 - 403, 122 - 404, and 122 - 405 of the Municipal Code relating to sewers and sewerage disposal so as to make changes to service charges. REFER TO PUBLIC WORKS COMMITTEE

7.3 Gen. Ord. No. 28 - 20 - 21 by Alderpersons Dekker and Sorenson re-establishing the bulkhead line along the north side of the Sheboygan River in the City of Sheboygan. REFER TO PUBLIC WORKS COMMITTEE

## 8. MATTER LAID OVER

8.1 R. O. No. 101 - 20 - 21 by City Plan Commission to whom was referred Gen. Ord. No. 22 - 20 - 21 by Alderperson Phillips requesting an ordinance amendment to the City of Sheboygan Future Land Use Map of the Sheboygan Comprehensive Plan to change the Use District Classification of property located at 1125 N. 13 th Street from Class Employment to Class Community Mixed Use Classification; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, November 10, 2020, and after due consideration, recommends adopting the Ordinance. RECEIVE THE R. O. AND ADOPT THE ORDINANCE

MOTION TO RECEIVE AND FILE THE REPORT OF OFFICER AND ADOPT THE ORDINANCE Motion by Jim Bohren, 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 .

8.2 R. O. No. 102 - 20 - 21 by City Plan Commission to whom was referred Gen. Ord. No. 23 - 20 - 21 by Alderperson Phillips and R. O. No. 94 - 20 - 21 by City Clerk requesting an ordinance amendment to the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification of property located at 1125 N. 13 th Street from Class UI Urban Industrial to Class UC Urban Commercial Classification; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, November 10, 2020, and after due consideration, recommends filing the R. O. and adopting the Ordinance. RECEIVE THE R. O. AND ADOPT THE ORDINANCE

MOTION TO RECEIVE AND FILE THE REPORT OF OFFICER AND ADOPT THE ORDINANCE Motion by Jim Bohren, 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 .

9. OTHER MATTERS AUTHORIZED BY LAW

9.1 R. O. No. 112 - 20 - 21 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE.

10. ADJOURN MEETING

10.1 Motion to Adjourn

MOTION TO ADJOURN at 6: 33 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 .