

CITY OF SHEBOYGAN

\*\*\*AMENDED\*\*\*FIFTEENTH REGULAR COMMON COUNCIL MEETING

Monday, November 2, 2020

ALDERPERSONS PRESENT: Mary Lynne Donohue (remote), Jim Bohren (remote), Ryan Sorenson, Markus Savaglio, 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 - 14 th Regular Council meeting held on October 19, 2020 and the Fifth Special Council meeting held on October 26, 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

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

1.5 PRESENTATION - United Way of Sheboygan County Updates

1.6 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. 88 - 20 - 21 by City Clerk submitting the tax levy report that supports the 2020 - 21 budget for Lakeshore Technical College District and a copy of the district-wide apportionment of the tax levy based upon the 2020 fully certified values furnished by the Wisconsin Department of Revenue.

Resolution:

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 .

2.3 R. O. No. 89 - 20 - 21 by City Clerk submitting the Tax Levy Certification for the 2020 - 2021 School Year from the Kohler School District.

Resolution:

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 .

2.4 R. O. No. 90 - 20 - 21 by City Clerk submitting a license application (HSHS St. Nicholas Foundation).

Resolution:

MOTION TO RECEIVE AND GRANT 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. O. No. 91 - 20 - 21 by Board of Water Commissioners submitting the Board of Water Commissioners' Report on the Water Utility for the third quarter of

2020.

Resolution:

MOTION TO RECEIVE 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 .

2.6 R. C. No. 167 - 20 - 21 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 47 - 20 - 21 by City Clerk submitting various license applications; recommends granting CLASS B Liquor License application No. 3458 (Sol & Nova LLC) contingent upon Vernon Kittler adding his list of felony convictions to the auxiliary questionnaire.

Resolution:

MOTION TO RECEIVE THE R. C. AND GRANT THE LICENSE WITH CONTINGENCY 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. 168 - 20 - 21 by Finance and Personnel Committee to whom was referred R. O. No. 78 - 20 - 21 by City Clerk submitting a claim from Gordon Zastrow for alleged injuries from a trip on uneven pavement at 3622 S. 15 th Street, Sheboygan; 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 .

2.8 R. C. No. 169 - 20 - 21 by Finance and Personnel Committee to whom was referred R. O. No. 83 - 20 - 21 by City Clerk submitting a Notice of Circumstances and Claim for Damages for alleged injuries Aja Buss sustained as a result of an invasion of her privacy; recommends filing the claim.

Resolution:

MOTION TO RECEIVE THE R. C. AND FILE THE NOTICE OF 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 .

2.9 R. C. No. 170 - 20 - 21 by Finance and Personnel Committee to whom was referred R. O. No. 84 - 20 - 21 by City Clerk submitting a claim from Barbara Selke for alleged injuries sustained when she tripped on the sidewalk; 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. 171 - 20 - 21 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 85 - 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 Police Department for the period commencing July 1, 2020 and ending September 30, 2020 ; recommends filing the report.

Resolution:

MOTION TO RECEIVE THE R. C. AND FILE THE REPORT 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. 172 - 20 - 21 by Licensing, Hearings, and Public Safety Committee to whom was referred pursuant to R. O. No. 86 - 20 - 21 by City Clerk submitting various license applications; recommends granting the licenses with caveat (\*).

Resolution:

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

2.12 R. C. No. 173 - 20 - 21 by Licensing, Hearings, and Public Safety Committee to whom was referred DIRECT REFERRAL R. O. No. 87 - 20 - 21 by Fire Chief pursuant to section 50 - 564 of the Municipal Code, submitting the quarterly report showing the Benchmark Measurements for the Fire Department for the period commencing July 1, 2020 and ending September 30, 2020 ; recommends filing the report.

Resolution:

MOTION TO RECEIVE THE R. C. AND FILE THE REPORT 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 .

2.13 R. C. No. 174 - 20 - 21 by Finance and Personnel Committee to whom was referred Res. No. 105 - 20 - 21 by Alderpersons Donohue and Bohren authorizing an application to the U.S. Department of Housing and Urban Development through Section 108 of the Housing and Community Development Act; 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 .

2.14 R. C. No. 175 - 20 - 21 by Finance and Personnel Committee to whom was referred Res. No. 106 - 20 - 21 by Alderpersons Donohue and Bohren authorizing the submittal of a Substantial Amendment to the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) program for the 2020 program year; 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 .

2.15 R. C. No. 176 - 20 - 21 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 107 - 20 - 21 by Alderpersons Sorenson and Dekker authorizing the Purchasing Agent to issue a purchase order for the purchase of four vehicles 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 .

2.16 R. C. No. 177 - 20 - 21 by Public Works Committee to whom was referred Res. No. 108 - 20 - 21 by Alderpersons Dekker and Sorenson authorizing the appropriate City officials to execute a 5 wide Underground Electric Easement for Wisconsin Power and Light Company at Kiwanis Park (Parcel No. 59281500170);

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 .

2.17 R. C. No. 178 - 20 - 21 by Public Works Committee to whom was referred Res. No. 109 - 20 - 21 by Alderpersons Dekker and Sorenson authorizing the appropriate City officials to execute a 10 X 10 Underground Electric Easement for Wisconsin Power and Light Company at Kiwanis Park (No. 59281500170); 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 .

2.18 R. C. No. 179 - 20 - 21 by Public Works Committee to whom was referred Res. No. 110 - 20 - 21 by Alderpersons Dekker and Sorenson authorizing the appropriate City officials to execute a Supplemental Amendment No. 2 to Department of the Army Lease No. DACW 35 - 1 - 03 - 3001, which authorized public park and recreational improvements on certain federal property along Lake Michigan near the Sheboygan River; 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 .

2.19 R. C. No. 180 - 20 - 21 by Public Works Committee to whom was referred Res. No. 111 - 20 - 21 by Alderpersons Dekker and Sorenson authorizing the appropriate City officials to enter into a contract with Foth Infrastructure and Environment, LLC for services related to the South Side Sanitary Sewer Study; recommends adopting 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. 2.20 R. C. No. 181 - 20 - 21 by Public Works Committee to whom was referred Res. No. 112 - 20 - 21 by Alderpersons

Dekker and Sorenson authorizing the appropriate City officials to enter into a contract with Wondra Construction, Inc. for grading and related work at the Butzen Farm property for the Butzen Sports Complex; 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 .

2.21 R. C. No. 182 - 20 - 21 by Public Works Committee to whom was referred Res. No. 113 - 20 - 21 by Alderpersons Dekker and Sorenson authorizing the appropriate City officials to enter into a contract with Specht Electric Co., Inc. to upgrade the access control and intercom system at 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 .

### 3. REPORT OF OFFICER

3.1 R. O. No. 92 - 20 - 21 by City Clerk submitting a communication from Gary Tauferner regarding the upgrade to the fiber optic cable. RECEIVE AND FILE

MOTION TO RECEIVE THE FILE THE DOCUMENT 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 .

3.2 R. O. No. 93 - 20 - 21 by Director of Planning and Development submitting the 2021 Business Improvement District (BID) Statement of Purpose, dated October 1, 2020, and the BID's 2021 Operating Budget. RECEIVE AND FILE

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 .

3.3 R. O. No. 94 - 20 - 21 by City Clerk submitting an application from Elmerdorf Properties, LLC for a change in the zoning classification of property located at 1125 N. 13 th Street from Class UI Urban Industrial to Class UC Urban Commercial Classification. REFER TO CITY PLAN COMMISSION

3.4 R. O. No. 95 - 20 - 21 by City Clerk submitting a Summons and Complaint in the matter of QaShontae Hosomla Short vs. Sheboygan Police Department. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.5 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. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.6 R. O. No. 97 - 20 - 21 by City Clerk submitting a communication from Michael Thomas, President of Black-American Community Outreach, regarding Juneteenth Day celebration. REFER TO PUBLIC WORKS COMMITTEE

#### 4. RESOLUTIONS

4.1 Res. No. 115 - 20 - 21 by Alderperson Phillips officially recognizing the Franklin Park Neighborhood Association. LAYS OVER

4.2 Res. No. 116 - 20 - 21 by Alderpersons Sorenson and Dekker authorizing the appropriate City officials to execute the Joint Powers Agreement for Sheboygan County and City of Sheboygan 911 Emergency Systems. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

4.3 Res. No. 117 - 20 - 21 by Alderpersons Dekker and Sorenson authorizing the appropriate City officials to enter into a Master Agreement for Professional Services with Short Elliott Hendrickson Inc. (S-E-H) to provide on call engineering services for the Wastewater Treatment Plant. REFER TO PUBLIC WORKS COMMITTEE

#### 5. REPORT OF COMMITTEES

5.1 R. C. No. 183 - 20 - 21 by Finance and Personnel Committee to whom was referred DIRECT REFERRAL Res. No. 114 - 20 - 21 by Alderpersons Donohue and Bohren authorizing the sale of 1402 Union Avenue in the City of Sheboygan; 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 .

## 6. GENERAL ORDINANCES

6.1 Gen. Ord. No. 22 - 20 - 21 by Alderperson Phillips amending 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. REFER TO CITY PLAN COMMISSION

6.2 Gen. Ord. No. 23 - 20 - 21 by Alderperson Phillips amending 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 Urban Industrial (UI) to Class Urban Commercial (UC) Classification. REFER TO CITY PLAN COMMISSION

## 7. MATTER LAID OVER

7.1 R. C. No. 167 - 20 - 21 by Committee of the Whole to whom was referred R. O. No. 82 - 20 - 21 by Finance Director submitting 2021 Budget adjustments related to Res. No. 103 - 20 - 21 by Alderpersons Donohue and Sorenson establishing the 2021 Budget appropriations and the 2020 Tax Levy for use during the calendar year; recommends filing the document.

MOTION TO RECEIVE THE R. C.s in

7.1,  
7.3 and

7.4 AND FILE THE DOCUMENTS. Adopt Resolution No. 103 - 20 - 21 incorporating the changes outlined. 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 .

7.2 R. C. No. 168 - 20 - 21 by Committee of the Whole to whom was referred R. C. No. 164 - 20 - 21 by Finance and Personnel Committee to whom was referred Res. No. 103 - 20 - 21 by Alderpersons Donohue and Sorenson establishing the 2021 Budget appropriations and the 2020 Tax Levy for use during the calendar year; recommends amending the document to incorporate changes outlined in R. O. No. 82 - 20 - 21.

7.3 R. C. No. 169 - 20 - 21 by Committee of the Whole to whom was referred R. C. No. 165 - 20 - 21 by Licensing, Hearings, and Public Safety Committee to whom was referred a copy of Res. No. 103 - 20 - 21 by Alderpersons Donohue and Sorenson establishing the 2021 Budget appropriations and the 2020 Tax Levy for use during the calendar year; recommends filing the document.

7.4 R. C. No. 170 - 20 - 21 by Committee of the Whole to whom was referred R. C. No. 166 - 20 - 21 by Public Works Committee to whom was referred a copy of Res. No. 103 - 20 - 21 by Alderpersons Donohue and Sorenson establishing the 2021 Budget appropriations and the 2020 Tax Levy for use during the calendar

year; recommends filing the document.

## 8. OTHER MATTERS AUTHORIZED BY LAW

8.1 R. O. No. 98 - 20 - 21 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

## 9. ADJOURN MEETING

### 9.1 Motion to Adjourn

MOTION TO ADJOURN 6: 53 PM Motion by Ryan Sorenson, second by Markus Savaglio.  
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 .