

CITY OF SHEBOYGAN

TENTH REGULAR COMMON COUNCIL MEETING

Monday, August 17, 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 - 9 th Regular Council meeting held on August 3, 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 CONFIRMATION OF MAYOR'S APPOINTMENTS - Alexandria King-Close to the Mayor's International Committee

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 CONFIRMATION OF MAYOR'S APPOINTMENTS - Kyle Kaboord to the Board of License Examiners

MOTION TO CONFIRMMotion 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 ORDINANCESMotion 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. 50 - 20 - 21 by City Clerk submitting various license applications (Marcus Cinemas).

Resolution:

MOTION TO RECEIVE THE R. O. AND GRANT THE LICENSEMotion 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. 105 - 20 - 21 by Finance and Personnel Committee to whom was referred R. O. No. 31 - 20 - 21 by City Clerk submitting a claim from Jacqueline Bechard for alleged damages to her vehicle when a tree limb fell on it; recommends filing the claim.

Resolution:

MOTION TO RECEIVE THE R. C. AND FILE THE CLAIMMotion 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. 106 - 20 - 21 by Finance and Personnel Committee to whom was referred R. O. No. 32 - 20 - 21 by City Clerk submitting a claim from Philip and Suzanne VanderWeele for alleged sewer overcharges billed by the Town of 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 .

2.5 R. C. No. 107 - 20 - 21 by Licensing, Hearings, and Public Safety Committee to whom was referred pursuant to R. O. No. 33 - 20 - 21 by City Clerk submitting various license applications; recommends denying Beverage Operator License application No. 3244 (Koke D. Mailo-Podewils) due to his ineligibility for the license and his failure to cooperate with staff for the committee.

Resolution:

MOTION TO RECEIVE THE R. C. AND DENY THE APPLICATION 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. 108 - 20 - 21 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 39 - 20 - 21 by City Clerk submitting various license applications; recommends granting the applications with caveat.

Resolution:

MOTION TO RECEIVE THE R. C. AND GRANT THE APPLICATIONS 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 .

2.7 R. C. No. 109 - 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 the applications with caveats.

Resolution:

MOTION TO RECEIVE THE R. C. AND GRANT THE APPLICATIONS WITH CAVEATS 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. 110 - 20 - 21 by Licensing, Hearings, and Public Safety Committee to whom was referred pursuant to DIRECT REFERRAL R. O. No. 48 - 20 - 21 by City Clerk submitting various license applications; recommends granting the applications.

Resolution:

MOTION TO RECEIVE THE R. C. AND GRANT THE 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 .

2.9 R. C. No. 111 - 20 - 21 by Licensing, Hearings, and Public Safety Committee to whom was referred pursuant to DIRECT REFERRAL R. O. No. 49 - 20 - 21 by City Clerk submitting a license application; recommends granting the application.

Resolution:

MOTION TO RECEIVE THE R. C. AND GRANT THE APPLICATION 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. 112 - 20 - 21 by Finance and Personnel Committee to whom was referred Res. No. 64 - 20 - 21 by Alderpersons Donohue and Bohren authorizing the appropriate City Officials to execute an engagement letter with Quarles & Brady LLP to serve as bond counsel with regard to General Obligation Refunding Bonds; 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 .

2.11 R. C. No. 113 - 20 - 21 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 68 - 20 - 21 by Alderpersons Sorenson and Dekker authorizing application for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program Fiscal Year 2020 Local Solicitation and entering into a Memorandum of Understanding with 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 .

3. REPORT OF OFFICER

3.1 R. O. No. 51 - 20 - 21 by City Plan Commission to whom was referred Gen. Ord. No. 14 - 20 - 21 by Alderperson Ackley and R. O. No. 44 - 20 - 21 by City Clerk granting Showcase Painting & Drywall, its successors and assign, the privilege of encroaching upon described portions of an unimproved alley in Block 1 of the plat of Lawndale addition located East of North 18 th Street in the City of Sheboygan for the purpose of installing an air conditioner unit and ventilation ducting; recommends to receive R. O. and adopting the Ordinance. RECEIVE THE R. O. AND ADOPT THE ORDINANCE

MOTION TO RECEIVE THE R. O. 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 .

3.2 R. O. No. 52 - 20 - 21 by City Clerk submitting a communication from the Wisconsin Department of Revenue approving the request by the City of Sheboygan to extend the life of Tax Incremental District (TID) 018.

MOTION TO RECEIVE AND FILE THE R. O. 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. 53 - 20 - 21 by City Clerk submitting an application from Kwik Trip, Inc. for a change in the zoning classification of property located on the Northwest corner of Broadway and S. Business Drive (portion of Parcel # 59281513391) from Class Urban Residential (UR- 12) to Class Urban Commercial (UC) Classification. REFER TO CITY PLAN COMMISSION

4. RESOLUTIONS

4.1 Res. No. 71 - 20 - 21 by Alderpersons Sorenson and Donohue authorizing the sale of land in the Sheboygan Business Center. 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 .

4.2 Res. No. 72 - 20 - 21 by Alderperson Bohren authorizing the appropriate City officials to execute a Public Access Easement Agreement between Wild Leisle Real Estate Holdings, LLC, Visit Sheboygan, Inc., and the City of Sheboygan, regarding public and pedestrian access across property located near 826 South 8 th Street, Sheboygan, Wisconsin. REFER TO CITY PLAN COMMISSION

4.3 Res. No. 73 - 20 - 21 by Alderpersons Donohue and Bohren authorizing the appropriate City officials to execute the Payment in Lieu of Taxes (PILOT) Agreement between the City of Sheboygan and Regency JS, LLC with regard to the apartment projects located at 919 Wisconsin Avenue. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.4 Res. No. 74 - 20 - 21 by Alderpersons Donohue and Bohren authorizing the appropriate City officials to execute the updated Agreement between the City of Sheboygan and the Village of Kohler for the Operation of a Joint Municipal Court. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.5 Res. No. 75 - 20 - 21 by Alderpersons Dekker and Sorenson authorizing the Director of Public Works to accept a conveyance of certain lands from Acuity Insurance. REFER TO PUBLIC WORKS COMMITTEE

4.6 Res. No. 76 - 20 - 21 by Alderpersons Dekker and Sorenson authorizing the appropriate City officials to approve the dedication of a temporary limited easement for purposes of allowing Rogers Behavioral Health to grade in the City of Sheboygan right-of-way. REFER TO PUBLIC WORKS COMMITTEE

5. REPORT OF COMMITTEES

5.1 R. C. No. 114 - 20 - 21 by Finance and Personnel Committee to whom was referred Res. No. 65 - 20 - 21 by Alderpersons Donohue and Bohren awarding the sale of \$4,610,000 General Obligation Refunding Bonds, Series 2020 C.

MOTION TO RECEIVE THE R. C. AND ADOPT SUBSTITUTE RESOLUTION THAT REFLECTS THE CHANGE IN THE AMOUNT TO \$4,635,000 AND ATTACHMENTS 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. 115 - 20 - 21 by Finance and Personnel Committee to whom was referred Res. No. 66 - 20 - 21 by Alderpersons Donohue and Bohren authorizing the City Administrator to negotiate settlement of certain claims made by the City 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 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 R. C. No. 116 - 20 - 21 by Finance and Personnel Committee to whom was referred Res. No. 67 - 20 - 21 by Alderpersons Donohue and Bohren adopting certain changes to the City's Medical Benefit Plan and Dental Benefit Plan effective for calendar year 2021 coverage and establishing the monthly premium equivalent rates effective for January 2021 coverage and thereafter; 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 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 .

5.4 R. C. No. 117 - 20 - 21 by Finance and Personnel Committee to whom was referred DIRECT REFERRAL Res. No. 69 - 20 - 21 by Alderpersons Donohue and Bohren authorizing the appropriate City officials to enter into a Loan Agreement with the Housing Authority of the City 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 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 .

5.5 R. C. No. 118 - 20 - 21 by Public Works Committee to whom was referred DIRECT REFERRAL Res. No. 70 - 20 - 21 by Alderperson Dekker and Sorenson authorizing the appropriate City officials to enter into a contract with Highway Landscapers, Inc. regarding the placement of topsoil at the SouthPointe Enterprise Campus; recommends adopting the Resolution with amendment to correct the low bid amount of \$99,582.00. RECEIVE THE R. C. AND ADOPT THE RESOLUTION

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

6.1 Gen. Ord. No. 16 - 20 - 21 by Alderperson Sorenson amending the City's Future Land Use Map of the Sheboygan Comprehensive Plan to change the Land Use Classification of property located on the Northwest corner of Broadway and S. Business Drive (portion of Parcel # 59281513391) from Class Multi-Family Residential to Class Community Mixed Use Classification. REFER TO CITY PLAN COMMISSION

6.2 Gen. Ord. No. 17 - 20 - 21 by Alderperson Sorenson amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification of property located on the Northwest corner of Broadway and S. Business Drive (portion of Parcel # 59281513391) from Class Urban Residential (UR- 12) to Class Urban Commercial (UC) Classification. REFER TO CITY PLAN COMMISSION

6.3 Gen. Ord. No. 18 - 20 - 21 by Alderpersons Dekker and Sorenson creating a 15 Minute Parking zone Monday through Friday from 7: 00 a.m. and 4: 30 p.m. on the west side of N. 6 th Street between Wisconsin Avenue and New York Avenue. REFER TO PUBLIC WORKS COMMITTEE

7. OTHER MATTERS AUTHORIZED BY LAW

7.1 R. O. No. 54 - 20 - 21 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

8. ADJOURN MEETING

8.1 Motion to Adjourn

MOTION TO ADJOURN MEETING AT 6: 31 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 .