

CITY OF SHEBOYGAN

NINTH REGULAR COMMON COUNCIL MEETING

Monday, August 3, 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 - 8 th Regular Council meeting held on July 20, 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 MAYOR'S APPOINTMENTS - Alexandria King-Close to the Mayor's International Committee - Lays over

1.5 MAYOR'S APPOINTMENTS - Kyle Kaboord to the Board of License Examiners - Lays over

1.6 CONFIRMATION OF MAYOR'S APPOINTMENTS - Roberta Filicky-Peneski to Finance and Personnel Committee; Dean Dekker to Chairman of Public Works Committee, Transit Commission, and Board of Marina, Parks, and Forestry; Betty Ackley to

Public Works Committee and Mayor's International Committee; Trey Mitchell to Redevelopment Authority

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 .

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

1.8 PRESENTATION - Human Resources Update/Strategic Plan by Vicky Schneider, Director of Human Resources and Labor Relations

1.9 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. 42 - 20 - 21 by Board of Water Commissioners submitting the Board of Water Commissioners' Report on the Water Utility for the second quarter of 2020.

Resolution:

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 .

2.3 R. C. No. 94 - 20 - 21 by Finance and Personnel Committee to whom was referred R. O. No. 37 - 20 - 21 by City Administrator submitting the Financial Trends Monitoring Analysis report for years 2015 through 2019 ; 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 .

2.4 R. C. No. 95 - 20 - 21 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 38 - 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 April 1, 2020 and ending June 30, 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 .

2.5 R. C. No. 96 - 20 - 21 by Licensing, Hearings, and Public Safety Committee to whom was referred pursuant to R. O. No. 39 - 20 - 21 by City Clerk submitting various license applications (Bayer); recommends granting the licenses with caveats.

Resolution:

MOTION TO RECEIVE THE R. C. 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 .

2.6 R. C. No. 97 - 20 - 21 by Licensing, Hearings, and Public Safety Committee to whom was referred pursuant to R. O. No. 39 - 20 - 21 by City Clerk submitting various license applications (Kasturi); recommends granting the license with caveat.

Resolution:

MOTION TO RECEIVE THE R. C. AND GRANT THE LICENSE 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. 98 - 20 - 21 by Licensing, Hearings, and Public Safety Committee

to whom was referred DIRECT REFERRAL R. O. No. 40 - 20 - 21 by City Clerk submitting a license application; recommends granting the license.

Resolution:

MOTION TO RECEIVE THE R. C. AND GRANT THE LICENSE 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. 99 - 20 - 21 by Licensing, Hearings, and Public Safety Committee to whom was referred DIRECT REFERRAL R. O. No. 41 - 20 - 21 by Chief of Police, pursuant to section 50 - 65 of the Municipal Code, submitting the quarterly report of Benchmark Measurements for the Police Department, for the period commencing April 1, 2020 and ending June 30, 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 .

2.9 R. C. No. 100 - 20 - 21 by Public Works Committee to whom was referred Res. No. 60 - 20 - 21 by Alderpersons Sorenson and Dekker authorizing the Director of Public Works to accept a conveyance of certain lands from the Sheboygan Area School District; recommends adopting the Resolution.

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 .

2.10 R. C. No. 101 - 20 - 21 by Finance and Personnel Committee to whom was referred Gen. Ord. No. 13 - 20 - 21 by Alderpersons Donohue and Bohren amending Section 82 - 33 of the Sheboygan Municipal Code so as to modify the Department of Finance Table of Organization; 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 .

### 3. REPORT OF OFFICER

3.1 R. O. No. 43 - 20 - 21 by Board of Water Commissioners requests the withdrawal of preliminary resolution under Res. No. 157 - 19 - 20 adopted February 17, 2020, and Res. No. 178 - 19 - 20 adopted March 16, 2020 due to the Wisconsin Public Service Commission's approval of a lead service line replacement program utilizing grant and loans from the Sheboygan Water Utility rather than assessments. RECEIVE AND FILE THE R. O.

MOTION TO RECEIVE AND FILE THE R. O. 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 .

3.2 R. O. No. 44 - 20 - 21 by City Clerk submitting a communication from Michael J. Gabrielse requesting an encroachment for an air conditioner unit and ventilation ducting East of North 18 th Street (Showcase Painting & Drywall). REFER TO CITY PLAN COMMISSION

3.3 R. O. No. 45 - 20 - 21 by City Clerk submitting a communication from Sheboygan Christian School filing a petition for Direct Annexation by Unanimous Consent for land currently located in the Town of Wilson (Greenfield Avenue). REFER TO CITY PLAN COMMISSION AND FINANCE AND PERSONNEL COMMITTEE

3.4 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. REFER TO FINANCE AND PERSONNEL COMMITTEE

### 4. RESOLUTIONS

4.1 Res. No. 61 - 20 - 21 by Alderpersons Sorenson and Donohue authorizing entering into a Consent and Estoppel Certificate on behalf of the City regarding the Oscar Apartments project. 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. 62 - 20 - 21 by Alderpersons Sorenson and Donohue repealing Res. No. 157 - 19 - 20 and Res. No. 178 - 19 - 20 regarding assessments for the installation of new water mains and/or laterals in Geele Avenue from Calumet Drive to N. 23 rd Street. 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 .

4.3 Res. No. 63 - 20 - 21 by Alderpersons Sorenson and Phillips establishing a temporary polling location for the August 11, 2020 election for Wards 15, 20, and 21 in the City of Sheboygan. 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 .

4.4 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. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.5 Res. No. 65 - 20 - 21 by Alderpersons Donohue and Bohren awarding the sale of \$4,610,000 General Obligation Refunding Bonds, Series 2020 C. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.6 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. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.7 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. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.8 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. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

## 5. REPORT OF COMMITTEES

5.1 R. C. No. 102 - 20 - 21 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 25 - 20 - 21 by the City Clerk submitting various

license applications; wishes to report that at its meeting on July 29, 2020, your Committee voted to conditionally recommend that the Common Council not renew the Beverage Operator s License No. 7460 held by Stephanie M. Garcia.  
RECEIVE THE R. C. AND DENY THE APPLICATION

MOTION TO RECEIVE THE R. C. AND DENY THE APPLICATION 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 .

5.2 R. C. No. 103 - 20 - 21 by Public Works Committee to whom was referred Res. No. 59 - 20 - 21 by Alderpersons Sorenson and Dekker authorizing the appropriate City officials to execute a Memorandum of Understanding with AdvocateAurora regarding the terms and understandings between the parties with regard to the location, construction, and fiscal responsibilities for infrastructure improvements associated with the development of the new AdvocateAurora Hospital located on the parcel northwest of the intersection of Taylor Drive and Union Avenue; recommends adopting the Resolution with amendments to the Memorandum of Understanding to insert a new Section 1 which clarifies that Aurora Health Care, Inc. is entering into this Agreement on behalf of all related entities, to insert an additional sheet to the GRAEF Plans, and to account for the estimated cost of \$110,345 related to that sheet, and to make certain grammatical revisions. RECEIVE THE R. C. AND ADOPT THE RESOLUTION WITH AMENDMENTS TO THE MOU

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION WITH AMENDMENTS TO THE MOU Motion by Ryan Sorenson, second by Dean Dekker. Before action was taken, MOTION TO AMEND THE MOU SO AS TO UPDATE EXHIBIT A SO AS TO INCLUDE THE MOST RECENT AND FINAL SET OF UNION AVENUE SCOPE BREAKOUT DRAWINGS, A COPY OF WHICH HAS BEEN ADDED TO BOARD DOCS, AND TO UPDATE EXHIBIT B SO AS TO INCLUDE THE BREAKDOWN OF PROJECT AND CITY COSTS BUT ELIMINATE THE NEIGHBORING PROPERTY IMPACTS ; THESE CHANGES ALSO ELIMINATE THE NEED AS PART OF THE MOU TO ACCOUNT FOR THE ESTIMATED COST OF \$110,345 FOR THE EXTENSION OF A LENGTH OF SANITARY SEWER, WHICH PROJECT WILL BE DONE BY THE CITY SEPARATELY FROM THE LARGER PROJECT PROVIDED FOR IN THIS MOU. 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. ON MOTION TO ADOPT RESOLUTION AS AMENDED, 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 .

5.3 R. C. No. 104 - 20 - 21 by Licensing, Hearings, and Public Safety Committee to whom was referred Gen. Ord. No. 9 - 20 - 21 by Alderpersons Sorenson and Dekker amending Section 26 - 147 of the Municipal Code relating to classifications and license/registration fees for contractors, so as to add a classification for carpenter accessory contractors, remove a classification for registered business owner contractors, and make minor modifications to the type of work that may be performed by each contractor classification; 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 .

## 6. GENERAL ORDINANCES

6.1 Gen. Ord. No. 14 - 20 - 21 by Alderperson Ackley granting Showcase Painting & Drywall, its successors and assigns, 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. REFER TO CITY PLAN COMMISSION

6.2 Gen. Ord. No. 15 - 20 - 21 by Alderpersons Sorenson and Bohren annexing territory from the Town of Wilson to the City of Sheboygan, Wisconsin. REFER TO CITY PLAN COMMISSION AND FINANCE AND PERSONNEL COMMITTEE

## 7. OTHER MATTERS AUTHORIZED BY LAW

7.1 R. O. No. 47 - 20 - 21 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

## 8. CLOSED SESSION

8.1 MOTION TO CONVENE IN CLOSED SESSION under exemption provided in Sec. 19.85 (1)(e), Wis. Stats., where competitive and bargaining sessions require a closed session related to a possible financial guarantees for a development opportunity in the proposed innovation district adjacent to Indiana Avenue and South Commerce Street.

MOTION TO CONVENE IN CLOSED SESSION 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 .

## 9. ADJOURN MEETING

9.1 Motion to Adjourn

MOTION TO ADJOURN at 7: 22 p.m.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 .