

CITY OF SHEBOYGAN

SEVENTH REGULAR COMMON COUNCIL MEETING AGENDA

Monday, July 6, 2020

ALDERPERSONS PRESENT: Mary Lynne Donohue, Jim Bohren (remote), Ryan Sorenson (remote), Markus Savaglio, Dean Dekker, Rose Phillips (remote), Trey Mitchell (remote), Betty Ackley, Barbara Felde (remote) - 9 .

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 - 3 rd Special Council meeting held on June 29, 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 - 9 .

1.4 ELECTION OF ALDERPERSON FOR VACANCY IN DISTRICT 2

Motion by Ryan Sorenson, second by Mary Lynne Donohue that nominations be received from the floor, voting to be done by open ballot, and if more than two candidates are nominated, the candidate with the lowest number of votes be dropped from the list, and balloting to continue until one candidate receives a majority. Mary Lynne Donohue nominated Roberta Filicky-Peneski, Betty Ackley seconded the nomination. Dean Dekker nominated Travis Gross, Markus Savaglio seconded the nomination. Motion by Ryan Sorenson, second by Mary Lynne Donohue to close nominations, all ayes. Roberta Filicky-Peneski and Travis Gross spoke. Vote for Roberta Filicky-Peneski: Mary Lynne Donohue, Jim Bohren, Ryan Sorenson, Markus Savaglio, Rose Phillips, Trey Mitchell, Betty Ackley, Barbara Felde - 8. Vote for Travis Gross: Dean Dekker - 1. City Clerk Meredith DeBruin administered the Oath of Office to Roberta Filicky-Peneski.

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

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. 27 - 20 - 21 by Board of Water Commissioners submitting a copy of the 2019 Annual Report to the Public Service Commission (PSC) of Wisconsin for the Sheboygan Water Utility.

Resolution:

MOTION TO RECEIVE THE R. O. 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 .

2.3 R. O. No. 28 - 20 - 21 by City Clerk submitting a license application.

Resolution:

MOTION TO RECEIVE THE R. O. 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. 2.4 R. O. No. 29 - 20 - 21 by Transit Commission to whom was referred Res. No. 39 - 20 - 21 by Alderpersons Wolf and Sorenson authorizing the appropriate City officials to enter into a State/Municipal Agreement for the Shoreline Metro CMAQ bus purchase project; recommends adopting the Resolution.

Resolution:

MOTION TO RECEIVE THE R. O. 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. 56 - 20 - 21 by Finance and Personnel Committee to whom was referred R. C. No. 314 - 19 - 20 by Finance and Personnel Committee and R. O. No. 175 - 19 - 20 by City Clerk submitting a claim from West Bend Insurance for alleged damages to their insured client's (Roger Rodewald) vehicle when it was struck by a City of Sheboygan squad car; 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 .

2.6 R. C. No. 57 - 20 - 21 by Finance and Personnel Committee to whom was referred R. O. No. 23 - 20 - 21 by City Clerk submitting a claim from Bettymae Schuh for alleged damages to her house when a city tree fell on it; 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 .

2.7 R. C. No. 58 - 20 - 21 by Licensing, Hearings, and Public Safety Committee to whom was referred pursuant to R. O. No. 25 - 20 - 21 by City Clerk submitting various license applications (Limelight); 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 .

2.8 R. C. No. 59 - 20 - 21 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 25 - 20 - 21 by City Clerk submitting various license applications; 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 .

2.9 R. C. No. 60 - 20 - 21 by Finance and Personnel Committee to whom was referred Res. No. 35 - 20 - 21 by Alderpersons Donohue and Bohren authorizing the IT Director to enter into a Contract with Ontech Systems, Inc. for an IT Security Assessment; 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 .

2.10 R. C. No. 61 - 20 - 21 by Public Works Committee to whom was referred Res. No. 36 - 20 - 21 by Alderpersons Wolf and Sorenson authorizing the appropriate City officials to sign Amendment # 2 to the Joint Sewage Treatment Agreement between the Town of Sheboygan Sanitary District # 2 and the City of Sheboygan; 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. 62 - 20 - 21 by Public Works Committee to whom was referred Res. No. 37 - 20 - 21 by Alderpersons Wolf and Sorenson authorizing the appropriate City officials to enter into an agreement with Hauke Plumbing & Heating, Inc. for the replacement of six heaters in the vehicle garage at Shoreline Metro; 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 .

2.12 R. C. No. 63 - 20 - 21 by Public Works Committee to whom was referred Res. No. 38 - 20 - 21 by Alderpersons Wolf and Sorenson authorizing the appropriate City officials to enter into an agreement with Kaschak Roofing, Inc. for the complete replacement of the roof at the Shoreline Metro Transportation

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 .

3. REPORT OF OFFICER

3.1 R. O. No. 30 - 20 - 21 by City Clerk submitting a claim from Jeff and Sarah Wright for alleged damages to their home due to a sewer backup. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.2 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. REFER TO FINANCE AND PERSONNEL COMMITTEE

3.3 R. O. No. 32 - 20 - 21 by City Clerk submitting a claim from Philip and Suzanne Vander Weele for alleged sewer overcharges billed by the Town of Sheboygan. REFER TO FINANCE AND PERSONNEL COMMITTEE

4. RESOLUTIONS

4.1 Res. No. 41 - 20 - 21 by Alderpersons Donohue, Bohren, Dekker, Phillips, Mitchell, Ackley, Felde, Sorenson, and Savaglio commemorating the distinguished service of Dennis A. Baumann to 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 .

4.2 Res. No. 42 - 20 - 21 by Alderpersons Sorenson and Donohue authorizing the acceptance of 1402 Union Avenue from Wisconsin Bank & Trust for the purpose of re-selling the property. 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. 43 - 20 - 21 by Alderpersons Donohue and Bohren authorizing application for the Wisconsin Election Commission (WEC) Coronavirus Aid, Relief and Economic Security (CARES) Subgrant Program. SUSPEND THE RULES AND ADOPT THE RESOLUTION

MOTION TO SUSPEND THE RULES AND ADOPT THE RESOLUTION Motion by Mary Lynne Donohue, 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 .

4.4 Res. No. 44 - 20 - 21 by Alderpersons Donohue and Bohren authorizing submission of a Community Development Investment (CDI) grant application to the Wisconsin Economic Development Corporation (WEDC) for the Innovation Hub Building along Indiana Avenue. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.5 Res. No. 45 - 20 - 21 by Alderpersons Donohue and Bohren authorizing the acceptance of funds from the Sheboygan River and Harbor Natural Resource Trustee Council in the amount of \$23,000. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.6 Res. No. 46 - 20 - 21 by Alderpersons Donohue and Bohren authorizing the acceptance of funds from the Sheboygan River and Harbor Natural Resource Trustee Council in the amount of \$173,000. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.7 Res. No. 47 - 20 - 21 by Alderpersons Donohue and Bohren providing for the sale of approximately \$4,615,000 General Obligation Refunding Bonds, Series 2020 C. REFER TO FINANCE AND PERSONNEL COMMITTEE

4.8 Res. No. 48 - 20 - 21 by Alderperson Sorenson and Dekker authorizing the appropriate City officials to execute an Agreement with Brycer, LLC for The Compliance Engine Software for the City of Sheboygan Fire Department. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

4.9 Res. No. 49 - 20 - 21 by Alderpersons Sorenson and Dekker authorizing the Fire Chief to execute the Cylinder Product Sale Agreement with Airgas USA, LLC to provide medical gasses to the City of Sheboygan Fire Department for at least five years. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

4.10 Res. No. 50 - 20 - 21 by Alderperson Sorenson authorizing the appropriate City officials to execute an Electric Transmission Line Easement, a Right of Way Clearing Agreement, and a Temporary Permission for Herbicide Treatment with American Transmission Company regarding Parcel No. 59281215800. REFER TO PUBLIC WORKS COMMITTEE

4.11 Res. No. 51 - 20 - 21 by Alderperson Sorenson authorizing the appropriate City officials to accept two grants from Restoration Of Our Trees Sheboygan

(ROOTS) regarding Emerald Ash Borer Mitigation at City Parks. REFER TO PUBLIC WORKS COMMITTEE

4.12 Res. No. 52 - 20 - 21 by Alderpersons Sorenson and Dekker authorizing the appropriate City officials to execute a Memorandum of Understanding with Acuity regarding the terms and conditions of driveway improvements off of Indiana Avenue and related infrastructure associated with Acuity's expansion and Advocate/Aurora Hospital Project. REFER TO PUBLIC WORKS COMMITTEE

4.13 Res. No. 53 - 20 - 21 by Alderperson Sorenson authorizing the appropriate City Officials to enter into a revised State/Municipal Agreement (revised date June 26, 2020) for the reconstruction of North Avenue from Calumet Drive to N. 15 th Street. REFER TO PUBLIC WORKS COMMITTEE

## 5. REPORT OF COMMITTEES

5.1 R. C. No. 64 - 20 - 21 by Committee of the Whole to whom was referred Res. No. 34 - 20 - 21 by Alderpersons Sorenson and Wolf adopting the addition of 2021 Action Items and Critical Measurements to the City of Sheboygan 2017 - 2021 Strategic Plan; recommends adopting the Resolution. RECEIVE THE R. C. AND ADOPT THE RESOLUTION

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION Motion by Ryan Sorenson, second by Dean Dekker Before action was taken, MOTION TO AMEND THE RESOLUTION TO READ AS FOLLOWS: NOW, THEREFORE, BE IT RESOLVED: That the Common Council hereby instructs the City Administrator to 1) add a 2021 Action Item as a new item in the Governing and Fiscal Management Section on Page Five of the attached 2021 Action Items and Critical Measurements which shall read as follows: Execute succession plan for Fire Department, 2) re-number all subsequent Action Items and Critical Measurements, and 3) file a copy of the updated 2021 Strategic Plan with the Council. BE IT FURTHER RESOLVED: That, subject to said instructions, the Common Council hereby approves the attached 2021 Action Items and Critical Measurements as an update to the 2017 - 2021 Strategic Plan.

Motion by Jim Bohren, 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 .

MOTION TO ADOPT THE RESOLUTION AS AMENDED Motion by Jim Bohren, 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 .

5.2 R. C. No. 65 - 20 - 21 by Public Works Committee to whom was referred Gen. Ord. No. 5 - 20 - 21 by Alderpersons Wolf and Sorenson repealing and recreating

Section 26 - 907 and Article VIII, Division 4 of Chapter 26 of the Municipal Code entitled "Sewer and Water Services"; recommends amending the Ordinance so as to remove the words "whose determinate is final" from section 26 - 1006 (k), and the word "priority" from section 26 - 1006 (n), both of which changes are to Section 6 of the Ordinance. RECEIVE THE R. C. AND ADOPT THE SUBSTITUTE ORDINANCE

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

## 6. GENERAL ORDINANCES

6.1 Gen. Ord. No. 7 - 20 - 21 by Alderpersons Sorenson and Donohue amending Section 110 - 202 of the Municipal Code so as to authorize the chief of police or his or her designee to make decisions regarding the appropriate location of a street festival when proposed to be on a through street.

MOTION TO SUSPEND THE RULES 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 .

6.2 Gen. Ord. No. 8 - 20 - 21 by Alderpersons Donohue and Bohren amending Section 82 - 33 of the Sheboygan Municipal Code so as to modify the Department of Public Works Table of Organization. REFER TO FINANCE AND PERSONNEL COMMITTEE

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

6.4 Gen. Ord. No. 10 - 20 - 21 by Alderpersons Sorenson and Dekker repealing and recreating portions of Chapter 26 of the Sheboygan Municipal Code to update provisions and bring the Code into alignment with changes in state law and changes in local ordinances and procedures. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

6.5 Gen. Ord. No. 11 - 20 - 21 by Alderpersons Sorenson and Dekker amending Section 50 - 668 of the Municipal Code relating to third party inspections of fire alarm systems. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

6.6 Gen. Ord. No. 12 - 20 - 21 by Alderperson Sorenson placing stop signs at the northwest and southeast corners of N. 7 th Street and Highland Terrace.  
REFER TO PUBLIC WORKS COMMITTEE

7. OTHER MATTERS AUTHORIZED BY LAW

7.1 R. O. No. 33 - 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 6: 47 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 .