

**\*\*\*ATTACHMENTS\*\*\***

**CITY OF SHEBOYGAN****LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE MINUTES****JANUARY 30, 2019**

**MEMBERS PRESENT:** Vice Chair Alderperson Ryan Sorenson, Alderperson Trey Mitchell, Alderperson Ron Rindfleisch

**MEMBERS EXCUSED:** Chair Alderperson Mary Lynne Donohue, Alderperson Rosemarie Trester

**STAFF/OFFICIALS PRESENT:** City Attorney Charles C. Adams, City Administrator Darrell Hoffland, Police Chief Christopher Domagalski, Lt. William Adams, Officer Dustin Fickett, Officer John Rupnick, Director of Planning and Development Chad Pelishek, Licensing Clerk Julie Wieck, Legal Assistant Kathy Hoffman

**OTHERS PRESENT:** Attorney Joseph Voelkner, Trevor M. Gohr, Justin Vannieuwenhoven

**1. OPENING OF MEETING**

1.1 Roll Call

1.2 Call to Order

Vice Chair Alderperson Ryan Sorenson called the meeting to order at 4:00 p.m.

1.3 Pledge of Allegiance

The Pledge of Allegiance was recited.

1.4 Introduction of Committee members, staff and guests

**2. MINUTES**

2.1 Approval of Minutes - January 16, 2019

Motion by Alderperson Rindfleisch, seconded by Alderperson Mitchell, to approve the minutes of the previous meeting held January 16, 2019. Motion carried 3-0.

**3. QUASI-JUDICIAL HEARING**

3.1 Quasi-Judicial hearing to determine whether Taxicab Driver Lic. No. 8112 (Trevor M. Gohr) shall be suspended, revoked, or not renewed

Vice Chair Alderperson Ryan Sorenson called the hearing to order at 4:02 p.m. with appearances by CA Adams on behalf of the City and Trevor M. Gohr appearing in person. Special Counsel Joseph Voelkner was also present to advise the committee in their function as finder of law and fact. Mr. Gohr was sworn in and questioned by CA Adams.

The following witness was present on behalf of the City and was sworn in and questioned by CA Adams: Officer Dustin Fickett. Mr. Gohr informed the committee that he did not wish to cross-examine the City's witness.

Mr. Gohr made a statement to the committee. CA Adams informed the committee that he did not wish to

*2-8-19 Notified Clerk to release. 9:00 A.M.*

cross-examine Mr. Gohr.

#### **4. CLOSED SESSION**

##### **4.1 MOTION TO CONVENE IN CLOSED SESSION**

Motion by Alderperson Rindfleisch, seconded by Alderperson Mitchell, to convene in closed session under the exemption provided in §19.85(1)(a) of the Wisconsin Statutes for the purpose of deliberation concerning action to be taken regarding Taxicab Driver Lic. No. 8112 (Trevor M. Gohr). Motion carried 3-0.

#### **5. RECONVENE IN OPEN SESSION**

##### **5.1 MOTION TO RECONVENE IN OPEN SESSION**

Motion by Alderperson Mitchell, seconded by Alderperson Rindfleisch, to reconvene in open session. Motion carried 3-0.

##### **5.2 Possible action regarding Taxicab Driver Lic. No. 8112 (Trevor M. Gohr)**

Motion by Alderperson Rindfleisch, seconded by Alderperson Mitchell, as follows:

The committee finds the following facts:

Count 1: On May 18, 2018, while driving a taxicab with a fare-paying passenger in the City of Sheboygan, Mr. Gohr disobeyed the instructions of an official traffic sign or signal, in violation of §346.04(2), Wis. Stats., as adopted in §70-1, Sheboygan Municipal Code.

Count 2: On June 7, 2018, while driving a taxicab with a fare-paying passenger in the City of Sheboygan, Mr. Gohr was so engaged with an activity other than driving the vehicle that interfered with his ability to drive the vehicle safely, in violation of §346.89(1), Wis. Stats., as adopted in §70-1, Sheboygan Municipal Code, and his inattentive driving resulted in a crash.

Based on those findings of fact, your Committee recommends the following:

1. That, based on the licensee's right to object to this Committee's finding under §125.12(2)(b)3, Wis. Stats., the licensee's written objections, if any, be provided to the Common Council and considered, in conjunction with the Committee's finding and the prosecution's arguments, but that neither the licensee nor the City in its prosecution function shall be permitted to make oral argument.
2. That the license be granted, but immediately suspended upon the Common Council's acceptance of these findings of facts and imposition of penalty. Said suspension will end on February 20, 2019, at which time the license may be issued.

Motion carried 3-0.

#### **6. ITEMS FOR DISCUSSION AND POSSIBLE ACTION**

6.1 R.O. No. 209-18-19 (1-21-19) by Chief of Police Christopher Domagalski submitting the Police Department's quarterly report of Benchmark Measurements for the period commencing October 1, 2018 and ending December 31, 2018

Chief Domagalski reviewed the Police Department's report of Benchmark Measurements for the fourth

quarter of 2018.

Motion by Alderperson Rindfleisch, seconded by Alderperson Mitchell, to accept and file the report.  
Motion carried 3-0.

#### 6.2 Quarterly Performance Report for the Department of City Development: Building Inspection Department (discussion only)

Director of Planning and Development Chad Pelishek reviewed the Building Inspection Department's quarterly performance report for the fourth quarter of 2018.

#### 6.3 Quarterly Performance Report for City Attorney's Office (discussion only)

CA Adams reviewed the City Attorney's Office quarterly performance report for the fourth quarter of 2018.

#### 6.4 R.O. No. 181-18-19 (11-19-18) Submitting various license applications for the period ending December 31, 2018, June 30, 2019 and December 31, 2019. Bev. Op. Lic. App. No. 1921 (Kennedi K. Watts)

CA Adams informed the committee that Ms. Watts had requested that her hearing be rescheduled to a later date due to the extreme weather conditions.

#### 6.5 Discussion and possible action regarding the hours of operation for commercial quadricycles

Justin Vannieuwenhoven appeared before the committee and stated that he is requesting that he be allowed to operate his quadricycle business between the hours of 10:00 a.m. and 10:00 p.m. Chief Domagalski stated that the police department does not have any objection to those hours.

Motion by Alderperson Rindfleisch, seconded by Alderperson Mitchell, to direct the City Attorney's Office to draft an amended ordinance and bring it back to the committee. Motion carried 3-0.

#### 6.6 R.O. No. 168-18-19 (11-5-18) Submitting various license applications for the period ending December 31, 2018, June 30, 2019 and June 30, 2020. Bev. Op. Lic. App. No. 0706 (Marqueeta S. Johnson)

CA Adams informed the committee that charges in Fond du Lac have been resolved and staff is now recommending that Ms. Johnson's license be granted.

Motion by Alderperson Mitchell, seconded by Alderperson Rindfleisch, to grant license to Bev. Op. Lic. App. No. 0706 (Marqueeta S. Johnson). Motion carried 3-0.

#### 6.7 R.O. No. 210-18-19 (1-21-19) Submitting various license applications for the period ending December 31, 2019 and June 30, 2020

Motion by Alderperson Rindfleisch, seconded by Alderperson Mitchell, to hold Bev. Op. Lic. App. No. 2577 (Cecilia K. Heard) for further review, and to grant the remainder of the license applications for individuals and entities listed on the above-referenced R.O. Motion carried 3-0.

## 7. NEXT MEETING DATE

### 7.1 Next meeting date will be February 13, 2019

The next committee meeting is scheduled to be held on February 13, 2019 at 4:00 p.m. in the Rocca Meeting Room at the Mead Public Library, 710 North 8th Street, Sheboygan.

## 8. ADJOURN

### 8.1 Motion to adjourn

Motion by Alderperson Rindfleisch, seconded by Alderperson Mitchell, to adjourn at 5:00 p.m.  
Motion carried 3-0.

**CITY OF SHEBOYGAN**

**REQUEST FOR LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE  
CONSIDERATION**

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**ITEM DESCRIPTION:** Report of Officer, submitting the Fire Department Quarterly Report for the period commencing October 1, 2018 and ending December 31, 2018.

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**REPORT PREPARED BY:** Michael T. Romas, Fire Chief

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**REPORT DATE:** January 7, 2019

**MEETING DATE:** February 13, 2019

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**FISCAL SUMMARY:**

Budget Line Item: N/A  
Budget Summary: N/A  
Budgeted Expenditure: N/A  
Budgeted Revenue: N/A

**STATUTORY REFERENCE:**

Wisconsin Statutes: N/A  
Municipal Code: Sec. 50-564

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**BACKGROUND / ANALYSIS:**

The Quarterly Report of Benchmarks for the Fire Department for the period commencing October 1, 2018 and ending December 31, 2018 is presented for information and discussion as required by section 50-564 of the Municipal code.

**STAFF COMMENTS:**

Highlights of the 2018 fourth quarter report are as follows:

- The apparent significant decrease in fires over last year's totals for the year is a result of National Fire Incident Reporting (NFIRS) coding changes. Fire responses overall have remained generally constant over last year's numbers.
- 2018 Compliance for total fire inspections completed was met for certification to and payment from the Wisconsin Two-Percent Fire Dues Payments Program.
- Public Events and Programs to the public continue to increase.
- Training hours for EMS vs. Non EMS are now separated in the report.
- Responses outside of the city remain low with no significant increases overall.
- EMS response time compliance is omitted until an accurate and meaningful method of calculating this is further developed in conjunction with the new EMD protocols at the Sheboygan County Communications Center.

**ACTION REQUESTED:**

Motion to recommend to Council to Approve the Report of Officer No. 216-18-19.

**ATTACHMENTS:** R.O. No. 216-18-19



**CITY OF SHEBOYGAN**

**REQUEST FOR LICENSES, HEARINGS AND PUBLIC SAFETY**

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**ITEM DESCRIPTION:** Resolution by Alderpersons Donohue & Sorenson to authorize the purchase of (1) Full Size Pickup Truck with Plow and (1) Seven Passenger Minivan for the Sheboygan Fire Department

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**REPORT PREPARED BY:** Bernard R. Rammer Purchasing Agent

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**REPORT DATE:** February 5, 2019

**MEETING DATE:** February 13, 2019

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**FISCAL SUMMARY:**

Budget Line Item: 47822100-641100  
Budget Summary: 2019 Capital Improvements  
Budgeted Expenditure: \$ 75,000  
Budgeted Revenue: N/A

**STATUTORY REFERENCE:**

Wisconsin Statutes: N/A  
Municipal Code: N/A

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**BACKGROUND / ANALYSIS:**

The Sheboygan Fire Department is in need of replacing a 19 year old pickup truck with plow and lift gate and a 16 Year old 7-passenger minivan. The pickup is used for snowplowing at all five fire stations and transporting heavy equipment. It will also be used to pull the Survive Alive House trailer to schools and other events. Due to its large size and weight, the Fire Department must currently utilize a heavy pickup from the Dept. of Public Works to transport the Survive Alive House. The Minivan is used for Community Outreach as well as for transportation of groups to training, meetings etc.



**STAFF COMMENTS:**

The vehicles will be purchased utilizing the State of WI contract. Usage of this contract also allows for the waiver of competitive bidding. The vehicles to be replaced will be sold at auction with the proceeds deposited with the Finance Director.

**ACTION REQUESTED:**

A Motion to recommend that the Council approve Resolution # 173-18/19 to authorize the purchase of a Four Wheel Drive Pickup with Plow and Lift Gate and a Seven Passenger Minivan from Ewald Automotive Group in the amount of \$ 68,030.00 including license and title fees utilizing the State of WI Contract.

**ATTACHMENTS:**

- I. Res # 173- 18/19

III

Res. No. 173 18 - 19. By Alderpersons Donohue and Sorenson.  
February 4, 2019.

A RESOLUTION authorizing the Purchasing Agent to issue a purchase order for the purchase of two new vehicles for the Sheboygan Fire Department.

WHEREAS, there is funding in the 2019 Capital Improvements Budget for the purchase of, among other things, two vehicles for the Sheboygan Fire Department: (1) a full size four-wheel drive pickup truck with plow and lift gate and (2) a seven-passenger extended length minivan (collectively, the "Vehicles"); and

WHEREAS, state law and the City's Procurement Policy allows the City to join with other units of government in cooperative purchasing plans when the best interest of the City would be served; and

WHEREAS, the State of Wisconsin has a number of cooperative purchasing agreements, which municipalities may use to take advantage of competitive, pre-negotiated prices; and

WHEREAS, having reviewed the State of Wisconsin's cooperative purchasing agreements for the purchase of vehicles, City staff believes, and the Council agrees that this is the best procurement method for this purchase; and

WHEREAS, once the Vehicles have been received, the vehicles that are being replaced will be put to public auction.

NOW, THEREFORE, BE IT RESOLVED: That the Purchasing Agent is authorized to issue a Purchase Order to Ewald Automotive Group of Oconomowoc, Wisconsin for the purchase of: (1) a 2019 model Ford F-250 4WD Pickup with Plow and Lift gate and (2) a 2019 model Dodge Grand Caravan.

BE IT FURTHER RESOLVED: That the Council understands that these Purchase Orders will be subject to the terms and conditions set forth in the State of Wisconsin's cooperative purchase agreement (Contract Number 505ENT-M19-2019VEHICS-04), a copy of which is available at [vendornet.wi.gov](http://vendornet.wi.gov).

JHP

BE IT FURTHER RESOLVED: That the appropriate City Officials are hereby authorized to draw funds in the amount of \$68,030, which includes license and title fees, from the 2019 Capital Improvement Fund - Vehicles Account No. 47822100-641100 for the purchase of the Vehicles and their associated license and title fees.

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I HEREBY CERTIFY that the foregoing Resolution was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Dated \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, City Clerk

Approved \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, Mayor

II

Other Matters.

7.2

R. O. No. 181 - 18 - 19. By CITY CLERK. November 19, 2018.

Submitting various license applications for the period ending December 31, 2018, June 30, 2019 and December 31, 2019.

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City Clerk

BEVERAGE OPERATOR'S LICENSE (NEW) (June 30, 2020)

<u>No.</u>	<u>Name</u>	<u>Address</u>
5457	Batt, Hollie L.	N4117 Van Treeck Trail, Sheboygan Falls
2500	Bergin, Dustin J.	1814 S. 14 <sup>th</sup> Street
2504	Champeau, Kayla A.	1605 N. 17 <sup>th</sup> Street
1271	Farmer, Brandon L.	W3718 South Drive, Plymouth
2503	Freeman, James E.	615 Clara Avenue #3
2502	Lindsay, John F.	1615A Spruce Court
2507	Mackey, Shannon M.	124 Lighthouse Court
2509	Muench, Kelly A.	1619 Illinois Avenue
2505	Quasius, Laura M.	4316 Lakeshore Road
2499	Reyes, Ismael M.	1724 S. 21 <sup>st</sup> Street
9421	Rowe, Cole M.	1643A N. 3 <sup>rd</sup> Street
9829	Schroeder, Kathleen A.	2209 N. 11 <sup>th</sup> Street
2501	Sodari, Karna B.	916 Mulberry Lane, Kohler
7996	Thorn, Erin B.	2513 Wedemeyer Street
2498	Vallejo, Maria V.	617 Huron Avenue
1921	Watts, Kennedi K.	3515 N. 10 <sup>th</sup> Street Apt. 821
2496	Wondra, Erica J.	2128 S. 12 <sup>th</sup> Street

TAXICAB DRIVERS LICENSE (NEW) (December 31, 2019)

<u>No.</u>	<u>Name</u>	<u>Address</u>
1132	Mitchell, Daniel H.	909 Ontario Avenue Apt. D15

TAXICAB DRIVERS LICENSE (RENEW) (December 31, 2019)

<u>No.</u>	<u>Name</u>	<u>Address</u>
1509	Gordon, Jody L.	741 Acacia, Sheboygan Falls
014	Waraich, Jesse S.	N6233 Woodland Road

TAXICAB BUSINESS LICENSE (RENEW) (December 31, 2019)

<u>No.</u>	<u>Name</u>	<u>Address</u>
3023	Yellow Cab of Sheboygan, LLC	2917 N. 15 <sup>th</sup> Street

*AKPS*

MASSAGE ESTABLISHMENT (Renew) (December 31, 2019)

<u>No.</u>	<u>Name</u>	<u>Address</u>
3305	Applied Reflexology	604 Erie Avenue
3308	Aurelia Massage Therapy LLC	4027 S. Business Drive
2727	Bonjour Massage	1327 N. 8 <sup>th</sup> Street
2586	In Balance Therapeutics, LLC	832 N. 6 <sup>th</sup> Street
2868	Intouch	1427 N. 4 <sup>th</sup> Street
3300	Soli Muscular Therapy LLC	604 Michigan Avenue

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**DIRECT REFERRAL TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE**

Gen. Ord. No. 41 - 18 - 19. By Alderpersons Donohue and Sorenson.  
February 13, 2019.

AN ORDINANCE amending Section 130-131 of the Municipal Code relating to commercial quadricycle hours of operation.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Section 130-131 of the Sheboygan Municipal Code entitled "Regulations" is amended in subsection (i) therein so as to read as follows:

"Sec. 130-131. *Regulations.*

. . .

(i) *Time of operation.* No person shall operate or permit the operation of a commercial quadricycle in the city except between the hours of 10:00 a.m. and 10:00 p.m.

. . ."

Section 2. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

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\_\_\_\_\_  
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I HEREBY CERTIFY that the foregoing Ordinance was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Dated \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, City Clerk

Approved \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, Mayor

II

Other Matters

7.1

R. O. No. 217 - 18 - 19. By CITY CLERK. February 4, 2019.

Submitting various license applications for the period ending December 31, 2019 and June 30, 2020.

\_\_\_\_\_  
City Clerk

BEVERAGE OPERATOR'S LICENSE (NEW) (June 30, 2020)

<u>No.</u>	<u>Name</u>	<u>Address</u>
2588	Barber, Mylee L.	2636 W. Riverdale Avenue
2581	Bayer, Devin J.	1432 S. 14 <sup>th</sup> Street
2580	Campbell, Jennifer A.	1504 Illinois Avenue
2582	Holsworth, Emily L.	W4185 Main Road, Plymouth
2590	Jawson, Arielle L.	1715 Norma Court
2587	Sebald, Kelly L.	1721 Ashland Avenue #105
2589	Verbanac, Paige R.	530 S. 13 <sup>th</sup> Street
7260	Wagner, Jon F.	1317A N. 29 <sup>th</sup> Street
2583	Wiesner, Marie J.	3919 Mendocino Lane #206

Massage Establishment (NEW) (December 31, 2019)

<u>No.</u>	<u>Name</u>	<u>Address</u>
3303	Mustard Seed Hair Co.	2209 S. Memorial Place

JHPS