

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

**CITY OF SHEBOYGAN****LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE MINUTES****AUGUST 29, 2018**

**MEMBERS PRESENT:** Acting 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, Police Chief Christopher Domagalski, Lt. William Adams, Officer Alex Jaeger, Licensing Clerk Julie Wieck, Legal Assistant Kathy Hoffman

**OTHERS PRESENT:** Brent Miller, Gina Miller

**1. OPENING OF MEETING**

1.1 Roll Call

1.2 Call to Order

Acting 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 - August 13, 2018

Motion by Alderperson Mitchell, seconded by Alderperson Rindfleisch, to approve the minutes of the previous meeting held August 13, 2018. Motion carried 3-0.

**3. ITEMS FOR DISCUSSION AND POSSIBLE ACTION**

3.1 Res. No. 81-18-19 (DIRECT REFERRAL) A resolution authorizing the Sheboygan Fire Department to enter into a Right of Entry and Release Agreement with Wisconsin Power and Light Company regarding rescue training to be conducted at Wisconsin Power and Light Company's facility at Edgewater Generating Station

Motion by Alderperson Rindfleisch, seconded by Alderperson Mitchell, to approve the resolution. Motion carried 3-0.

3.2 Res. No. 74-18-19 (8-20-18) A resolution authorizing application for the 2018 Justice Assistance Grant Program Award (Local Solicitation) and entering into a Memorandum of Understanding with Sheboygan County

Chief Domagalski spoke regarding the JAG Program Award and explained that the money is divided between the City and the County.

Motion by Alderperson Rindfleisch, seconded by Alderperson Mitchell, to approve the resolution. Motion carried 3-0.

*9-6-18 Notified Clerk to release. 9:07 A.M.*

3.3 R.O. No. 82-18-19 (7-16-18) Submitting various license applications for the period ending December 31, 2018 and June 30, 2020. Bev. Op. Lic. App. No. 2334 (Wesley S. Melton)

Motion by Alderperson Rindfleisch, seconded by Alderperson Mitchell, to call in Bev. Op. Lic. App. No. 2334 (Wesley S. Melton) for a hearing on possible denial of his license application. Motion carried 3-0.

3.4 R.O. No. 105-18-19 (8-20-18) Submitting various license applications for the period ending June 30, 2019 and June 30, 2020

Motion by Alderperson Rindfleisch, seconded by Alderperson Mitchell, to grant all license applications for individuals and entities listed on the above-referenced R.O. Motion carried 3-0.

#### **4. HEARING**

4.1 Hearing on the appeal of Brent and Gina Miller finding their dog to be a vicious animal, pursuant to Sec. 18-47(i)(2), Sheboygan Municipal Code

Ald. Sorenson called the hearing to order at 4:09 p.m. with appearances by City Attorney Adams to advise the committee in their function as finder of law and fact, Police Chief Chris Domagalski on behalf of the Sheboygan Police Department, and Brent Miller and Gina Miller appearing in person.

Chief Domagalski presented his case and provided the committee with details regarding the various incidents involving the dog named Gotti and his initial determination that the dog is a vicious animal.

Officer Alex Jaeger was present as a witness on behalf of the Sheboygan Police Department and was sworn in and questioned by Chief Domagalski. Documents and photos were marked as police department's Exhibits 1 through 8 and offered as evidence. Copies were provided to the Millers. Mr. Miller questioned Officer Jaeger regarding the presence of blood at the scene of the dog bite.

Brent Miller presented his case and informed the committee that he was appealing the determination because he does not believe that his dog Gotti is vicious. Mr. Miller presented a written statement by Tom Kuester as an exhibit. Chief Domagalski objected to the exhibit due to the fact that he is unable to cross-examine Mr. Kuester. The Committee accepted the exhibit and it was marked as Exhibit 9 and offered as evidence.

Closing statements were made by Chief Domagalski and Brent Miller.

#### **5. CLOSED SESSION**

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

Motion by Alderperson Rindfleisch, seconded by Alderperson Mitchell, under the exemption provided in §19.85(1)(a) of the Wisconsin Statutes for the purpose of deliberation concerning action to be taken regarding the appeal of Brent and Gina Miller. Motion carried 3-0.

#### **6. RECONVENE IN OPEN SESSION**

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

##### **6.1 Possible action regarding appeal of Brent and Gina Miller**

The committee found that Brent and Gina Miller's dog Gotti caused a serious injury to a person.

Motion by Alderperson Rindfleisch, seconded by Alderperson Mitchell, to uphold Chief Domagalski's

determination that Gotti is deemed vicious. Motion carried 3-0.

## **7. NEXT MEETING DATE**

7.1 Next meeting date will be September 12, 2018

The next committee meeting is scheduled to be held on September 12, 2018 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 5:12 p.m. Motion carried 3-0.



II

Other Matters

8.1

R. O. No. 82 - 18 - 19. By CITY CLERK. July 16, 2018.

Submitting various license applications for the period ending, December 31, 2018, and June 30, 2020.

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

CHANGE OF PREMISE

<u>No.</u>	<u>Name</u>	<u>Address</u>
3120	Northstar I	3004 N. 8 <sup>th</sup> - One day event August 25 including parking lot coverage and east sidewalk. Parking lot to the south and west.

"CLASS B" LIQUOR LICENSE (June 30, 2020) (NEW)

<u>No.</u>	<u>Name</u>	<u>Address</u>
3348	Escape Sheboygan	1130 Geele Avenue

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

<u>No.</u>	<u>Name</u>	<u>Address</u>
2314	Ahles, Heidi M.	1535 S. 14 <sup>th</sup> Street
2337	Berglund, Jeremy R.	W3385 County Rd MM, Elkhart Lake
2342	Daniels, Adrian A.	1736 Grams Court
6458	Daun, Duane R.	928 Wisconsin Avenue #317
1310	Dean, Shane M.	1427 S. 16 <sup>th</sup> Street
1328	Fisher, Brandon T.	4331 Moenning Road
7112	Gutschow, Tyson R. (Club)	4881 Dennwood Drive
2332	Intravaia, Patrick K.	2715 North Avenue
2340	Jenson, Alex C.	1419 S. 19 <sup>th</sup> Street
2325	Jewell, Zelda J M	1611 N. 17 <sup>th</sup> Street
4755	Kramer, Kimberly	1406 Superior Avenue
9507	Lohse, April O A	3009 N. 25 <sup>th</sup> Street
1515	McMurray, Scott J.	1217 E. Channel Park Dr., Waupaca
2323	Mead, Celeste D.	1207 N. 12 <sup>th</sup> Street
2334	Melton, Wesley S.	1032A Bluff Avenue
1170	Neitzel, Daniel W.	W3233 County Rd C, Sheboygan Falls
2324	Neumeyer, Brianna L.	6333 Fetzer Road, Manitowoc
0551	Phillips, Lori A.	20 West Clifford St., Plymouth
1025	Reinl, Nicholas C. (Club)	5740 Sherwood Drive
7778	Salm, Francis G.	922 Dillingham Avenue

ALPS

6448 Schmidt, Timothy J.	2416 N. 34 <sup>th</sup> Street
2319 Spies, Kathy A.	706 Lakeshore Dr., Elkhart Lake
2341 Stiefvater, Emilie A.	2806 N. 11 <sup>th</sup> Street #4
2312 Stone, Gina L.	W1009 County Road FF
2330 Taggart, Robert M.	719 Highland Terrace
0518 Van de Loo, Cory J.	1529 N. 10 <sup>th</sup> Street
2328 Warren, Jessica S.	518 School Street, Kohler
7319 Weimer, Thomas J. (Club)	1127 Bell Avenue
9627 Wilke, Glenn J. (Club)	4022 Hazelnut Court
7486 Zschetzsche, Brian A. (Club)	1328 N. 4 <sup>th</sup> Street

TAXICAB DRIVERS LICENSE (NEW) (December 31, 2018)

<u>No.</u>	<u>Name</u>	<u>Address</u>
2335	Lopez, Glennie J.	1616 Superior Avenue

**II**

Other Matters

7.1

R. O. No. 113 - 18 - 19. By CITY CLERK. September 4, 2018.

Submitting various license applications for the period ending December 31, 2018, June 30, 2019 and June 30, 2020.

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

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

<u>No.</u>	<u>Name</u>	<u>Address</u>
2379	Bakewell, Sarah J.	1312 N. 15 <sup>th</sup> Street
6748	Bresser, Matt J.	2019 S. 25 <sup>th</sup> Street
2388	Brubaker, Justice P.	2313 N. 7 <sup>th</sup> Street
2394	Ferreira, Marina D.	2225 Terrace View Drive #2B
5514	Green, John F.	2919 S. 18 <sup>th</sup> Street
2385	Herrmann, George M.	10435 Gass Lake Road, Cleveland
2396	Jacoby, Jessica J.	1132 Logan Avenue
2386	Jensen, Mathew P.	620 S. 8 <sup>th</sup> Street Apt. 318
2398	Johnson, Christopher J.	2674 Georgia Avenue
2382	Landwehr, Emily L.	913 New York Avenue
8947	Marsellis, Lynn M.	3227 S. 11 <sup>th</sup> Street
2387	Onsager, Karen G.	2722 N. 10 <sup>th</sup> Street Apt. 205
2384	Rick, Grace C.	2123 Woodglen Drive Apt. 2C
2393	Ripson, Victoria A.	1823 N. 10 <sup>th</sup> Street
2389	Robertson, Sarah M.	633B N. 4 <sup>th</sup> Street
2395	Sippel, Bailey M.	1305 S. 22 <sup>nd</sup> Street
2397	Zubricky, Amber R.	1716 Madison Street, Wausau

TAXICAB DRIVERS LICENSE (NEW) (December 31, 2018)

<u>No.</u>	<u>Name</u>	<u>Address</u>
2383	Wienke, Ashley N.	309 Broadway Street Unit A, Sheb. Falls

"CLASS B" LIQUOR LICENSE (June 30, 2019) (NEW)

<u>No.</u>	<u>Name</u>	<u>Address</u>
3355	Swovy's I	1645 S. 12 <sup>th</sup> Street

AHS

III

4.8

Res. No. 94 - 18 - 19. By Alderpersons Rindfleisch and Bohren.  
September 4, 2018.

A RESOLUTION establishing the 2019 Budget appropriations and the 2018 Tax Levy for use during the calendar year.

WHEREAS, Section 2-905 of the Municipal Code of the City of Sheboygan requires an annual budget appropriating monies to finance activities of the City for the ensuing fiscal year, and

WHEREAS, The Common Council Committees have duly considered and discussed a budget for 2019 as proposed by the City Administrator, and

WHEREAS, A public hearing on the budget will be held on October 15, 2018 as required, and

WHEREAS, The 2019 budget requires a tax levy to partially finance the appropriations.

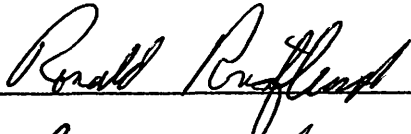
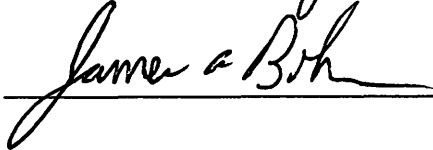
NOW, THEREFORE, BE IT RESOLVED: by the Common Council of the City of Sheboygan that:

Budgeted revenue estimates and expenditure appropriations for the year 2019 for the City's General Fund; Special Revenue Funds - MEG Unit, Block Grant, Housing Revolving Loan, Business Revolving Loan, Mead Library, Tourism, Park, Forestry and Open Space, Park Impact Fee Fund, Cable TV, Municipal Court, Ambulance, Special Assessment, Harbor Centre Marina, Redevelopment Authority, Storm Water; Debt Service Funds - G O Debt Service, Convention Center Debt Service, TID 6, TID 10, TID 11, TID 12, TID 13, TID 14, TID 15, TID 16, TID 18, Environmental TID; Capital Project Funds - Capital Projects, Capital Improvement, Industrial Park, TID 14 Capital, TID 16 Capital, TID 17 Capital, TID 18 Capital, TID 19 Capital; Proprietary Funds - Motor Vehicle, Health Insurance, Liability Insurance, Workers Compensation Insurance, Information Technology; Enterprise Funds - Water Utility, Wastewater Utility, Transit Utility, Parking Utility, Boat Facilities; and Fiduciary Funds - Cemetery Perpetual Care, Mead Public Library Trust be and are hereby adopted as set forth in the attachment and established in program category detail in the budget document.

*Refer to  
Finance+Personnel  
AHPB  
Public Works*

BE IT FURTHER RESOLVED: that the Personnel Schedule as presented in the 2019 budget be approved, and

BE IT FURTHER RESOLVED: that the property tax levy required to finance the 2019 Budget is \$23,770,487.

  
\_\_\_\_\_  
  
\_\_\_\_\_

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

**CITY OF SHEBOYGAN**

**REQUEST FOR FINANCE AND PERSONNEL COMMITTEE CONSIDERATION**

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**ITEM DESCRIPTION:** Res. No. 94-18-19 A Resolution establishing the 2019 Budget appropriations and the 2018 Tax Levy for use during the calendar year.

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**REPORT PREPARED BY:** Chad Pelishek, Director of Planning & Development

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**REPORT DATE:** September 5, 2018      **MEETING DATE:** September 10, 2018

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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:      N/A

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**BACKGROUND / ANALYSIS:**

The Department of City Development is comprised of two divisions, the Planning and Development division and the Building Inspection division. The Building Inspection Division reports to Licensing, Hearings, and Public Safety Committee and the Planning and Development division reports to the Finance and Personnel Committee.

**STAFF COMMENTS:**

No notable changes proposed in 2019.

**ACTION REQUESTED:**

For discussion purposes only.

**ATTACHMENTS:**

- I. Res. No. 94-18-19

**CITY OF SHEBOYGAN**

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

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**ITEM DESCRIPTION: 2019 Fire Department Budget**

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**REPORT PREPARED BY: Chief Romas**

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**REPORT DATE: 8-27-18**

**MEETING DATE: 9-12-18**

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**FISCAL SUMMARY:**

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

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**STATUTORY REFERENCE:**

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

**BACKGROUND / ANALYSIS: Please see 2019 Executive Budget pp. 152-155, 251 – 254.**

**STAFF COMMENTS: The addition of one battalion chief and three firefighter/paramedics will increase firefighter and citizen safety and they will also improve department efficiency and accountability.**

**ACTION REQUESTED: These actions will result in a FIRE budget increase of \$354,752 and an AMBULANCE FUND decrease of \$19,849.**

**ATTACHMENTS: None**

**CITY OF SHEBOYGAN**

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

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**ITEM DESCRIPTION:** Res. 94-18-19 establishing the 2019 Budget appropriations and 2018 Tax Levy use during the calendar year.

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**REPORT PREPARED BY:** Christopher Domagalski, Chief of Police

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**REPORT DATE:** September 5, 2018

**MEETING DATE:** September 12, 2018

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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: N/A

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**BACKGROUND / ANALYSIS:**

The following 2019 budgets have oversight by the Police Department.

**GENERAL FUND**

Police Administration (pages 135 - 139)

- There are no notable changes in 2019.

Police Patrol (pages 140 – 142)

- There are no notable changes in 2019.

Police Fleet (pages 143 – 144)

- Increase of \$10,000 in Non-Personal Services related to higher projected gas prices.

Police Parking (pages 145 – 146)

- There are no notable changes in 2018.

Police Facility (pages 147 – 148)

- An increase of \$7,560 in Non-Personal Services for maintenance of interior hardware and fixtures.

Police Criminal Investigation (pages 149 – 151)

- There are no notable changes in 2019.

**SPECIAL REVENUE FUNDS**

Police MEG Unit Fund (pages 218 – 221)

- There are no notable changes in 2019.

**STAFF COMMENTS:**

The Police Department Budget as presented continues to support two Beat Officer Positions that are funded at 75 % by the State Beat Patrol Grant and also includes \$60,000 in anticipated Grant Funds for enhanced OWI and Seat Belt Patrols that will be incorporated into our DDACTS deployments to enhance our crime control efforts.

**ACTION REQUESTED:**

Motion to approve Res. 94-18-19 establishing the 2019 Budget appropriations and the 2018 Tax Levy for use during the calendar year.

**ATTACHMENTS:**

- I. Res. No. 94-18-19

**CITY OF SHEBOYGAN**

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

---

**ITEM DESCRIPTION:** Res. No. 94-18-19 by Alderpersons Rindfleisch and Bohren establishing the 2019 Budget appropriations and 2018 Tax Levy for use during the calendar year.

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**REPORT PREPARED BY:** Charles C. Adams, City Attorney

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**REPORT DATE:** September 6, 2018      **MEETING DATE:** September 12, 2018

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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: N/A

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**BACKGROUND / ANALYSIS:**

On pages 126-128 of the 2019 Executive Program Budget is the Office of the City Attorney's budget. The budget incorporates the following:

- An increase of \$34,218 in Personal Services over 2018 Estimated for the addition of a 0.40 FTE Assistant City Attorney II due to an increase in caseload.

	2016 Actual	2017 Actual	2018 Amended	2018 Estimated	2019 Executive
<b>Expenditures</b>					
Personal Services	372,003	358,673	382,651	410,165	444,952
Non-Personal Services	41,509	41,357	46,038	46,038	48,973
Capital Outlay	343	0	0	0	0
Total Expenditures	413,855	400,030	428,689	456,203	493,925

**STAFF COMMENTS:**

None

**ACTION REQUESTED:**

Motion to recommend the Common Council approve Res. No. 94-18-19 by Alderpersons Rindfleisch and Bohren regarding the Office of the City Attorney 2019 budget as presented.

**ATTACHMENTS:**

None

II

3.4

R. O. No. 111 - 18 - 19. By CITY CLERK. September 4, 2018.

Submitting a communication from Matthew Lueck requesting a waiver from the Sex Offender Residency requirements in order to reside at Superior Manor.

RHS

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CITY CLERK

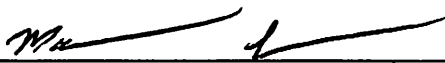
AUG 23 '18 PM 1:57

Date: 8-23-18

My name is: MATTHEW LUECK

I am requesting a waiver to the Sexual Residency Requirements so I may live at:

Superior Manor  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: 

Phone Number: 920-207-8968

**Any applications for a waiver from the Sex Offender Residency restrictions received by Noon on the Thursday prior to the following Monday's Council meeting will be submitted to that Council for referral to Public Protection and Safety. Anything after Noon on Thursday will not go to Council until the next Council meeting.**

**This will allow the Police Department to complete the necessary work they do to prepare for the Public Protection and Safety meeting.**

**Thank you for all your cooperation in the matter.**

II

3.5

R. O. No. 112-18-19. By CITY CLERK. September 4, 2018.

Submitting a communication from Scott Ramone Goines Jr. requesting a waiver from the Sex Offender Residency requirements in order to reside at 2105 South 10<sup>th</sup> Street.

RUPS.

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CITY CLERK

AUG 30 '18 AM 8:33

Date: 08/29/2018

My name is: SCOTT RAMONE GOINES JR.

I am requesting a waiver to the Sexual Residency Requirements so I may live at:  
2105 South 10<sup>th</sup> Street with my Girlfriend  
and OUR Family.

Signature: Scott R. Goines Jr

Phone Number: 302-507-2184

**Any applications for a waiver from the Sex Offender Residency restrictions received by Noon on the Thursday prior to the following Monday's Council meeting will be submitted to that Council for referral to Licensing, Hearings, and Public Safety Committee. Anything after Noon on Thursday will not go to Council until the next Council meeting.**

**This will allow the Police Department to complete the necessary work they do to prepare for the Licensing, Hearings, and Public Safety Committee meeting.**

**Thank you for all your cooperation in the matter.**