

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

**CITY OF SHEBOYGAN****LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE MINUTES****NOVEMBER 11, 2020**

**MEMBERS PRESENT:** Vice Chair Alderperson Dean Dekker, Alderperson Mary Lynne Donohue (remote), Alderperson Barbara Felde (remote)

**MEMBERS EXCUSED:** Chair Alderperson Ryan Sorenson

**MEMBERS ABSENT:** Alderperson Betty Ackley

**STAFF/OFFICIALS PRESENT:** City Attorney Charles Adams (remote), Police Chief Christopher Domagalski (remote), Legal Assistant Kathy Hoffman

**OTHERS PRESENT:** None

**1. OPENING OF MEETING**

1.1 Roll Call

1.2 Call to Order

Acting Chair Alderperson Dean Dekker called the meeting to order at 4:03 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 - October 28, 2020

Motion by Alderperson Felde, seconded by Alderperson Donohue, to approve the minutes of the previous meeting held October 28, 2020. Motion carried 3-0.

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

3.1 Res. No. 116-20-21 (11-2-20) A Resolution authorizing the appropriate City officials to execute the Joint Powers Agreement for Sheboygan County and City of Sheboygan 911 Emergency Systems

Chief Domagalski spoke regarding the Joint Powers Agreement which is required by law.

Motion by Alderperson Felde, seconded by Alderperson Donohue, to recommend the Common Council adopt Res. No. 116-20-21. Motion carried 3-0.

3.2 R.O. No. 76-20-21 (9-21-20) Submitting various license applications for the period ending June 30, 2022. Bev. Op. Lic. App. No. 3355 (John Koubarulis)

Motion by Alderperson Donohue, seconded by Alderperson Felde, to continue to hold Bev. Op. Lic.

App. No. 3355 (John Koubaroulis) for further investigation. Motion carried 3-0.

3.3 R.O. No. 86-20-21 (10-19-20) Submitting various license applications for the period ending December 31, 2020 and June 30, 2022. Taxicab Driver Lic. App. No. 3387 (Shyan M. Lipp)

Motion by Alderperson Donohue, seconded by Alderperson Felde, to hold Taxicab Driver Lic. App. No. 3387 (Shyan M. Lipp) for a hearing on possible denial of her license application. Motion carried 3-0.

3.4 R.O. No. 98-20-21 (11-2-20) Submitting various license applications for the period ending June 30, 2022.

Motion by Alderperson Donohue, seconded by Alderperson Felde, to hold Bev. Op. Lic. App. No. 3406 (Amber R. Ernise) for a hearing on possible denial of her license application, to hold Bev. Op. Lic. App. No. 3394 (Stephanie R. Cain) for further review, to hold Change of Premise App. No. 3381 (Meijer Store #305) for necessary information and changes from the applicant, and to grant the remainder of the license applications for individuals and entities listed on the above-referenced R.O. Motion carried 3-0.

#### **4. NEXT MEETING DATE**

4.1 Next meeting date will be November 25, 2020

The next committee meeting is scheduled to be held on November 25, 2020 at 4:00 p.m. in the Council Chambers on the third floor of City Hall, 828 Center Avenue.

#### **5. ADJOURN**

5.1 Motion to adjourn

Motion by Alderperson Felde, seconded by Alderperson Donohue, to adjourn at 4:11 p.m. Motion carried 3-0.

**MEREDITH: PER CHUCK, REFER TO**

Gen. Ord. No.          - 20 - 21. By Alderperson Sorenson, Ackley, Donohue, Felde, Filicky-Peneski, and Savaglio. November 16, 2020

AN ORDINANCE amending portions of Chapter 46, Sheboygan Municipal Code, relating to the regulation of nondiscrimination and fair housing.

WHEREAS, The City of Sheboygan wants to promote and improve the quality of life for all citizens; and

WHEREAS, The City of Sheboygan is a welcoming community to all people; and

WHEREAS, access to housing is fundamental human right; and

WHEREAS, it is the sense of the Common Council that the City of Sheboygan's nondiscrimination and fair housing ordinance should be updated; and

NOW THEREFORE, THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Sec. 46-1 of the Municipal Code entitled "Definitions" is hereby repealed and recreated as follows:

"Sec. 46-1. - Definitions.

The words, terms and phrases used in this chapter shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Age means an individual's status as having obtained forty or more years of age.

*Board* means the city plan commission.

Committee means the city Licensing, Hearing, and Public Safety Committee.

*Complainant* means a person who files a complaint alleging discrimination in housing.

*Disability* means a physical or mental impairment that substantially limits one or more major life activities, a record of having such an impairment or being regarded as having such an impairment. Disability does not include the current illegal use of a controlled substance, as defined in Wis. Stats. § 961.01(4), or a controlled substance analog, as defined in Wis. Stats. § 961.01(4m), unless the individual is participating in a supervised drug rehabilitation program.

*Discriminate, discrimination, or discriminatory* means any act, policy or practice that, regardless of intent, has the effect of segregating, excluding, treating a person or class of persons unequally in a manner described in section 46-3 or 46-4, or subjecting any person to differential treatment as a result of that person's actual or perceived race, color, religion, national origin, sex, sexual orientation, gender identity, age, disability, marital status, familial status, or veteran status.  
~~to segregate, separate, exclude, or treat a person or class of persons unequally in a manner described in section 46-3 or 46-4 because of sex, race, color, sexual orientation, disability, religion, national origin, marital status, family status, status as a victim of domestic abuse, sexual assault, or stalking, lawful source of income, age, or ancestry.~~

*Dwelling unit* means a structure or that part of a structure that is used or intended to be used as a home, residence or sleeping place by one person or by two or more persons who are maintaining a common household, to the exclusion of all others.

*Family* includes one natural person.

*Family status* means any of the following conditions that apply to a person seeking to rent or purchase housing or to a member or prospective member of the person's household regardless of the person's marital status:

(1) A person is pregnant.

~~(1)~~(2) A person has a past, current, or prospective status as parent or legal guardian to a child or children below the age of eighteen (18) who may or may not reside with that person.

~~(2)~~(3) A person is in the process of securing sole or joint legal custody, periods of physical placement or visitation rights of a minor child.

~~(3)~~(4) A person's household includes one or more minor or adult relatives.

~~(4)~~(5) A person's household includes one or more adults or minor children in his or her legal custody or physical placement or with whom he or she has visitation rights.

(56) A person's household includes one or more adults or minor children placed in his or her care under a court order, under a guardianship or with the written permission of a parent or other person having legal custody of the adult or minor child.

Gender identity means the actual or perceived gender-related identity, expression, appearance, or mannerisms, or other gender-related characteristics of an individual, regardless of the individual's designated sex at birth.

*Hearing* means a hearing under the jurisdiction of the board, except where otherwise indicated.

*Housing* means any improved property, or any portion thereof, including a mobile home as defined in Wis. Stats. § 101.91(10), manufactured home, as defined in Wis. Stats. § 101.91(2), or condominium, that is used or occupied, or is intended, arranged or designed to be used or occupied, as a home or residence. Housing includes any vacant land that is offered for sale or rent for the construction or location thereon of any building, structure or portion thereof that is used or occupied, or is intended, arranged or designed to be used or occupied, as a home or residence.

*Housing for older persons* has the meaning as defined by federal or state law.

Marital status means a person's past, current, or prospective status as single, married, domestically partnered, in a civil union, divorced, or widowed.

National origin means a person's or his or her ancestor's place of origin.

Place of public resort, accommodation, assemblage, or amusement means any place, store, or other establishment that supplies accommodations, goods, or services to the general public, or that solicits or accepts the patronage or trade of the general public, or that is supported directly or indirectly by government funds

*Probable cause* means reasonable grounds to believe that one or more persons has, may have, or may be violating one or more provisions of this chapter.

Religion means all aspects of world view, ground motive, philosophical presupposition, commitment, faith, belief, religious observance, and religious practice.

*Respondent* means the person accused in a complaint of discrimination in housing filed with the board.

*Sexual orientation* has the meaning given in Wis. Stats. § 111.32(13m).

*Status* as a victim of domestic abuse, sexual assault, or stalking means the status of a person who is seeking to rent or purchase housing or of a member or prospective member of the person's household having been, or being believed by the lessor or seller of housing to be, a victim of domestic abuse, as defined in Wis. Stats. § 813.12(1)(am), sexual assault under Wis. Stats. §§ 940.225, 948.02, or 948.025, or stalking under Wis. Stats. § 940.32.

*Veteran status means an individual's status as one who served in the active military, naval, or air service of any current or former sovereign nation.*

Section 2. Sec. 46-2 of the Municipal Code entitled "Street closing" is hereby repealed and recreated as follows:

"Sec. 46-2. - Declaration of Policy.

It is declared to be the policy of the city, pursuant to the United States Constitution and state constitution, Wis. Stats. §§ 66.1011 and 106.50, and also its power to protect the public health, safety and general welfare that all persons are entitled to fair and equal access to housing and to be free of all forms of discrimination, regardless of their actual or perceived sex, gender identity, race, color, religion, age, ancestry, marital status, family status, veteran status, status as a victim of domestic abuse, sexual assault, or stalking, lawful source of income, national origin, disability, or sexual orientation, ~~are entitled to fair and equal access to housing.~~ To that end the city enacts this chapter, which prohibits any person, not exempted in this chapter, from discriminating against any other person by impairing to any degree access to any housing or housing accommodations on the basis of their actual or perceived sex, gender identity, race, color, religion, age, ancestry, marital status, family status, veteran status, status as a victim of domestic abuse, sexual assault, or stalking, lawful source of income, national origin, disability, or sexual orientation and creates a board with the power and duty to enforce equal opportunity in housing for all citizens of the city."

Section 3. Sec. 46-5 of the Municipal Code entitled "Exemptions and exclusions" is hereby repealed and recreated in subsection (h) thereof as follows:

"Sec. 46-5. - Exemptions and exclusions.

...

(h) Nothing in this chapter prohibits an owner or agent from requiring that a person who seeks to buy or rent housing supply information concerning family status, and marital, financial, and business status but not concerning race, color, disability, sexual orientation, gender identity, ancestry, national origin, religion, creed, status as a victim of domestic abuse, sexual assault, or stalking.

..."

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

*I*

6.2

Gen. Ord. No. 25 - 20 - 21. By Alderpersons Sorenson, Ackley, Donohue, Felde, Filicky-Peneski, and Savaglio. November 16, 2020.

AN ORDINANCE amending portions of Chapter 46, Sheboygan Municipal Code, relating to the regulation of nondiscrimination and fair housing.

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WHEREAS, The City of Sheboygan is a welcoming community to all people; and

WHEREAS, access to housing is a fundamental human right; and

WHEREAS, it is the sense of the Common Council that the City of Sheboygan's nondiscrimination and fair housing ordinance should be updated.

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impairment or being regarded as having such an impairment. Disability does not include the current illegal use of a controlled substance, as defined in Wis. Stats. § 961.01(4), or a controlled substance analog, as defined in Wis. Stats. § 961.01(4m), unless the individual is participating in a supervised drug rehabilitation program.

*Discriminate, discrimination, or discriminatory* means any act, policy or practice that, regardless of intent, has the effect of segregating, excluding, treating a person or class of persons unequally in a manner described in section 46-3 or 46-4, or subjecting any person to differential treatment as a result of that person's actual or perceived race, color, religion, national origin, sex, sexual orientation, gender identity, age, disability, marital status, familial status, or veteran status.

*Dwelling unit* means a structure or that part of a structure that is used or intended to be used as a home, residence or sleeping place by one person or by two or more persons who are maintaining a common household, to the exclusion of all others.

*Family* includes one natural person.

*Family status* means any of the following conditions that apply to a person seeking to rent or purchase housing or to a member or prospective member of the person's household regardless of the person's marital status:

- (1) A person is pregnant.
- (2) A person has a past, current, or prospective status as parent or legal guardian to a child or children below the age of eighteen (18) who may or may not reside with that person.
- (3) A person is in the process of securing sole or joint legal custody, periods of physical placement or visitation rights of a minor child.
- (4) A person's household includes one or more minor or adult relatives.
- (5) A person's household includes one or more adults or minor children in his or her legal custody or physical placement or with whom he or she has visitation rights.
- (6) A person's household includes one or more adults or minor children placed in his or her care under a court order, under a

guardianship or with the written permission of a parent or other person having legal custody of the adult or minor child.

*Gender identity* means the actual or perceived gender-related identity, expression, appearance, or mannerisms, or other gender-related characteristics of an individual, regardless of the individual's designated sex at birth.

*Hearing* means a hearing under the jurisdiction of the board, except where otherwise indicated.

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*Marital status* means a person's past, current, or prospective status as single, married, domestically partnered, in a civil union, divorced, or widowed.

*National origin* means a person's or his or her ancestor's place of origin.

*Place of public resort, accommodation, assemblage, or amusement* means any place, store, or other establishment that supplies accommodations, goods, or services to the general public, or that solicits or accepts the patronage or trade of the general public, or that is supported directly or indirectly by government funds.

*Probable cause* means reasonable grounds to believe that one or more persons has, may have, or may be violating one or more provisions of this chapter.

*Religion* means all aspects of world view, ground motive, philosophical presupposition, commitment, faith, belief, religious observance, and religious practice.

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(h) Nothing in this chapter prohibits an owner or agent from requiring that a person who seeks to buy or rent housing supply information concerning family status, and marital, financial, and business status but not concerning race, color, disability, sexual orientation, gender identity, ancestry, national origin, religion, creed, status as a victim of domestic abuse, sexual assault, or stalking.

. . . ."

Section 4. 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.

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

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3.5

R. O. No. 86 - 20 - 21. By CITY CLERK. October 19, 2020.

Submitting various license applications for the period ending December 31, 2020 and June 30, 2022.

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

BEVERAGE OPERATOR'S LICENSE (NEW) (June 30, 2022)

<u>No.</u>	<u>Name</u>	<u>Address</u>
3374	Allison, Destiny S.	3509 Eisner Ct. Apt D
2422	Bitter, Georgia S.	1011 S. 17 <sup>th</sup> Street
3379	Burns, Tricia M.	3023 N. 25 <sup>th</sup> Street
8558	Butler, Stefanni L.	1717 N. 2 <sup>nd</sup> Street
3384	Crosson, Amber L.	828 Whitcomb Avenue
3389	Damrow, Kelly M.	26 Ashwood Drive
3378	Evans, Dylan T.	1118 S. 13 <sup>th</sup> Street
2484	Hattleli, Lonnie A.	1501 S. 8 <sup>th</sup> Street
3390	Mallmann, Brianna A.	2316 S. 11 <sup>th</sup> Street
3381	Parke, Michael J.	1536 N. 35 <sup>th</sup> Street Apt. C
3388	Peterson, Christine	1903 S. 14 <sup>th</sup> Street
3385	Rolon, Janeliz	510 N. 15 <sup>th</sup> Street
2331	Wollin, Kristopher A.	3201 S. 12 <sup>th</sup> Street

TAXICAB DRIVERS LICENSE (NEW) (December 31, 2020)

<u>No.</u>	<u>Name</u>	<u>Address</u>
0799	Johnson, Mollijayne M.	W1833 Smies Road, Oostburg
3387	Lipp, Shyan M.	1133 Broadway Avenue #A

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Other Matters

8.1

R. O. No. 106 - 20 - 21. By CITY CLERK. November 16, 2020.

Submitting various license applications for the period ending December 31, 2021 and June 30, 2022.

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

BEVERAGE OPERATOR'S LICENSE (NEW) (June 30, 2022)

<u>No.</u>	<u>Name</u>	<u>Address</u>
2472	Backus, Holden J.	415 Fond du Lac Ave. Sheboygan Falls
3410	Baker, Ashley M.	2126A Henry Street
3412	Dean, Alexander M.	4247 Honeysuckle Ct. Apt. 201
3411	Dicker, Madison N.	1536 Alexander Court
3414	Garcia-Flores, Belen	1515 Alabama Avenue
1807	Markham, Cheryl A.	2222 Kroos Court
2539	Oiler, Kelly D.	1622 Georgia Avenue
3413	Ortega, Lee Roy	1032 Georgia Avenue
5339	Weimann, Lisa K.	302 Wahgouly Road
7668	Zastrow, Nicholas H.	2217 Park Place Apt. C

TAXICAB DRIVERS LICENSE (RENEW) (December 31, 2021)

<u>No.</u>	<u>Name</u>	<u>Address</u>
2843	Bernier, Kristopher A.	2102 Superior Avenue
1509	Gordon, Jody Lynn	741 Acacia, Sheboygan Falls
0565	Krueger, Nathan J.	1419 Forsythe Avenue
3326	Ruehr, William R.	1007 School Avenue #11

TAXICAB BUSINESS LICENSE (RENEW) (December 31, 2021)

<u>No.</u>	<u>Name</u>	<u>Address</u>
2509	Santanas Limo	2724 Main Avenue

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