

CITY OF SHEBOYGAN
TENTH REGULAR COMMON COUNCIL MEETING MINUTES
Monday, August 15, 2022

OPENING OF MEETING

1. Roll Call

Alderspersons present: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Ramey, Rust, and Salazar – 8.

Alderspersons excused: Mitchell and Perrella – 2.

2. Pledge of Allegiance

3. Approval of Minutes

MOTION TO APPROVE MINUTES FROM THE NINTH REGULAR COUNCIL MEETING HELD ON AUGUST 1, 2022 AND FIRST SPECIAL COUNCIL MEETING HELD ON AUGUST 8, 2022

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Salazar, Rust, Ramey – 8.

4. Public Forum

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

5. Mayoral Appointments

Kim Meller to the City Plan Commission and Kelsey Bird to the City Sustainable Task Force. Lays over.

6. Confirmation of Mayoral Appointment

Toni Muise to be appointed as the Director of Human Resources and Labor Relations

MOTION TO CONFIRM

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Salazar, Rust, Ramey – 8.

7. Confirmation of Mayoral Appointment

Joe Heidemann to Maywood Environmental Park Advisory Board

MOTION TO CONFIRM

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Salazar, Rust, Ramey – 8.

8. Presentation

\$5.3 Million Swing Bridge Grant Funding by Director of Planning and Development, Chad Pelishek and Director of Public Works, David Biebel.

9. Mayor's Announcements

Upcoming Community Events, Proclamations, Employee Recognitions

CONSENT

10. Motion to Receive and File all R.O.'s, Receive all R.C.'s and Adopt all Resolutions and Ordinances

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Salazar, Rust, Ramey – 8.

11. R. C. No. 68-22-23 by Finance and Personnel Committee whom was referred Res. No. 45-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing execution of the Department of Natural Resources Principal Forgiven Financial Assistance Agreement; recommends adopting the Resolution.

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

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Salazar, Rust, Ramey – 8.

12. R. C. No. 69-22-23 by Finance and Personnel Committee to whom was referred DIRECT REFERRAL R. O. No. 26-22-23 by Finance Director submitting a report in response to a request for direction from the Finance and Personnel Committee on the steps moving forward to complete the compensation study and wage scale adoption; recommends filing the report.

MOTION TO RECEIVE THE R. C. AND FILE THE R. O.

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Salazar, Rust, Ramey – 8.

13. R. C. No. 70-22-23 by Finance and Personnel Committee to whom was referred DIRECT REFERRAL R. O. No. 52-22-23 by Finance Director submitting a report to the Finance and Personnel Committee regarding the progress of the Carlson-Dettmann Compensation Study; recommends filing the report.

MOTION TO RECEIVE THE R. C. AND FILE THE R. O.

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Salazar, Rust, Ramey – 8.

14. R. C. No. 71-22-23 by Finance and Personnel Committee to whom was referred Res. No. 49-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing the appropriate City officials to

enter into a contract with the Sheboygan Water Utility to contribute American Rescue Plan Act - State and Local Fiscal Recovery funds to the Raw Water Intake Project; recommends adopting the Resolution.

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

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Salazar, Rust, Ramey – 8.

15. R. C. No. 74-22-23 by Public Works Committee to whom was referred Res. No. 47-22-23 by Alderpersons Dekker and Perrella authorizing the appropriate City Officials to execute a Lease Agreement between the City of Sheboygan, the Ellwood H. May Environmental Park Association of Sheboygan County, Inc., and the Sheboygan Area School District; recommends adopting the Resolution.

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

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Salazar, Rust, Ramey – 8.

16. R. C. No. 72-22-23 by Public Works Committee to whom was referred Res. No. 44-22-23 by Alderperson Ackley improving pet-friendly access to public spaces; recommends adopting the Resolution.

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

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Salazar, Rust, Ramey – 8.

17. R. C. No. 75-22-23 by Public Works Committee to whom was referred Res. No. 50-22-23 by Alderpersons Dekker and Perrella authorizing the appropriate City officials to enter into an Amendment No. 2 to the contract with Strand Associates, Inc. for design services related to the 2nd Creek Dry to Wet Pond Conversion; recommends adopting the Resolution.

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

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Salazar, Rust, Ramey – 8.

18. R. C. No. 76-22-23 by Licensing, Hearings, and Public Safety Committee to whom was referred Gen. Ord. No. 8-22-23 by Alderpersons Ackley, Dekker, and Perrella expanding the Disorderly Conduct Ordinance so as to prohibit harassment of an individual on the basis of their status as an election official and requiring an increased forfeiture for violations of this nature, and clarifying that disorderly conduct may include harassment by the use of telecommunication devices; recommends adopting the Ordinance.

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

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Salazar, Rust, Ramey – 8.

19. R. C. No. 77-22-23 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 42-22-23 by City Clerk submitting various license applications; recommends granting the license application (Lupitas Mexican Store LLC).

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

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Salazar, Rust, Ramey – 8.

20. R. C. No. 78-22-23 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 51-22-23 by City Clerk submitting various license applications; recommends granting the license applications.

MOTION TO RECEIVE THE R. C. AND GRANT THE APPLICATIONS

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Salazar, Rust, Ramey – 8.

21. R. C. No. 79-22-23 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 48-22-23 by Alderpersons Felde and Ackley establishing a rotational dispatch contract for emergency securement and board-up after fire incidents; recommends adopting the Resolution.

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

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Salazar, Rust, Ramey – 8.

22. R. C. No. 80-22-23 by Licensing, Hearings, and Public Safety Committee recommending that the Common Council not renew Beverage Operator License No. 7570 held by Juan D. Coronado.

MOTION TO RECEIVE THE R. C. AND NOT RENEW THE LICENSE

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Salazar, Rust, Ramey – 8.

REPORT OF OFFICERS

23. R. O. No. 53-22-23 by City Clerk submitting a claim from Kong Vue for alleged damages to vehicle when a tree branch fell on it. REFER TO FINANCE AND PERSONNEL COMMITTEE
24. R. O. No. 54-22-23 by City Attorney reporting that the City's outside legal counsel has settled the matter of Washington School Apartments, LLC vs. City of Sheboygan, Sheboygan County Circuit Court Case Co. 2021CV000312, with a payment by the City in the amount of \$7,496.17

representing a partial refund for property taxes paid in 2021. REFER TO FINANCE AND PERSONNEL COMMITTEE

RESOLUTIONS

25. Res. No. 53-22-23 by Alderpersons Mitchell and Filicky-Peneski approving the City of Sheboygan SouthPointe Enterprise Campus Real Estate Sales Commission Policy. REFER TO FINANCE AND PERSONNEL COMMITTEE
26. Res. No. 52-22-23 by Alderpersons Dekker and Perrella authorizing the appropriate City officials to enter into a contract with Konz Electric, LLC for the replacement of the Central Fire detection and alarm system at the Mead Public Library. REFER TO PUBLIC WORKS COMMITTEE
27. Res. No. 55-22-23 by Alderpersons Felde and Ackley authorizing the appropriate City officials to execute an agreement with Axim Geospatial for on-demand GIS support to the Sheboygan Police Department. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE
28. Res. No. 56-22-23 by Alderpersons Felde and Ackley authorizing entering into an Intergovernmental Cooperative Agreement with the Village of Kohler with regard to providing City of Sheboygan Fire personnel, equipment, and/or services in response to mass casualty events that result from an act of violence at the Aurora Medical Center-Sheboygan County, located at 3400 Union Avenue. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

REPORT OF COMMITTEES

29. R. C. No. 73-22-23 by Public Works Committee to whom was referred DIRECT REFERRAL Res. No. 51-22-23 by Alderpersons Dekker and Perrella authorizing the appropriate City Officials to enter into a contract with SmithGroup Inc. for the study and design of Harbor Centre Marina Upgrades in a two-phased approach wherein phase 1 includes analyzing existing conditions and phase 2 includes designing a new dock system and break water/harbor improvements as identified in the scope of services provided August 2, 2022; recommends adopting the Resolution.

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

Motion made by Dekker, Seconded by Rust.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Salazar, Rust, Ramey – 8.

OTHER MATTERS AUTHORIZED BY LAW

30. R. O. No. 55-22-23 by City Clerk submitting a license application (SS Northstar). REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

CLOSED SESSION

31. MOTION TO CONVENE IN CLOSED SESSION pursuant to § 19.85(1)(g), for conferring with legal counsel for the City who is rendering oral advice regarding strategy to be adopted by the body

with respect to litigation in which it is or is likely to be involved, to wit: Abigail H. Hernandez vs. City of Sheboygan Police Dept., ERD Case No.: CR202101990; EEOC Case No. 26G202200011C.

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Salazar, Rust, Ramey – 8.

RECONVENE IN OPEN SESSION

32. MOTION TO RECONVENE IN OPEN SESSION for discussion and possible actions relating to closed session.

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Salazar, Rust, Ramey – 8.

33. Res. No. 54-22-23 by Alderpersons Felde and Filicky-Peneski authorizing the City Administrator to settle the matter of the Department of Workforce Development Equal Rights Division ("ERD") Complaint regarding Abigail H. Hernandez vs. City of Sheboygan, ERD Case No. CR202101990.

MOTION TO SUSPEND THE RULES AND ADOPT THE RESOLUTION

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Salazar, Rust, Ramey – 8.

ADJOURN MEETING

34. Motion to Adjourn

MOTION TO ADJOURN AT 6:53 PM

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Salazar, Rust, Ramey – 8.