

CITY OF SHEBOYGAN
NINTH REGULAR COMMON COUNCIL MEETING MINUTES
Monday, August 01, 2022

OPENING OF MEETING

1. Roll Call

Alders present: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, and Salazar – 10.

2. Pledge of Allegiance

3. Approval of Minutes

MOTION TO APPROVE MINUTES FROM THE COUNCIL MEETING HELD JULY 18, 2022

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

4. Resignation

John Motiska from the City Plan Commission

MOTION TO ACCEPT AND FILE

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

5. Mayoral Appointment

Joe Heidemann to Maywood Environmental Park Advisory Board – Lays over.

6. Public Forum

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

7. Mayor's Announcements

Upcoming Community Events, Proclamations, Employee Recognitions

CONSENT

8. 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, Mitchell, Perrella,

Salazar, Rust, Ramey – 10.

9. R. C. No. 56-22-23 by Finance and Personnel Committee to whom was referred DIRECT REFERRAL R. O. No. 44-22-23 by Finance Director submitting a report to the Finance and Personnel Committee regarding the progress of the Carlson-Dettmann Compensation Study; recommends filing the document.

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

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

10. R. C. No. 55-22-23 by Public Works Committee to whom was referred Res. No. 39-22-23 by Alderpersons Dekker and Perrella authorizing the appropriate City officials to enter into a contract with Elexco, Inc. for the installation of fiber optic cable at the Uptown Social facility and connecting the facility to the existing "Ring of Fiber" fiber optic cable network; 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, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

11. R. C. No. 57-22-23 by Finance and Personnel Committee to whom was referred R. O. No. 11-22-23 by City Clerk submitting a claim from Laura Kampmann for alleged damages to her tire when she drove over the cover of the metal water works hole; recommends filing the claim.

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

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

12. R. C. No. 58-22-23 by Finance and Personnel Committee to whom was referred R. O. No. 19-22-23 by City Clerk submitting a claim from Richard A. Olson for alleged damages to his vehicle when it was struck by a City of Sheboygan garbage truck while parked on Custer Avenue; recommends filing the claim.

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

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

13. R. C. No. 59-22-23 by Finance and Personnel Committee to whom was referred R. O. No. 40-22-23 submitting for your information the 2023 Budget Schedule and 2023 preliminary budget fiscal factors for guidance prior to departmental budget preparation; recommends adopting the schedule and filing the document.

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

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

14. R. C. No. 60-22-23 by Finance and Personnel Committee to whom was referred R. O. No. 143-21-22 by City Clerk submitting a Summons and Complaint in the matter of PNC Bank, National Association vs. Rae R. Pape et al.; recommends filing the document.

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

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

15. R. C. No. 64-22-23 by Finance and Personnel Committee to whom was referred R. C. No. 276-21-22 by Finance and Personnel Committee to whom was referred R. O. No. 32-21-22 by City Clerk submitting a Summons and Complaint in the matter of Link Media Wisconsin, LLC v. City of Sheboygan; recommends filing the document.

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

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

16. R. O. No. 46-22-23 by Board of Water Commissioners submitting the Board of Water Commissioners' Report on the Water Utility for the second quarter of 2022.

MOTION TO ACCEPT AND FILE THE REPORT

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

17. R. C. No. 67-22-23 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 43-22-23 by City Clerk submitting a license application; recommends granting the application.

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, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

18. R. C. No. 66-22-23 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 41-22-23 by Police Chief pursuant to section 54-65 of the Municipal Code, submitting the quarterly report of Benchmark Measurements for the Police Department, for the period commencing April 1, 2022 and ending June 30, 2022; recommends filing the report.

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

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella,

Salazar, Rust, Ramey – 10.

19. R. C. No. 65-22-23 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 39-22-23 by Fire Chief pursuant to section 50-564 of the Municipal Code, submitting the quarterly report of Benchmark Measurements for the Fire Department, for the period commencing April 1, 2022 and ending June 30, 2022; recommends filing the report.

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

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

REPORT OF OFFICERS

20. R. O. No. 45-22-23 by Board of Water Commissioners submitting a copy of the Lead Service Lateral (LSL) Replacement Program update for the Sheboygan Water Utility.

MOTION TO ACCEPT AND FILE THE REPORT

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

21. R. O. No. 50-22-23 by City Clerk submitting an update to Notice of Claim submitted by Mary E. Sommersberger on October 16, 2019 for alleged injuries from a fall on Sunnyside Avenue.
REFER TO FINANCE AND PERSONNEL COMMITTEE
22. R. O. No. 49-22-23 by City Clerk submitting a claim from Brandon L. Parker for alleged damages to his vehicle when a City of Sheboygan tree fell on it. REFER TO FINANCE AND PERSONNEL COMMITTEE
23. R. O. No. 48-22-23 by City Clerk submitting a Summons and Complaint in the matter of One More Time, LLC vs. City of Sheboygan. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE
24. R. O. No. 47-22-23 by City Clerk submitting a Summons and Complaint in the matter of US Bank National Association v. Michelle Aguilar et al. REFER TO FINANCE AND PERSONNEL COMMITTEE
25. R. O. No. 51-22-23 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

RESOLUTIONS

26. Res. No. 44-22-23 by Alderperson Ackley improving pet-friendly access to public spaces. REFER PUBLIC WORKS COMMITTEE
27. Res. No. 45-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing execution of the Department of Natural Resources Principal Forgiven Financial Assistance Agreement. REFER TO FINANCE AND PERSONNEL COMMITTEE

28. Res. No. 46-22-23 by Alderpersons Felde, Dekker, and Mitchell authorizing the filing of an application with the Wisconsin Department of Transportation and authorizing the executing of the contract pertaining to grants for calendar year 2023, under Federal Mass Transit Operating Assistance program, 49 U.S.C. 5307, and State Urban Mass Transit Operating Assistance program, Wis. Stat. § 85.20, as amended. REFER TO TRANSIT COMMISSION
29. 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. REFER TO PUBLIC WORKS COMMITTEE
30. Res. No. 48-22-23 by Alderpersons Felde and Ackley establishing a rotational dispatch contract for emergency securement and board-up after fire incidents. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE
31. 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. REFER TO FINANCE AND PERSONNEL COMMITTEE
32. 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. REFER TO PUBLIC WORKS COMMITTEE

REPORT OF COMMITTEES

33. R. C. No. 61-22-23 by Finance and Personnel Committee to whom was referred Res. No. 40-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing a transfer in the 2022 budget from contingency to the Department of Public Works to fund the unexpected replacement of their Leica Robotic Total Station; recommends adopting the Resolution.

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

Motion made by Mitchell, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

34. R. C. No. 62-22-23 by Finance and Personnel Committee to whom was referred Res. No. 42-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing a transfer in the 2022 budget from contingency to the Police Department for unanticipated repairs resulting from a burst sprinkler pipe; recommends adopting the Resolution.

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

Motion made by Mitchell, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

35. R. C. No. 63-22-23 by Finance and Personnel Committee to whom was referred Res. No. 43-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing a budget amendment to pay for the hiring of an Engagement Coordinator in the Senior Services Department; recommends adopting the Resolution.

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

Motion made by Mitchell, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.

GENERAL ORDINANCES

36. 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. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE
37. Gen. Ord. No. 9-22-23 by Alderpersons Felde and Dekker establishing a Responsible Bidder Policy for the City of Sheboygan. REFER TO PUBLIC WORKS COMMITTEE

ADJOURN MEETING

38. Motion to Adjourn

MOTION TO ADJOURN AT 6:13 PM

Motion made by Felde, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar, Rust, Ramey – 10.