

**CITY OF SHEBOYGAN**  
**TWENTY-FIRST REGULAR COMMON COUNCIL MEETING**  
**MINUTES**

**Monday, February 07, 2022**

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**OPENING OF MEETING**

**1. Roll Call**

*Alders present: Walton, Ackley, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell – 8.*

*Alderperson excused: Felde – 1.*

*Alderperson unexcused: Salazar – 1.*

**2. Pledge of Allegiance**

*Boy Scout Pack #3859 of St. Dominic*

**3. Approval of Minutes**

MOTION TO APPROVE MINUTES FROM JANUARY 17, 2022

Motion made by Filicky-Peneski, Seconded by Mitchell.

Voting Yea: Walton, Ackley, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell - 8.

**4. Mayoral Appointment**

*Salaseni (Sala) Sander to the Zoning Board of Appeals – Lays over.*

**5. Public Forum**

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

**6. Mayor's Announcements**

*Upcoming Community Events, Proclamations, Employee Recognitions*

**7. Presentation**

*State of the City by Mayor Ryan Sorenson*

**HEARINGS**

8. Hearing No. 11-21-22 pursuant to a notice published and personal notices sent by the City Clerk, there is a hearing scheduled for this evening to amend the City's Future Land Use Map of the Sheboygan Comprehensive Plan to change the Land Use Classification of property located on Erie Avenue (Parcel #59281204550 and Parcel #59281204560) from Class Employment to Class Multi-family Residential.

No one spoke.

MOTION TO CLOSE HEARING

Motion made by Filicky-Peneski, Seconded by Savaglio.

Voting Yea: Walton, Ackley, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell - 8.

9. Hearing No. 12-21-22 pursuant to a notice published and personal notices sent by the City Clerk, there is a hearing scheduled for this evening to amend the City of Sheboygan Official Zoning Map to change the Land Use Classification of property located on Erie Avenue (Parcel #59281204550 and Parcel #59281204560) from Class Urban Industrial (UI) to Class Urban Residential (UR-12).

Chad Pelishek spoke.

MOTION TO CLOSE HEARING

Motion made by Filicky-Peneski, Seconded by Dekker.

Voting Yea: Walton, Ackley, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell - 8.

**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 Filicky-Peneski, Seconded by Dekker.

Voting Yea: Walton, Ackley, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell - 8.

11. R. O. No. 125-21-22 by Board of License Examiners submitting an application for a Building Contractor License already granted.

MOTION TO RECEIVE AND FILE THE R. O.

Motion made by Filicky-Peneski, Seconded by Dekker.

Voting Yea: Walton, Ackley, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell - 8.

12. R. C. No. 206-21-22 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 117-21-22 by Chief of Police Christopher Domagalski pursuant to section 54-65 of the Municipal Code, submitting the quarterly report showing the Benchmark Measurements for the Police Department for the period commencing October 1, 2021 and ending December 31, 2021; recommends filing the report.

MOTION TO HOLD UNTIL THE FEBRUARY 21, 2022 COUNCIL MEETING

Motion made by Filicky-Peneski, Seconded by Dekker.

Voting Yea: Walton, Ackley, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell - 8.

13. R. C. No. 207-21-22 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 118-21-22 by Fire Chief pursuant to section 50-564 of the Municipal Code, submitting the quarterly report showing the Benchmark Measurements for the Fire Department for the period commencing October 1, 2021 and ending December 31, 2021; recommends filing the report.

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

Motion made by Filicky-Peneski, Seconded by Dekker.

Voting Yea: Walton, Ackley, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell - 8.

14. R. C. No. 209-21-22 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 120-21-22 by City Clerk submitting various license applications; recommends granting the applications.

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

Motion made by Filicky-Peneski, Seconded by Dekker.

Voting Yea: Walton, Ackley, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell - 8.

15. R. C. No. 208-21-22 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 125-21-22 by Alderpersons Felde and Ackley authorizing the appropriate City officials to accept and expend funds received from the Wisconsin Department of Justice as part of the Byrne Memorial Justice Assistance Grant (JAG) Program; recommends adopting the Resolution.

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

Motion made by Filicky-Peneski, Seconded by Dekker.

Voting Yea: Walton, Ackley, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell - 8.

16. R. C. No. 205-21-22 by Public Works Committee to whom was referred Gen. Ord. No. 37-21-22 by Alderpersons Dekker and Perrella changing the speed limit on South 12th Street south of Carmen Avenue from 35 MPH to 25 MPH; recommends adopting the Ordinance.

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

Motion made by Filicky-Peneski, Seconded by Dekker.

Voting Yea: Walton, Ackley, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell - 8.

**REPORT OF OFFICERS**

17. R. O. No. 121-21-22 by City Clerk submitting a claim for excessive assessment from Reinhart Attorneys at Law regarding Tax Parcel No. 59281505650 (Bader State Lofts LP). REFER TO FINANCE AND PERSONNEL COMMITTEE
18. R. O. No. 122-21-22 by City Clerk submitting a claim of unlawful tax from Reinhart Attorneys at Law regarding Parcel No. 59281860858P and Parcel No. 59281860857P (Midstate Amusement Games, LLC). REFER TO FINANCE AND PERSONNEL COMMITTEE
19. R. O. No. 123-21-22 by Finance Director reporting that, pursuant to Res. No. 66-20-21 authorizing the City Administrator to negotiate settlement of certain claims made by the City of Sheboygan, City Invoice No. 6880, in the amount of \$4,611.23, billed to Brian Dehne, regarding damage to a street light/sign located at the corner of 8th Street and Erie Avenue on April 4, 2018, has been settled with a payment to the City of Sheboygan in the amount of \$4,000.00. REFER TO FINANCE AND PERSONNEL COMMITTEE

20. R. O. No. 124-21-22 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

## RESOLUTIONS

21. Res. No. 126-21-22 by Alderpersons Felde and Filicky-Peneski authorizing the appropriate City officials to execute a conflict waiver letter prepared by von Briesen & Roper, s.c. regarding representation of the City of Sheboygan and Rogers Behavioral Health.

### MOTION TO SUSPEND THE RULES AND ADOPT THE RESOLUTION

Motion made by Filicky-Peneski, Seconded by Dekker.

Voting Yea: Walton, Ackley, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell - 8.

22. Res. No. 129-21-22 by Alderpersons Dekker and Mitchell authorizing the Mayor to execute the 2022 General Contract between Sheboygan County Health & Human Services Department and Shoreline Metro regarding transportation for elderly and disabled individuals.

### MOTION TO SUSPEND THE RULES AND ADOPT THE RESOLUTION

Motion made by Dekker, Seconded by Perrella.

Voting Yea: Walton, Ackley, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell - 8.

23. Res. No. 127-21-22 by Alderpersons Mitchell and Filicky-Peneski authorizing the sale of City Parking Lot No. 11 located adjacent to and immediately east of 513 North 8th Street to James T. Passmore. REFER TO FINANCE AND PERSONNEL COMMITTEE
24. Res. No. 130-21-22 by Alderpersons Mitchell and Filicky-Peneski authorizing entering into a Development Agreement with CORTA Sheboygan, LLC and NS Retail Holdings, LLC. REFER TO FINANCE AND PERSONNEL COMMITTEE
25. Res. No. 131-21-22 by Alderpersons Mitchell and Filicky-Peneski providing for the sale of approximately \$2,215,000 General Obligation Promissory Notes, Series 2022A. REFER TO FINANCE AND PERSONNEL COMMITTEE
26. Res. No. 134-21-22 by Alderpersons Mitchell and Filicky-Peneski authorizing a budget transfer and appropriation in the 2022 budget to complete an interfund transfer between the Tax Incremental District 6 Debt Fund and the Redevelopment Authority Fund. REFER TO FINANCE AND PERSONNEL COMMITTEE
27. Res. No. 128-21-22 by Alderperson Perrella pursuant to Sheboygan Municipal Code §74-63(3) to permit the Winterfest Event at Fountain Park on February 26, 2022 to incorporate a fire. REFER TO PUBLIC WORKS COMMITTEE
28. Res. No. 132-21-22 by Alderpersons Dekker and Perrella authorizing the appropriate City officials to accept the temporary easement for the City to conduct maintenance activities on a drainage swale adjacent to 4812 Ferndale Court. REFER TO PUBLIC WORKS COMMITTEE

29. Res. No. 133-21-22 by Alderpersons Dekker and Perrella authorizing the appropriate City officials to execute an agreement with Schichtel's Nursery, Inc. regarding the purchase of street trees. REFER TO PUBLIC WORKS COMMITTEE
30. Res. No. 135-21-22 by Alderpersons Dekker and Perrella authorizing a Relocation Order in the City of Sheboygan, Sheboygan County, Wisconsin related to the Southside Sewer Interceptor. REFER TO PUBLIC WORKS COMMITTEE
31. Res. No. 136-21-22 by Alderpersons Dekker and Perrella authorizing executing a one-year lease for the agricultural property in the City of Sheboygan formerly owned by John Poth, Jr. REFER TO PUBLIC WORKS COMMITTEE
32. Res. No. 137-21-22 by Alderpersons Mitchell and Filicky-Peneski authorizing the purchase of 5509 Moenning and vacant land located East of Moenning Road for future use by the City. REFER TO FINANCE AND PERSONNEL COMMITTEE

## **REPORT OF COMMITTEES**

33. R. C. No. 204-21-22 by Finance and Personnel Committee to whom was referred Charter Ordinance No. 1-21-22 by Alderpersons Felde and Filicky-Peneski (being subject to the home rule provisions of § 66.0101 of the Wisconsin Statutes) to establish the office of Director of Senior Services as a position at the department head level to permit the City Administrator to make interim appointments to fill vacancies in all department head level appointive offices where specific provisions for filling said vacancies is not otherwise provided by state law; recommends adopting the Charter Ordinance as amended.

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

Motion made by Mitchell, Seconded by Filicky-Peneski.

Voting Yea: Walton, Ackley, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell - 8.

## **GENERAL ORDINANCES**

34. G. O. No. 38-21-22 by Alderperson Savaglio annexing territory from the Town of Sheboygan to the City of Sheboygan, Wisconsin. REFER TO CITY PLAN COMMISSION

## **MATTERS LAID OVER**

35. R. O. No. 115-21-22 by City Plan Commission to whom was referred Gen. Ord. No. 33-21-22 by Alderperson Perrella amending the City's Future Land Use Map of the Sheboygan Comprehensive Plan to change the Land Use Classification of property located on Erie Avenue - Parcel #59281204550 and Parcel #59281204560 from Employment to Multi-Family Residential Classification; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, January 11, 2022, and after due consideration, recommends receiving the R. O. and adopting the Ordinance.

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

Motion made by Mitchell, Seconded by Filicky-Peneski.

Voting Yea: Walton, Ackley, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell - 8.

36. R. O. No. 116-21-22 by City Plan Commission to whom was referred Gen. Ord. No. 34-21-22 by Alderperson Perrella and R. O. No. 111-21-22 by City Clerk amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification for property located on Erie Avenue – Parcel #59281204550 and Parcel #59281204560 from Class Urban Industrial (UI) to Urban Residential (UR-12) Classification; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, January 11, 2022, and after due consideration, recommends filing the R. O. and adopting the Ordinance.

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

Motion made by Mitchell, Seconded by Perrella.

Voting Yea: Walton, Ackley, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell - 8.

#### **OTHER MATTERS AUTHORIZED BY LAW**

37. Res. No. 138-21-22 by Alderpersons Mitchell and Filicky-Peneski authorizing the appropriate City Officials to execute an engagement letter with Quarles & Brady LLP to serve as bond counsel with regard to General Obligation Promissory Notes. REFER TO FINANCE AND PERSONNEL COMMITTEE

#### **ADJOURN MEETING**

38. Motion to Adjourn

MOTION TO ADJOURN AT 6:32 PM

Motion made by Filicky-Peneski, Seconded by Dekker.

Voting Yea: Walton, Ackley, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell - 8.