

CITY OF SHEBOYGAN
TWENTY-THIRD REGULAR COMMON COUNCIL MEETING
MINUTES

Monday, March 06, 2023

OPENING OF MEETING

1. Roll Call

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

2. Pledge of Allegiance

3. Approval of Minutes

Twenty-Second Regular Council Meeting held on February 20, 2023

MOTION TO APPROVE THE MINUTES

Motion made by Felde, Seconded by Filicky-Peneski.

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

4. Public Forum

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

5. Mayor's Announcements

Upcoming Community Events, Proclamations, Employee Recognitions

CONSENT

6. 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, Ramey, Rust, Salazar – 10.

7. R. C. No. 172-22-23 by Finance and Personnel Committee to whom was referred Res. No. 133-22-23 by Alderspersons Mitchell and Filicky-Peneski authorizing the purchase of 1214 South 11th Street to assist in infrastructure development for the City; 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, Ramey, Rust, Salazar – 10.

8. R. C. No. 173-22-23 by Finance and Personnel Committee to whom was referred Res. No. 137-22-23 by Alderspersons Mitchell and Filicky-Peneski terminating the City of Sheboygan Tax Incremental District (TID) No. 6 (South Pier/Lakefront District) and authorizing the Finance Director to distribute excess increment to overlying taxing districts; 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, Ramey, Rust, Salazar – 10.

9. R. C. No. 174-22-23 by Finance and Personnel Committee to whom was referred Res. No. 138-22-23 by Alderpersons Mitchell and Filicky-Peneski terminating the City of Sheboygan Tax Incremental District (TID) No. 10 (Water Street Neighborhood) and authorizing the Finance Director to distribute excess increment to overlying taxing districts; 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, Ramey, Rust, Salazar – 10.

10. R. C. No. 175-22-23 by Finance and Personnel Committee to whom was referred Res. No. 139-22-23 by Alderpersons Mitchell and Filicky-Peneski terminating the City of Sheboygan Tax Incremental District (TID) No. 12 (Niagara Avenue) and authorizing the Finance Director to distribute excess increment to overlying taxing districts; 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, Ramey, Rust, Salazar – 10.

11. R. C. No. 176-22-23 by Finance and Personnel Committee to whom was referred Res. No. 140-22-23 by Alderpersons Mitchell and Filicky-Peneski terminating the City of Sheboygan Tax Incremental District (TID) No. 13 (Landmark Square/Founders Club) and authorizing the Finance Director to distribute excess increment to overlying taxing districts; 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, Ramey, Rust, Salazar – 10.

12. R. C. No. 177-22-23 by Finance and Personnel Committee to whom was referred Res. No. 141-22-23 by Alderpersons Mitchell and Filicky-Peneski terminating the City of Sheboygan Tax Incremental District (TID) No. 14 (Taylor Drive) and authorizing the Finance Director to distribute excess increment to overlying taxing districts; 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, Ramey, Rust, Salazar – 10.

13. R. C. No. 178-22-23 by Finance and Personnel Committee to whom was referred Res. No. 142-22-23 by Alderpersons Mitchell and Filicky-Peneski terminating the City of Sheboygan Tax Incremental District (TID) No. 15 (Pick N Save-Southside) and authorizing the Finance Director to distribute excess increment to overlying taxing districts; 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, Ramey, Rust, Salazar – 10.

14. R. C. No. 179-22-23 by Finance and Personnel Committee to whom was referred Gen. Ord. No. 28-22-23 by Alderpersons Mitchell and Filicky-Peneski amending the process for preparation and approval of the City's Executive Budget contained in Sections 2-903 and 2-905 of the Municipal Code; 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, Mitchell, Perrella, Ramey, Rust, Salazar – 10.

15. R. C. No. 180-22-23 by Committee of the Whole to whom was referred Res. No. 136-22-23 by Alderperson Dekker adopting the City of Sheboygan 2023-2028 Strategic Plan; recommends filing the document and request Baker Tilly work with elected and appointed city management and administration to create an updated document for the 2023-2024 Common Council with the intention of the 2023-2024 Common Council bringing a Resolution back to the Committee of the Whole at a bare minimum for discussion regarding future strategic plan.

MOTION TO RECEIVE THE R. C. AND FILE THE DOCUMENT AND REQUEST BAKER TILLY WORK WITH ELECTED AND APPOINTED MANAGEMENT TO CREATE NEW DOCUMENT FOR 2023-2024 COUNCIL TO BRING BACK TO COMMITTEE OF THE WHOLE

Motion made by Felde, Seconded by Filicky-Peneski.

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

16. R. C. No. 181-22-23 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 110-22-23 by City Clerk submitting various license applications; recommends granting the 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, Mitchell, Perrella, Ramey, Rust, Salazar – 10.

REPORT OF OFFICERS

17. R. O. No. 115-22-23 by City Plan Commission to whom was referred Gen. Ord. No. 21-22-23 by Alderperson Felde amending the City's Future Land Use Map of the Sheboygan Comprehensive Plan to change the Use District Classification for property located off of the Northeast corner of N. Taylor Drive and Saemann Avenue – Parcel #59281631481 (Lot 1) from Public Parks and Open Space to Multi-Family Residential Classification; recommends adopting the Ordinance. LAYS OVER
18. R. O. No. 116-22-23 by City Plan Commission to whom was referred Gen. Ord. No. 22-22-23 by Alderperson Felde amending the City's Future Land Use Map of the Sheboygan Comprehensive Plan to change the Use District Classification for property located off of the Northeast corner of N. Taylor Drive and Saemann Avenue – Parcel #59281631481 (Lot 2) from Public Parks and Open Space to Institutional and Community Facilities Classification; recommends adopting the Ordinance. LAYS OVER
19. R. O. No. 117-22-23 by City Plan Commission to whom was referred Gen. Ord. No. 23-22-23 by Alderperson Felde amending the City's Future Land Use Map of the Sheboygan Comprehensive Plan to change the Use District Classification for property located off of the Northeast corner of N. Taylor Drive

and Saemann Avenue – Parcel #59281631481 (Lot 3) from Public Parks and Open Space to Multi-Family Residential Classification; recommends adopting the Ordinance. LAYS OVER

20. R. O. No. 111-22-23 by City Plan Commission to whom was referred Gen. Ord. No. 24-22-23 by Alderperson Felde and R. O. No. 107-22-23 by City Clerk submitting an application from Froedtert Health, Inc. to amend the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification for property located off of the Northeast corner of N. Taylor Drive and Saemann Avenue – Parcel #59281631481 (Lot 1) from Suburban Residential (SR-5) to Urban Residential (UR-12) Classification; recommends filing the R. O. and adopting the Ordinance. LAYS OVER
21. R. O. No. 112-22-23 by City Plan Commission to whom was referred Gen. Ord. No. 25-22-23 by Alderperson Felde and R. O. No. 108-22-23 by City Clerk submitting an application from Froedtert Health, Inc. to amend the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification for property located off of the Northeast corner of N. Taylor Drive and Saemann Avenue – Parcel #59281631481 (Lot 2) from Suburban Residential (SR-5) to Suburban Office (SO) Classification; recommends filing the R. O. and adopting the Ordinance. LAYS OVER
22. R. O. No. 113-22-23 by City Plan Commission to whom was referred Gen. Ord. No. 26-22-23 by Alderperson Felde and R. O. No. 109-22-23 by City Clerk submitting an application from Froedtert Health, Inc. to amend the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification for property located off of the Northeast corner of N. Taylor Drive and Saemann Avenue – Parcel #59281631481 (Lot 3) from Suburban Residential (SR-5) to Urban Residential (UR-12) Classification.; recommends filing the R. O. and adopting the Ordinance. LAYS OVER
23. R. O. No. 114-22-23 to whom was referred Gen. Ord. No. 27-22-23 by Alderperson Mitchell amending Section 15.207 of the City of Sheboygan Zoning Ordinance, Nonconforming Use Regulations, and Section 15.934, Zoning Board of Appeals, so as to streamline and expedite the process of reviewing nonconforming use applications; recommends adopting the Ordinance. LAYS OVER
24. R. O. No. 118-22-23 by City Clerk submitting an encroachment request from JB Site Design and Engineering, LLC pursuant to the request of the owner (Sheboygan Self Storage, LLC) of South 13th Street and Kentucky Avenue right of way for the purpose of addressing the existing building structure, emergency egress, and adding a sun shade. REFER TO CITY PLAN COMMISSION
25. R. O. No. 120-22-23 by City Clerk submitting a notice of claim and claim on behalf of Jamie Haack, by her attorneys, Diane M. Welsh and Eduardo E. Castro of Pines Bach LLP, for alleged damages. REFER TO FINANCE AND PERSONNEL COMMITTEE
26. R. O. No. 119-22-23 by City Clerk submitting a notice of claim and claim on behalf of Alexandra Guevara, by her attorneys, Diane M. Welsh and Eduardo E. Castro of Pines Bach LLP, for alleged damages. REFER TO FINANCE AND PERSONNEL COMMITTEE
27. R. O. No. 121-22-23 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

RESOLUTIONS

28. Res. No. 148-22-23 by Alderpersons Felde and Filicky-Peneski authorizing the appropriate City officials to execute a License Agreement and Addendum with the Sheboygan County Register of Deeds regarding online access to real estate records maintained in the Register of Deeds office.

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

29. Res. No. 152-22-23 by alderpersons Felde and Filicky-Peneski ordering a hearing on the vacation and discontinuance of the east-west alley between South 10th Street and the former South Commerce Street, located in Block 243 of the Original Plat. SUSPEND THE RULES AND ADOPT THE RESOLUTION

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

30. Res. No. 154-22-23 by Alderpersons Felde and Filicky-Peneski vacating the east-west alley between South 10th Street and the former South Commerce Street, located in Block 243 of the Original Plat. REFER TO CITY PLAN COMMISSION
31. Res. No. 149-22-33 by Alderpersons Mitchell and Filicky-Peneski authorizing the Director of Public Works to issue purchase orders for the purchase of six mobile column hoists at the Municipal Services Building and authorizing an adjustment to the 2023 budget to fund the unanticipated purchase. REFER TO FINANCE AND PERSONNEL COMMITTEE
32. Res. No. 143-22-23 by Alderpersons Mitchell and Filicky-Peneski confirming the exercise of police power in making an assessment for the benefited properties against which assessments are proposed for Parking Assessment District No. 1. REFER TO FINANCE AND PERSONNEL COMMITTEE
33. Res. No. 144-22-23 by Alderpersons Mitchell and Filicky-Peneski confirming the exercise of police power in making an assessment for the benefited properties against which assessments are proposed for Parking Assessment District No. 2. REFER TO FINANCE AND PERSONNEL COMMITTEE
34. Res. No. 145-22-23 by Alderpersons Mitchell and Filicky-Peneski confirming the exercise of police power in making an assessment for the benefited properties against which assessments are proposed for Parking Assessment District No. 4. REFER TO FINANCE AND PERSONNEL COMMITTEE
35. Res. No. 146-22-23 by Alderpersons Mitchell and Filicky-Peneski confirming the exercise of police power in making an assessment for the benefited properties against which assessments are proposed for Parking Assessment District No. 5. REFER TO FINANCE AND PERSONNEL COMMITTEE
36. Res. No. 147-22-23 by Alderpersons Dekker and Rust 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
37. Res. No. 150-22-23 by Alderpersons Dekker and Rust authorizing the appropriate City officials to enter into a contract with Klunck Masonry LLC for the 2023 Sidewalk Program. REFER TO PUBLIC WORKS COMMITTEE
38. Res. No. 151-22-23 by Alderpersons Dekker and Rust authorizing the appropriate City officials to enter into a contract with Buteyn-Peterson Construction Company for miscellaneous sewer repairs. REFER TO PUBLIC WORKS COMMITTEE

39. Res. No. 153-22-23 by Alderpersons Mitchell and Filicky-Peneski appointing the chairperson of the Finance and Personnel Committee to take certain actions and exercise certain authority of the common council as has been delegated to the city administrator during the current vacancy in the position of city administrator. REFER TO FINANCE AND PERSONNEL COMMITTEE

REPORT OF COMMITTEES

GENERAL ORDINANCES

40. Gen. Ord. No. 29-22-23 by Alderperson Perrella granting Sheboygan Self Storage, LLC, its successors and assigns, the privilege of encroaching upon described portions of South 13th Street and Kentucky Avenue right of way in the City of Sheboygan for the purpose of addressing the existing building structure, emergency egress, and adding a sun shade feature. REFER TO CITY PLAN COMMISSION

OTHER MATTERS AUTHORIZED BY LAW

41. Res. No. 155-22-23 by Alderpersons Dekker and Rust authorizing the appropriate City officials to enter into a contract with Vinton Construction Company for the construction of the Calumet Drive Pavement Repair. REFER TO PUBLIC WORKS COMMITTEE

ADJOURN MEETING

42. Motion to Adjourn

MOTION TO ADJOURN AT 6:12 PM

Motion made by Felde, Seconded by Filicky-Peneski.

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