

CITY OF SHEBOYGAN
TWENTY-THIRD REGULAR COMMON COUNCIL MEETING
MINUTES

Monday, March 04, 2024

OPENING OF MEETING

1. Roll Call

Alders present: Dekker, Felde (remote), Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

Alders excused: Ackley – 1.

2. Pledge of Allegiance

3. Resignation

Amanda Salazar from the Room Tax Commission and Transit Commission effective March 5, 2024

MOTION TO ACCEPT AND FILE

Motion made by Dekker, Seconded by Filicky-Peneski.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

4. Confirmation of Mayoral Appointments

Julia Hart to the Library Board

Michael Vandersteen to the Board of Review

Mark Mahoney to the Sustainability Taskforce

Alders Zach Rust to Licensing, Hearings, and Public Safety Committee (Chairperson)

MOTION TO CONFIRM

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

5. Approval of Minutes

Twenty-Second Regular Council Meeting held on February 19, 2024

MOTION TO APPROVE

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

6. Public Forum

Limit of five people having five minutes each with comments limited to items on this agenda.

Mike Brunette and Bryan Kelly spoke.

7. Announcement

Election - Alderperson District 3 on March 18, 2024

8. Mayor's Announcements

Upcoming Community Events, Proclamations, Employee Recognitions

HEARINGS

9. Hearing No. 7-23-24 is scheduled this evening for the purpose of amending the City of Sheboygan's Official Zoning Ordinance for the purpose of amending The City's Planned Unit Development (PUD) process so as to streamline it and make it more user friendly.

Bryan Kelly spoke.

MOTION TO CLOSE HEARING

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

10. Hearing No. 8-23-24 pursuant to letters sent and a notice published by the City Clerk, there is a hearing scheduled this evening for the purpose to change the Land Use Classification of property located west of 3512 Wilgus Avenue – Parcel No. 59281215833 from Class Suburban Commercial (SC) to Suburban Commercial (SC) with PUD Overlay Classification.

MOTION TO CLOSE HEARING

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

11. Hearing No. 9-23-24 pursuant to letters sent and a notice published by the City Clerk, there is a hearing scheduled this evening for the purpose to change the Land Use Classification of property located at 3512 Wilgus Avenue – Parcel No. 59281215827 from Class Suburban Commercial (SC) to Suburban Commercial (SC) with PUD Overlay Classification.

MOTION TO CLOSE HEARING

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

CONSENT

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

13. R. C. No. 208-23-24 by Finance and Personnel Committee to whom was referred Res. No. 160-23-24 by Alderpersons Mitchell and Filicky-Peneski authorizing an amendment in the 2024 Police Department budget due to changes to the Law Enforcement-Based Victim Services Approved Budget Grant Agreement; recommends adopting the Resolution.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

14. R. C. No. 210-23-24 by Finance and Personnel Committee to whom was referred R. O. No. 109-23-24 by Finance Director/Treasurer submitting a communication from the Harbor Centre Business Improvement District requesting that the City of Sheboygan release all funds collected on their behalf and those funds allocated to them for fiscal year 2024; recommends filing the document and approving the Finance department to release the funds.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

15. R. C. No. 211-23-24 by Finance and Personnel Committee to whom was referred R. O. No. 110-23-24 by Comptroller Evan Grossen Pursuant to Sheboygan Municipal Code § 2-912(b), which requires the comptroller to file with the common council, not less than monthly, a list of the claims approved, showing the date paid, the name of the claimant, the purpose and the amount, the attached list of paid vouchers for January 2024 is being provided; recommends filing the document.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

16. R. C. No. 215-23-24 by Public Works Committee to whom was referred Res. No. 162-23-24 by Alderpersons Dekker and Rust authorizing the appropriate City officials to enter into a contract with Vinton Construction Company, Inc. for the construction of the Veterans Memorial Park Pickleball and Basketball Courts and authorizing an amendment to the 2024 budget to cover the contract cost; recommends adopting the Resolution.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

17. R. C. No. 214-23-24 by Public Works Committee to whom was referred Res. No. 168-23-24 by Alderpersons Dekker and Rust authorizing the Purchasing Agent to issue a purchase order for a 2024 Husqvarna diesel powered walk-behind concrete saw and accessories for the Motor Vehicle Division of the Department of Public Works; recommends adopting the Resolution.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

18. R. C. No. 213-23-24 by Public Works Committee to whom was referred Res. No. 157-23-24 by Alderpersons Dekker and Rust authorizing a one-year loan of the Phoenix passenger ship model by the City of Sheboygan to the Wisconsin Maritime Museum; recommends adopting the Resolution.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

19. R. C. No. 216-23-24 by Public Works Committee to whom was referred Res. No. 161-23-24 by Alderpersons Dekker and Rust authorizing the Purchasing Agent to issue a purchase order for two 2023 packer trucks for the Department of Public Works; recommends adopting the Resolution.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

20. R. C. No. 217-23-24 by Public Works Committee to whom was referred Res. No. 159-23-24 by Alderpersons Dekker and Rust authorizing the appropriate City officials to enter into a contract with Buteyn-Peterson Construction Company, Inc. for the construction of the Kiwanis Park Trail Extension and authorizing an amendment to the 2024 budget to cover the contract cost; recommends adopting the Resolution.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

21. R. C. No. 218-23-24 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 114-23-24 submitting a “CLASS B” license application (Linos LLC); recommends approving the application.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

REPORT OF OFFICERS

22. R. O. No. 117-23-24 by City Plan Commission to whom was referred Res. No. 163-23-24 by Alderpersons Mitchell and Filicky-Peneski establishing the boundaries of and approving the project plan for Tax Incremental District No. 21; recommends adopting the Resolution with the Project Plan dated February 20, 2024.

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

Motion made by Mitchell, Seconded by Filicky-Peneski.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

23. R. O. No. 118-23-24 by City Plan Commission to whom was referred Res. No. 164-23-24 by Alderpersons Mitchell and Filicky-Peneski establishing the boundaries of and approving the project plan for Tax Incremental District No. 22; recommends adopting the Resolution with the Project Plan dated February 20, 2024.

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

Motion made by Mitchell, Seconded by Filicky-Peneski.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

24. R. O. No. 119-23-24 by City Plan Commission to whom was referred Res. No. 165-23-24 by Alderpersons Mitchell and Filicky-Peneski establishing the boundaries of and approving the project plan for Tax Incremental District No. 23; recommends adopting the Resolution with the Project Plan dated February 20, 2024.

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

Motion made by Mitchell, Seconded by Filicky-Peneski.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

25. R. O. No. 120-23-24 by City Plan Commission to whom was referred Res. No. 166-23-24 by Alderpersons Mitchell and Filicky-Peneski establishing the boundaries of and approving the project plan for Tax Incremental District No. 24; recommends adopting the Resolution with the Project Plan dated February 20, 2024.

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

Motion made by Mitchell, Seconded by Filicky-Peneski.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

26. R. O. No. 121-23-24 by City Plan Commission to whom was referred Gen. Ord. No. 41-23-24 by Alderperson Mitchell and R. O. No. 108-23-24 by City Clerk submitting an application for amendment of the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance for property located around 1828 Oakland Avenue including Parcel Nos. 59281425440, 59281425550, and 59281425510 from Class Urban Industrial (UI) to Class Urban Industrial (UI) with PUD Overlay Classification; recommends filing the R.O. and adopting the Ordinance.
LAYS OVER

27. R. O. No. 116-23-24 by IT Director Eric Bushman submitting a memo requesting replacing the City of Sheboygan's current on-premises Exchange server and Microsoft Office products with Microsoft Office 365. REFER TO FINANCE AND PERSONNEL COMMITTEE

28. R. O. No. 122-23-24 by City Clerk submitting a license application (Mojo and Brews LLC). REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

RESOLUTIONS

29. Res. No. 177-23-24 by Alderpersons Salazar, Ramey, and Perrella expressing the sense of the council that a portion of the 800 block of St. Clair Ave. be closed to vehicular traffic for the purpose of establishing a permanent public space in the location of the "Uptown Parklet," and

directing the City Administrator to establish a plan and take necessary steps toward this purpose and to report as appropriate on his progress in doing so.

Salazar requests to suspend the rules, Filicky-Peneski objects.

Voting Yea: Dekker, Felde, Perrella, Ramey, Rust Salazar – 6.

Voting Nay: Mitchell, Heidemann, Filicky-Peneski – 3.

MOTION TO ADOPT THE RESOLUTION

Motion made by Salazar, Seconded by Ramey.

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

Voting Nay: Mitchell – 1.

30. Res. No. 170-23-24 by Alderpersons Mitchell and Filicky-Peneski extending the life of Tax Incremental Financing District No. 001E (TID 1E) for one year to fund affordable housing programs and projects within the City of Sheboygan, Wisconsin. REFER TO FINANCE AND PERSONNEL COMMITTEE
31. Res. No. 171-23-24 by Alderpersons Mitchell and Filicky-Peneski authorizing the Finance Director to complete a 2024 budget amendment to cover the costs of transitioning the City's current Microsoft Office products to Microsoft Office 365. REFER TO FINANCE AND PERSONNEL COMMITTEE
32. Res. No. 172-23-24 by Alderpersons Salazar and Felde authorizing the Purchasing Agent to issue a purchase order for a 2024 Ford F-150 Four-Wheel Drive Pickup Truck for the Sheboygan Police Dept. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE
33. Res. No. 173-23-24 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
34. Res. No. 174-23-24 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
35. Res. No. 175-23-24 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
36. Res. No. 176-23-24 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
37. Res. No. 178-23-24 by Alderpersons Mitchell and Filicky-Peneski authorizing the appropriate City officials to execute a Ground Lease between Sheboygan WP, LLC and the City of Sheboygan regarding land in the Sheboygan Business Center. REFER TO FINANCE AND PERSONNEL COMMITTEE

REPORT OF COMMITTEES

38. R. C. No. 207-23-24 by Finance and Personnel Committee to whom was referred Direct Referral R. O. No. 115-23-24 by City Administrator Casey Bradley submitting a communication to Mayor Ryan Sorenson and Common Council members requesting to have Kapur function as the City's Director of Public Works and City Engineer during the transition period stemming from the retirements of Director David Biebel (effective April 1st) and Engineer Ryan Sazama (effective March 1st); recommends filing the document.

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

Motion made by Mitchell, Seconded by Filicky-Peneski.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

39. R. C. No. 209-23-24 by Finance and Personnel Committee to whom was referred Direct Referral Res. No. 169-23-24 by Alderpersons Mitchell and Filicky-Peneski authorizing entering into an Independent Contractor Agreement between the City of Sheboygan and Kapur and Associates, Inc. for interim Department of Public Works assistance, including oversight of the operations of the City's Director of Public Works and City Engineer positions; recommends adopting the Resolution.

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

Motion made by Mitchell, Seconded by Filicky-Peneski.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

40. R. C. No. 212-23-24 by Public Works Committee to whom was referred Res. No. 167-23-24 by Alderpersons Dekker and Rust authorizing entering into an Interim Sanitary Sewer Services Agreement with all signatories to the 1975 Joint Sewage Treatment Agreement for the Sheboygan Region, in order to authorize sanitary sewer service to approximately 77 acres of land within the municipal boundaries of the Town of Mosel, which is more commonly known as the Kohler Co. Generator Plant; recommends adopting the Resolution with amendment to the Agreement.

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION WITH AMENDMENT TO THE AGREEMENT (REMOVE THE CLAUSE "AS CONDITIONALLY APPROVED BY THE SHEBOYGAN URBANIZED AREA SEWER SERVICE AREA TECHNICAL ADVISORY COMMITTEE PURSUANT TO THE 2030 SHEBOYGAN URBANIZED AREA SEWER SERVICE PLAN ON _____, AS CONDITIONALLY APPROVED BY THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES BY LETTER DATED _____, AND" FROM THE SECOND WHEREAS CLAUSE AND FROM PARAGRAPH 2)

Motion made by Dekker, Seconded by Rust

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

GENERAL ORDINANCES

41. Gen. Ord. No. 42-23 24 by Alderpersons Rust and Felde reestablishing the formerly repealed sidewalk cafe regulations and making various changes and updates to said regulations as recommended by the City Clerk and staff from the Department of Public Works. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

MATTERS LAID OVER

42. R. O. No. 113-23-24 by City Plan Commission to whom was referred Gen. Ord. No. 39-23-24 by Alderpersons Dekker, Salazar, and Mitchell amending the City's Planned Unit Development (PUD) process so as to streamline it and make it more user friendly; recommends adopting the Ordinance.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

43. R. O. No. 111-23-24 by City Plan Commission to whom was referred Gen. Ord. No. 37-23-24 by Alderperson Ramey and R. O. No. 105-23-24 by City Clerk submitting application to amend the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification for property located west of 3512 Wilgus Avenue - Parcel No. 59281215833 from Class Suburban Commercial (SC) to Class Suburban Commercial (SC) with PUD overlay Classification; recommends filing the R. O. and adopting the Ordinance.

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

Motion made by Ramey, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

44. R. O. No. 112-23-24 by City Plan Commission to whom was referred Gen. Ord. No. 38-23-24 by Alderperson Ramey and pursuant to R. O. No. 105-23-24 by City Clerk submitting application to amend the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification for property located at 3512 Wilgus Avenue - Parcel No. 59281215827 from Class Suburban Commercial (SC) to Class Suburban Commercial (SC) with PUD overlay Classification; recommends adopting the Ordinance.

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

Motion made by Ramey, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.

OTHER MATTERS AUTHORIZED BY LAW – None.

ADJOURN MEETING

45. Motion to Adjourn

MOTION TO ADJOURN AT 6:51 PM

Motion made by Salazar, Seconded by Dekker.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 9.