

## CITY OF SHEBOYGAN

# TWELFTH REGULAR COMMON COUNCIL MEETING MINUTES

Monday, September 16, 2024

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### OPENING OF MEETING

**1. Roll Call**

Alderspersons present: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Rust – 8.

Alderspersons excused: Felde and Ramey – 2.

**2. Pledge of Allegiance**

**3. Approval of Minutes**

Eleventh Regular Council Meeting held on September 3, 2024

MOTION TO APPROVE

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Rust – 8.

**4. Board of Waterworks Commissioner Election**

Waterworks commissioner - term to begin on October 1, 2024.

MOTION TO RECEIVE NOMINATIONS FROM THE FLOOR, VOTING TO BE DONE BY OPEN BALLOT, AND IF TWO OR MORE CANDIDATES ARE NOMINATED, THE CANDIDATE WITH THE LOWEST NUMBER OF VOTES BE DROPPED FROM THE LIST, AND BALLOTING TO CONTINUE UNTIL ONE CANDIDATE RECEIVES A MAJORITY.

Motion made by Dekker, Seconded by Rust.

MOTION TO NOMINATE RICHARD DALE.

Motion made by Dekker, Seconded by Rust.

No other nominations were received.

MOTION TO INSTRUCT THE CITY CLERK TO CAST A UNANIMOUS BALLOT FOR RICHARD DALE AS THE REPRESENTATIVE ON THE SHEBOYGAN BOARD OF WATERWORKS COMMISSIONERS.

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Rust – 8.

**5. Confirmation of Mayoral Appointments**

Erin Bremser to be considered for appointment to the Mead Public Library Board of Trustees

Maiyia Chang to be considered for appointment to the Mayor's International Committee

MOTION TO CONFIRM

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Rust – 8.

**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 Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Rust – 8.

9. R. O. No. 56-24-25 by Board of License Examiners submitting an application for a Building Contractor License already granted.

**MOTION TO RECEIVE AND FILE**

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Rust – 8.

10. R. C. No. 97-24-25 by Public Works Committee to whom was referred Res. No. 68-24-25 by Alderpersons Dekker and Ramey authorizing the appropriate City officials to enter into a contract extension with GFL Environmental LLC for refuse and recyclables material transfer and tipping services; recommends adopting the Resolution.

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

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Rust – 8.

11. R. C. No. 99-24-25 by Public Works Committee to whom was referred Res. No. 70-24-25 by Alderpersons Dekker and Ramey authorizing the appropriate City officials to execute an Amendment to Lease Agreement between the City of Sheboygan, Ellwood H. May Environmental Park Association of Sheboygan County, Inc., and the Sheboygan County YMCA; recommends adopting the Resolution.

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

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Rust – 8.

12. R. C. No. 100-24-25 by Public Works Committee to whom was referred Res. No. 71-24-25 by Alderpersons Dekker and Ramey authorizing the appropriate City officials to execute a Lease Agreement between the City of Sheboygan, 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 Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Rust – 8.

13. R. C. No. 101-24-25 by Public Works Committee to whom was referred Res. No. 72-24-25 by Alderpersons Dekker and Ramey authorizing the appropriate City Officials to enter into contract with Mueller Lawn Manicuring, LLC of Sheboygan for the removal and disposal of 227 trees located at Jaycee Quarryview Park in Sheboygan; recommends adopting the Resolution.

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

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Rust – 8.

14. R. C. No. 102-24-25 by Public Works Committee to whom was referred Res. No. 74-24-25 by Alderpersons Dekker and Ramey designating the City Forester as the City's Authorized Representative for the purpose of Wisconsin Department of Natural Resources (WI DNR) Urban Forestry Grants for calendar year 2025 and directing him to submit an Urban Forestry Grant Application; recommends adopting the Resolution.

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

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Rust – 8.

15. R. C. No. 103-24-25 by Finance and Personnel Committee to whom was referred R. O. No. 28-24-25 by City Clerk submitting a claim from Neng Thao for alleged damages to house when a cut tree fell on it; recommends filing the claim.

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

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Rust – 8.

16. R. C. No. 104-24-25 by Finance and Personnel Committee to whom was referred Res. No. 64-24-25 by Alderpersons Mitchell and Perrella authorizing the purchase of Parcel No. 59281501655 adjacent to Pennsylvania Avenue from PBRK, LLP for future use by the City; recommends adopting the Resolution.

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

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Rust – 8.

17. R. C. No. 105-24-25 by Finance and Personnel Committee to whom was referred Res. No. 73-24-25 by Alderpersons Mitchell and Perrella consenting to the Assignment and Assumption of Ground Lease for parcels adjacent to property currently owned by Nemschoff, Inc., contingent

upon sale of property to Phoenix Sheboygan III Industrial Investors, LLC; recommends adopting the Resolution.

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

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Rust – 8.

18. R. C. No. 107-24-25 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 53-24-25 by City Clerk submitting various license applications; recommends granting license #3672 Spices of Sheboygan Downtown, LLC and denying license #3678 1211 Indiana Laundromat, LLC pursuant to Wisconsin Statute 125.32(3m) which state that a Class “B” license may not be granted for any premises where any other business is conducted.

**MOTION TO RECEIVE THE R. C. AND GRANT/DENY THE RESPECTIVE APPLICATIONS**

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Rust – 8.

19. R. C. No. 108-24-25 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 67-24-25 by Alderpersons Rust and La Fave authorizing the creation of a temporary Designated Outdoor Refreshment Area during Riverfest on September 21, 2024; recommends adopting the Resolution.

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

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Rust – 8.

**REPORT OF OFFICERS**

20. R. O. No. 54-24-25 by City Clerk submitting a notice of claim from Nora Gerber for alleged injuries resulting from a fall on the boardwalk. REFER TO FINANCE AND PERSONNEL COMMITTEE
21. R. O. No. 55-24-25 by City Clerk submitting a claim from Jenny Stephen-Pierce for alleged damages to vehicle when a tree fell on it. REFER TO FINANCE AND PERSONNEL COMMITTEE
22. R. O. No. 57-24-25 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE
23. R. O. No. 58-24-25 by City Plan Commission to whom was referred Gen. Ord. No. 16-24-25 by Alderpersons Belanger and Ramey and R. O. No. 51-24-25 by City Clerk submitting an application to amend the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification of property located at 1202 N. 31st Street from Class Suburban Office (SO) to Class Urban Residential (UR-12) Classification; recommends filing the R. O. and adopting the Ordinance. LAYS OVER

**RESOLUTIONS**

24. Res. No. 79-24-25 by Alderpersons Dekker and Rust authorizing a contract between the City of Sheboygan and SysAid Technologies Ltd. for information technology help desk software.

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

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Rust – 8.

25. Res. No. 76-24-25 by Alderpersons Dekker, Rust and Mitchell authorizing the filing of an application with the United States of America Department of Transportation and authorizing the executing of the contract pertaining to grants for calendar year 2025, under former Section 9 (USC 5307) of the Federal Transit Act of 1964, as amended. REFER TO SHEBOYGAN TRANSIT COMMISSION
26. Res. No. 77-24-25 by Alderpersons Belanger and Ramey approving the final plat of the 29<sup>th</sup> Street Subdivision located east of St. Nicholas Hospital on North 29<sup>th</sup> Street between Superior Avenue and Saemann Avenue. REFER TO CITY PLAN COMMISSION
27. Res. No. 78-24-25 by Alderpersons Mitchell and Perrella authorizing the appropriate City officials to enter into an Intergovernmental Cooperative Agreement with Sheboygan County for Sales Tax Revenue-Sharing for Transportation Infrastructure Maintenance. REFER TO FINANCE AND PERSONNEL COMMITTEE
28. Res. No. 80-24-25 by Alderpersons Mitchell and Perrella approving a Financial Policy Handbook. REFER TO FINANCE AND PERSONNEL COMMITTEE

**REPORT OF COMMITTEES**

29. R. C. No. 106-24-25 by Public Works Committee to whom was referred Direct Referral Res. No. 75-24-25 by Alderpersons Dekker and Rust allowing ZWILLING Airstream to be parked in front of Relish Kitchen Store at 811 North 8<sup>th</sup> Street on October 5, 2024; recommends adopting the Resolution.

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

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Rust – 8.

30. R. C. No. 109-24-25 by Licensing, Hearings, and Public Safety Committee to whom was referred Gen. Ord. No. 17-24-25 by Alderpersons Rust and La Fave amending various sections of the Sheboygan Municipal Code so as to improve clarity and interpretation; recommends adopting the Ordinance.

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

Motion made by Rust, Seconded by La Fave.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Rust – 8.

31. R. C. No. 98-24-25 by Public Works Committee to whom was referred Res. No. 69-24-25 by Alderpersons Dekker and Ramey authorizing a contract between the City of Sheboygan and

Molo, Inc. for marina management software regarding transient and annual marina slip leases at Harbor Centre Marina; recommends adopting the Resolution.

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

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Rust – 8.

**GENERAL ORDINANCES**

32. Gen. Ord. No. 18-24-25 by Alderpersons Rust and La Fave amending Section 48-322 of the Sheboygan Municipal Code so as to allow special event applicants to request a Designated Outdoor Refreshment Area as part of their event. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE
33. Gen. Ord. No. 19-24-25 by Alderpersons Rust and La Fave amending various sections of the Sheboygan Municipal Code so as to update animal ordinances. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

**OTHER MATTERS AUTHORIZED BY LAW – None.**

**ADJOURN MEETING**

34. Motion to Adjourn

**MOTION TO ADJOURN AT 6:26 PM**

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Rust – 8.