

CITY OF SHEBOYGAN
SEVENTEENTH REGULAR COMMON COUNCIL MEETING
MINUTES

Monday, December 02, 2024

OPENING OF MEETING

1. Roll Call

Alderspersons present: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Ramey, Rust – 9.

Alderperson excused: Felde – 1.

2. Pledge of Allegiance

3. Approval of Minutes

Fifteenth Regular Council Meeting held on November 4, 2024

MOTION TO APPROVE THE MINUTES

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Ramey, Rust – 9.

4. Resignation

Mike Froh from the Board of Marina, Parks, and Forestry

MOTION TO ACCEPT AND FILE

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Ramey, Rust – 9.

5. Public Forum

Limit of five people having five minutes each with comments limited to items on this agenda. Dolcye Johnson, Paul Schenk, and Ron Ranieri all spoke.

6. Mayor's Announcements

Upcoming Community Events, Proclamations, Employee Recognitions

CONSENT

7. 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, Ramey, Rust – 9.

8. R. O. No. 87-24-25 by City Clerk submitting the State and County Apportionment Form from the County Board of Supervisors to determine the amount of taxes to be levied in Sheboygan County against all taxable property for the year.

MOTION TO ACCEPT AND FILE

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Ramey, Rust – 9.

9. R. C. No. 167-24-25 by Public Works Committee to whom was referred Res. No. 114-24-25 by Alderpersons Dekker and Ramey authorizing the appropriate City officials to enter into a contract for the demolition of the former Wells Fargo Bank Building and related site features so as to prepare the site for redevelopment; 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, Ramey, Rust – 9.

10. R. C. No. 166-24-25 by Finance and Personnel Committee to whom was referred R. O. No. 75-24-25 by City Clerk submitting a tax levy report that supports the 2024-2025 budget for Lakeshore Technical College District and a copy of the district-wide apportionment of the tax levy based upon the 2024 fully certified values furnished by the Wisconsin Department of Revenue; recommends filing the report.

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

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Ramey, Rust – 9.

11. R. C. No. 165-24-25 by Finance and Personnel Committee to whom was referred R. O. No. 76-24-25 by Human Resources & Labor Relations Director Kelly Hendee submitting an exit interview report for Quarter 3 for the City of Sheboygan; recommends filing the report.

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

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Ramey, Rust – 9.

12. R. C. No. 164-24-25 by Finance and Personnel Committee to whom was referred Res. No. 113-24-25 by Alderpersons Mitchell and Perrella authorizing the Finance Director to amend the 2024 budget and transfer fund balance from the Workers Compensation Insurance Fund to the Health Insurance Fund; 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, Ramey, Rust – 9.

13. R. C. No. 163-24-25 by Finance and Personnel Committee to whom was referred Res. No. 112-24-25 by Alderpersons Mitchell and Perrella authorizing the Finance Director to transfer the

Marina Fund advance from the General Fund to the Capital Fund; 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, Ramey, Rust – 9.

14. R. C. No. 171-24-25 by Licensing, Hearings, and Public Safety Committee to whom was referred Direct Referral R. O. No. 83-24-25 by City Clerk submitting a liquor license application: Reserve “Class B” Lic. App. No. 3691 Ambarsariya Bar & Grill, Inc.; recommends granting the license application.

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

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Ramey, Rust – 9.

15. R. C. No. 170-24-25 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 81-24-25 by City Clerk submitting a license application: Change of Agent for Kohler Co.; recommends granting the application.

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

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Ramey, Rust – 9.

16. R. C. No. 169-24-25 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 74-24-25 by City Clerk submitting a license application: Class "B" Beer Lic. App. No. 3693 (Aneek Inc.); recommends granting the license application.

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

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Ramey, Rust – 9.

REPORT OF OFFICERS

17. R. O. No. 88-24-25 by City Plan Commission to whom was referred Res. No. 115-24-25 by Alderpersons Mitchell and Perrella adopting public participation procedures regarding the City of Sheboygan Comprehensive Plan; recommends adopting the Resolution.

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

Motion made by Mitchell, Seconded by Perrella.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Ramey, Rust – 9.

18. R. O. No. 85-24-25 by City Clerk submitting a Summons and Complaint in the matter of SCR RC Funding IV LLC vs City of Sheboygan. REFER TO FINANCE AND PERSONNEL COMMITTEE

19. R. O. No. 86-24-25 by City Clerk submitting a Tax Levy Certification for the 2024-2025 School Year from the Sheboygan Area School District. REFER TO FINANCE AND PERSONNEL COMMITTEE
20. R. O. No. 84-24-25 by City Clerk submitting a claim from Mercy Yang/Steven Vue for alleged damages to vehicle when it struck a loose sewer hole lid. REFER TO FINANCE AND PERSONNEL COMMITTEE
21. R. O. No. 89-24-25 by City Clerk submitting a Summons and Complaint in the matter of Wal-Mart Stores, Inc. v. City of Sheboygan. REFER TO FINANCE AND PERSONNEL COMMITTEE
22. R. O. No. 90-24-25 by City Clerk submitting the Tax Levy Certification for the 2024-2025 School Year from the Kohler School District. REFER TO FINANCE AND PERSONNEL COMMITTEE
23. R. O. No. 91-24-25 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

RESOLUTIONS

24. Res. No. 120-24-25 by Alderpersons Mitchell and Perrella authorizing retaining outside legal counsel to represent the City in the matter of SCF RC Funding IV LLC v. City of Sheboygan (Case No. 24CV000668), and authorizing payment for said services.

MOTION TO SUSPEND THE RULES AND ADOPT THE RESOLUTION

Motion made by Mitchell, Seconded by Perrella.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Ramey, Rust – 9.

25. Res. No. 121-24-25 by Alderpersons Mitchell and Perrella authorizing retaining outside legal counsel to represent the City in the matter of Wal-Mart Real Estate Business Trust v. City of Sheboygan (Case No. 24CV000669), and authorizing payment for said services.

MOTION TO SUSPEND THE RULES AND ADOPT THE RESOLUTION

Motion made by Mitchell, Seconded by Perrella.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Ramey, Rust – 9.

26. Res. No. 123-24-25 by Alderpersons Dekker and Rust authorizing the Chief of Police to take necessary actions to receive the 2025 Wisconsin Justice System Improvement Beat Patrol Grant.

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, Ramey, Rust – 9.

27. Res. No. 125-24-25 by Alderpersons Mitchell and Perrella expressing the intent of the Common Council of the City of Sheboygan to exercise its police powers in levying a special assessment for the 2024 cost of operating and maintaining the off-street parking facilities within the Parking Assessment District No. 1. REFER TO FINANCE AND PERSONNEL COMMITTEE

28. Res. No. 126-24-25 by Alderpersons Mitchell and Perrella expressing the intent of the Common Council of the City of Sheboygan to exercise its police powers in levying a special assessment for the 2024 cost of operating and maintaining the off-street parking facilities within the Parking Assessment District No. 2. REFER TO FINANCE AND PERSONNEL COMMITTEE
29. Res. No. 127-24-25 by Alderpersons Mitchell and Perrella expressing the intent of the Common Council of the City of Sheboygan to exercise its police powers in levying a special assessment for the 2024 cost of operating and maintaining the off-street parking facilities within the Parking Assessment District No. 4. REFER TO FINANCE AND PERSONNEL COMMITTEE
30. Res. No. 128-24-25 by Alderpersons Mitchell and Perrella expressing the intent of the Common Council of the City of Sheboygan to exercise its police powers in levying a special assessment for the 2024 cost of operating and maintaining the off-street parking facilities within the Parking Assessment District No. 5. REFER TO FINANCE AND PERSONNEL COMMITTEE
31. Res. No. 124-24-25 by Alderpersons Dekker and Ramey authorizing a contract with Kaschak Roofing for the roof replacement at Mead Public Library and authorizing a 2024 budget amendment. REFER TO PUBLIC WORKS COMMITTEE
32. Res. No. 129-24-25 by Alderpersons Mitchell and Perrella authorizing an amendment to the 2024 budget for the future purchase of hardware and software by the IT Department for cybersecurity upgrades. REFER TO FINANCE AND PERSONNEL COMMITTEE
33. Res. No. 131-24-25 by Alderpersons Mitchell and Perrella authorizing an amendment to the 2024 budget for the purchase of communication equipment for the Police and Fire Departments. REFER TO FINANCE AND PERSONNEL COMMITTEE
34. Res. No. 130-24-25 by Aldepersons Mitchell and Perrella adopting the revised City of Sheboygan compensation program for non-represented employees. REFER TO FINANCE AND PERSONNEL COMMITTEE
35. Res. No. 132-24-25 by Alderpersons Mitchell and Perrella approving up to \$16,500,000 of Public Finance Authority Education Revenue Bonds (Sheboygan Christian School Project), Series 2025 for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended. REFER TO FINANCE AND PERSONNEL COMMITTEE

REPORT OF COMMITTEES

36. R. C. No. 160-24-25 by Finance and Personnel Committee to whom was referred Direct Referral Res. No. 116-24-25 by Alderpersons Mitchell and Perrella authorizing entering into a Tax Incremental District Development Agreement with Jakum Hall Apartments, LLC for the development of the former Jakum's Hall site located at 1601 North 15th Street; recommends adopting the Resolution.

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

Motion made by Mitchell, Seconded by Perrella.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Ramey, Rust – 9.

37. R. C. No. 161-24-25 by Finance and Personnel Committee to whom was referred Direct Referral Res. No. 117-24-25 by Alderpersons Mitchell and Perrella authorizing entering into a Tax Incremental District Development Agreement with Riverview District, LLC for the development of the former Mayline site located at 605 N. Commerce Street; recommends adopting the Resolution.

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

Motion made by Mitchell, Seconded by Perrella.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Ramey, Rust – 9.

38. R. C. No. 162-24-25 by Finance and Personnel Committee to whom was referred Direct Referral Res. No. 118-24-25 by Alderpersons Mitchell and Perrella authorizing entering into a First Amendment to Lease Agreement with Shar, Inc. regarding the property at 930 North 8th Street, Sheboygan, Wisconsin; recommends adopting the Resolution.

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

Motion made by Mitchell, Seconded by Perrella.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Ramey, Rust – 9.

39. R. C. No. 168-24-25 by Public Works Committee to whom was referred R. O. No. 82-24-25 by Board of Marina, Parks and Forestry and Res. No. 111-24-25 by Alderpersons Dekker and Ramey approving a Fountain Park Conceptual Design Plan; recommends filing the R. O. and adopting the Resolution.

MOTION TO RECEIVE THE R. C., FILE THE R. O. AND ADOPT THE RESOLUTION

Motion made by Dekker, Seconded by Ramey.

Before action was taken,

Motion to refer the Resolution back to the Public Works Committee

Motion made by Rust, Seconded by Heidemann

Voting Yea: Heidemann, La Fave, Mitchell, Rust – 4.

Voting Nay: Belanger, Dekker, Peterson, Perrella, Ramey – 5.

On motion to adopt the Resolution,

Voting Yea: Belanger, Dekker, La Fave, Perrella, Peterson, Ramey – 6.

Voting Nay: Heidemann, Mitchell, Rust – 3.

40. R. C. No. 172-24-25 by Public Works Committee to whom was referred Direct Referral Gen. Ord. No. 25-24-25 by Alderpersons Dekker and Rust amending Sections 54-397, 54-398, and 54-399 of the Sheboygan Municipal Code relating to sewers and sewerage disposal so as to make changes to service charges; recommends amending the Ordinance so the numerical values noted within 54-397(a)(1) match those within 54-397(b)(1).

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

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Ramey, Rust – 9.

41. R. C. No. 173-24-25 by Public Works Committee to whom was referred Direct Referral Res. No. 122-24-25 by Alderpersons Dekker and Ramey authorizing the appropriate City officials to enter into contract for the provision and installation of submersible pumps, a control panel, and

associated equipment at the 6th Street and Pershing Avenue wastewater pump station and authorizing a budget amendment; recommends amending the Resolution to remove the last “Be it further resolved” clause.

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

Motion made by Dekker, Seconded by Ramey.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Ramey, Rust – 9.

42. R. C. No. 174-24-25 by Public Works Committee to whom was referred Direct Referral Res. No. 119-24-25 by Alderpersons Dekker and Ramey authorizing execution of the Release of Easement Rights on behalf of the City, with respect to that portion of vacated South Commerce Street located on the Berkshire Apartments developed parcel; recommends adopting the Resolution.

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

Motion made by Dekker, Seconded by Ramey.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Ramey, Rust – 9.

GENERAL ORDINANCES

43. Gen. Ord. No. 26-24-25 by Alderpersons Dekker and Ramey changing the speed limit on Lakeshore Drive between Washington Avenue and Wilson Avenue from 35 MPH to 25 MPH. REFER TO PUBLIC WORKS COMMITTEE
44. Gen. Ord. No. 27-24-25 by Alderpersons Dekker and Ramey placing a stop sign on northbound Lakeshore Drive at the intersection with High Avenue and South 7th Street. REFER TO PUBLIC WORKS COMMITTEE

CHARTER ORDINANCES

45. Charter Ord. 1-24-25 by Alderpersons Dekker and Rust (being subject to the home rule provisions of § 66.0101 of the Wisconsin Statutes) to authorize primary elections whenever three or more candidates file nomination papers for an elective city office. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

MATTERS LAID OVER

46. R. O. No. 79-24-25 by City Plan Commission to whom was referred Gen. Ord. No. 20-24-25 by Alderpersons Belanger and La Fave and R. O. No. 73-24-25 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 of property located at 2258 Calumet Drive from Class Neighborhood Residential (NR-6) to Class Urban Commercial (UC) Classification; recommends filing the R. O. and adopting the Ordinance.

OTHER MATTERS AUTHORIZED BY LAW – None.

ADJOURN MEETING

47. Motion to Adjourn

MOTION TO ADJOURN AT 7:08 PM

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Mitchell, Perrella, Peterson, Ramey, Rust – 9.