

CITY OF SHEBOYGAN
TWENTY-FIRST REGULAR COMMON COUNCIL MEETING
MINUTES

Monday, February 06, 2023

OPENING OF MEETING

1. Roll Call

Alderspersons Present: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Rust, and Salazar

Aldersperson Excused: Ramey – 1.

2. Pledge of Allegiance

3. Approval of Minutes

MOTION TO APPROVE THE MINUTES FROM THE TWENTIETH REGULAR COUNCIL MEETING HELD ON JANUARY 16, 2023

Motion made by Felde, Seconded by Filicky-Peneski.

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

4. Confirmation of Mayoral Appointment

Keith Jack to the Senior Service Commission

MOTION TO CONFIRM

Motion made by Felde, Seconded by Filicky-Peneski.

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

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

7. 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, Rust, Salazar – 9.

8. R. O. No. 97-22-23 by Board of Water Commissioners submitting the report on the Water Utility for the fourth quarter of 2022.

MOTION TO ACCEPT AND FILE

Motion made by Felde, Seconded by Filicky-Peneski.

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

9. R. C. No. 161-22-23 by Finance and Personnel Committee to whom was referred R. O. No. 96-22-23 by Director of Planning and Development submitting the City of Sheboygan Analysis of Impediments to Fair Housing; recommends filing the report.

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

Motion made by Felde, Seconded by Filicky-Peneski.

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

10. R. C. No. 162-22-23 by Finance and Personnel Committee to whom was referred Res. No. 127-22-23 by Alderpersons Mitchell and Filicky-Peneski approving and adopting the Amendment to the City of Sheboygan 457(b) Deferred Compensation Plan for the CARES Act; 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, Rust, Salazar – 9.

11. R. C. No. 163-22-23 by Finance and Personnel Committee to whom was referred Res. No. 128-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing the appropriate City officials to execute an Adoption Agreement for the extension and offering of additional investment options with Nationwide; 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, Rust, Salazar – 9.

12. R. C. No. 166-22-23 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 94-22-23 by Chief of Police Christopher Domagalski pursuant to section 54-65 of the Municipal Code, submitting the quarterly report of Benchmark Measurements for the Police Department, for the period commencing October 1, 2022 and ending December 31, 2022; recommends filing the report.

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

Motion made by Felde, Seconded by Filicky-Peneski.

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

13. R. C. No. 167-22-23 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 93-22-23 by Fire Chief pursuant to section 50-564 of the Municipal Code, submitting the quarterly report of Benchmark Measurements for the Fire Department, for the period commencing October 1, 2022 and ending December 31, 2022; recommends filing the report.

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

Motion made by Felde, Seconded by Filicky-Peneski.

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

14. R. C. No. 168-22-23 by Public Works Committee to whom was referred Res. No. 123-22-23 by Alderpersons Dekker and Rust authorizing the Purchasing Agent to issue a purchase order for the purchase of a towable brush chipper for the Department of Public Works - Motor Vehicle Division; 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, Rust, Salazar – 9.

REPORT OF OFFICERS

15. R. O. No. 100-22-23 by City Plan Commission to whom was referred Gen. Ord. No. 17-22-23 by Alderperson Filicky-Peneski amending the City's Future Land Use Map of the Sheboygan Comprehensive Plan to change the Use District Classification for property located off of N. 15th Street and Martin Avenue – Parcel #59281718350, Parcel #59281712950 and Parcel #59281712930 from Class Neighborhood Preservation to Multi-Family Residential; recommends adopting the Ordinance. LAYS OVER
16. R. O. No. 99-22-23 by City Plan Commission to whom was referred Gen. Ord. No. 18-22-23 by Alderperson Filicky-Peneski and R. O. No. 95-22-23 by City Clerk submitting an application from the City of Sheboygan 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 N. 15th Street and Martin Avenue – Parcel #59281718350, Parcel #59281712950 and Parcel #59281712930 from Class Urban Commercial (UC) to Urban Residential (UR-12) Classification; recommends filing the R. O. and adopting the Ordinance. LAYS OVER
17. R. O. No. 98-22-23 by City Clerk submitting a claim from Rural Mutual Insurance Company for alleged damages to their insured vehicle when a light pole fell on the vehicle. REFER TO FINANCE AND PERSONNEL COMMITTEE
18. R. O. No. 102-22-23 by City Clerk submitting a claim from Alexandria Engle for alleged damages to vehicle when it slid on an icy road. REFER TO FINANCE AND PERSONNEL COMMITTEE
19. R. O. No. 101-22-23 by City Clerk submitting a claim from Pessefall Law, LLC for alleged unlawful tax against Midstate Amusement Games, LLC. REFER TO FINANCE AND PERSONNEL COMMITTEE

RESOLUTIONS

20. Res. No. 131-22-23 by Alderpersons Felde and Ackley authorizing the City Attorney to engage the services of special outside legal counsel to represent the Licensing, Hearings, and Public Safety Committee and Common Council with regard to a quasi-judicial hearing regarding the suspension/revocation of Alcohol Beverage License No. 3527 (Young Trustt Entertainment LLC – West Coast Café and Lounge), and authorizing payment for said services.

MOTION TO SUSPEND THE RULES AND ADOPT THE RESOLUTION

Motion made by Felde, Seconded by Ackley.

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

21. Res. No. 132-22-23 by Alderpersons Dekker and Rust authorizing the appropriate City officials to enter into a contract with JT Engineering, Inc. for design services related to the Taylor Drive and Wilgus Avenue intersection. REFER TO PUBLIC WORKS COMMITTEE

REPORT OF COMMITTEES

22. R. C. No. 164-22-23 by Finance and Personnel Committee to whom was referred DIRECT REFERRAL Res. No. 129-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing the Finance Director/Treasurer to issue Kaitlyn Krueger merit payment for her extraordinary service to the City; recommends adopting the Resolution.

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

Motion made by Mitchell, Seconded by Filicky-Peneski.

Before action was taken,

MOTION TO AMEND THE RESOLUTION TO INCREASE THE MERIT PAYMENT TO \$30,000

Motion made by Heidemann, Seconded by Mitchell.

On motion to adopt the Resolution as amended,

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

23. R. C. No. 165-22-23 by Finance and Personnel Committee to whom was referred DIRECT REFERRAL Gen. Ord. No. 19-22-23 by Alderpersons Mitchell and Filicky-Peneski amending Section 82-33 of the Sheboygan Municipal Code so as to modify the City Table of Organization; recommends adopting the Ordinance.

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

Motion made by Mitchell, Seconded by Filicky-Peneski.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Rust, Salazar

GENERAL ORDINANCES

24. Gen. Ord. No. 20-22-23 by Alderpersons Mitchell and Felde re-establishing the salaries of Election officials. REFER TO FINANCE AND PERSONNEL COMMITTEE

OTHER MATTERS AUTHORIZED BY LAW

25. R. O. No. 103-22-23 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

CLOSED SESSION

26. MOTION TO CONVENE IN CLOSED SESSION pursuant to Wis. Stat. s. 19.85(1)(e) for deliberating the investing of public funds, or conducting other specified business, to wit: a recreational development at the City's Butzen Property, whenever competitive or bargaining reasons require a closed session.

Motion made by Felde, Seconded by Filicky-Peneski.

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

OPEN SESSION

27. Motion to reconvene in open session

Motion made by Felde, Seconded by Filicky-Peneski.

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

28. Res. No. 130-22-23 by Alderpersons Felde and Filicky-Peneski declaring the City's desire and commitment to developing an indoor/outdoor sports complex at the City's Butzen Property as set forth below.

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, Rust, Salazar – 9.

ADJOURN MEETING

29. Motion to Adjourn

MOTION TO ADJOURN AT 6:56 PM

Motion made by Felde, Seconded by Filicky-Peneski.

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