

CITY OF SHEBOYGAN
TWENTY-SECOND REGULAR COMMON COUNCIL MEETING
MINUTES

Monday, February 19, 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. Approval of Minutes

Twenty-first Regular Council Meeting held on February 5, 2024

MOTION TO APPROVE THE MINUTES FROM THE TWENTY-FIRST REGULAR COMMON COUNCIL MEETING HELD ON FEBRUARY 5, 2024

Motion made by Dekker, Seconded by Salazar.

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

4. Resignation

Alders Amanda Salazar as Alders for District 3 in the City of Sheboygan 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.

5. Mayoral Appointments – Lays over.

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)

6. Public Forum

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

7. Presentation

State of the City by Mayor Ryan Sorenson

8. Mayor's Announcements

Upcoming Community Events, Proclamations, Employee Recognitions

CONSENT

9. 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.

10. R. C. No. 194-23-24 by Public Works Committee to whom was referred Res. No. 150-23-24 by Alderpersons Dekker and Rust authorizing the appropriate City officials to enter into contract with Norcon Corporation for the rehabilitation of the aeration basins at the City of Sheboygan Wastewater Treatment Facility; 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.

11. R. C. No. 193-23-24 by Public Works Committee to whom was referred Res. No. 148-23-24 by Alderpersons Dekker and Rust authorizing the Superintendent of Parks and Forestry to take necessary actions to receive a grant from Fund for Lake Michigan for the Maywood and Evergreen Parks Water Quality Improvement project.; 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.

12. R. C. No. 192-23-24 by Public Works Committee to whom was referred Res. No. 147-23-24 by Alderpersons Dekker and Rust authorizing the Finance Director to make a change to the 2024 Capital Improvements Plan in order to reallocate funding within the Motor Vehicle Department and amending the 2024 budget to reflect the change; 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.

13. R. C. No. 197-23-24 by Finance and Personnel Committee to whom was referred R. C. No. 219-22-23 by Finance and Personnel Committee to whom was referred R. C. No. 273-21-22 by Finance and Personnel Committee and R. O. 105-21-22 by City Clerk submitting a Summons and Complaint in the matter of Midstate Amusement Games, LLC vs. City of Sheboygan; recommends filing the documents.

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

Motion made by Dekker, Seconded by Salazar.

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

14. R. C. No. 196-23-24 by Finance and Personnel Committee to whom was referred R. O. No. 130-22-23 by City Clerk submitting a Summons and Complaint in the matter of Midstate Amusement Games, LLC vs. City of Sheboygan; 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.

15. R. C. No. 198-23-24 by Finance and Personnel Committee to whom was referred R. C. No. 216-22-23 by Finance and Personnel Committee to whom was referred R. O. No. 76-22-23 by City Clerk submitting a Summons and Complaint in the matter of Midstate Amusement Games, LLC vs. City of Sheboygan; recommends filing the documents.

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

Motion made by Dekker, Seconded by Salazar.

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

16. R. C. No. 206-23-24 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 153-23-24 by Alderpersons Mitchell and Filicky-Peneski authorizing acceptance of the 2024 Wisconsin Bureau of Transportation Safety, Bicycle and Pedestrian Enforcement Grant and establishing an appropriation in the 2024 budget for grant funds received; 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. 205-23-24 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 151-23-24 by Alderpersons Salazar and Felde authorizing the appropriate City officials to enter into a Clinical Affiliation Agreement Between the Grafton Fire Department and the City of Sheboygan Fire Department for purposes of education and clinical experience of the Grafton Fire Department paramedics; 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.

REPORT OF OFFICERS

18. 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. REFER TO FINANCE AND PERSONNEL COMMITTEE
19. 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. REFER TO FINANCE AND PERSONNEL COMMITTEE
20. 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. REFER TO CITY PLAN COMMISSION

21. R. O. No. 114-23-24 by City Clerk submitting a "CLASS B" license application (Lino's). REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE
22. 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. LAYS OVER
23. 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. LAYS OVER
24. 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. LAYS OVER

RESOLUTIONS

25. Res. No. 156-23-24 by Alderpersons Dekker and Salazar authorizing retaining outside legal counsel to represent the City in the matter of Katherine Kobs v. City of Sheboygan, Department of Workforce Development Equal Rights Division Case No. CR202303139, and authorizing payment for said services.

MOTION TO SUSPEND THE RULES AND ADOPT THE RESOLUTION

Motion made by Dekker, Seconded by Salazar.

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

26. Res. No. 158-23-24 by Alderpersons Dekker and Salazar authorizing the sale of City of Sheboygan Parcel No. 59281712950 to Traci J. Maertz.

MOTION TO SUSPEND THE RULES AND ADOPT THE RESOLUTION

Motion made by Dekker, Seconded by Salazar.

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

27. 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. REFER TO PUBLIC WORKS COMMITTEE
28. 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. REFER TO FINANCE AND PERSONNEL COMMITTEE

29. 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. REFER TO PUBLIC WORKS COMMITTEE
30. 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. REFER TO PUBLIC WORKS COMMITTEE
31. 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. REFER TO PUBLIC WORKS COMMITTEE
32. 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. REFER TO CITY PLAN COMMISSION
33. 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. REFER TO CITY PLAN COMMISSION
34. 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. REFER TO CITY PLAN COMMISSION
35. 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. REFER TO CITY PLAN COMMISSION
36. 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. REFER TO PUBLIC WORKS COMMITTEE
37. 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. REFER TO PUBLIC WORKS COMMITTEE

REPORT OF COMMITTEES

38. R. C. No. 199-23-24 by Finance and Personnel Committee to whom was referred R. O. No. 106-23-24 by City Administrator Casey Bradley submitting a communication to Mayor Ryan Sorenson and Common Council members providing background information on the proposed development agreement between the City of Sheboygan and Malibu Apartments, LLC; 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, Rust, Salazar – 7.

Voting Nay: Perrella, Ramey – 2.

39. R. C. No. 200-23-24 by Finance and Personnel Committee to whom was referred Res. No. 146-23-24 by Alderpersons Mitchell and Filicky-Peneski authorizing entering into a Tax Incremental District Development Agreement with Malibu Apartments, LLC for the development of the former Kite Beach site located at 1403-1435 South 7th Street; 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, Mitchell, Rust, Salazar – 6.

Voting Nay: Heidemann, Perrella – 2.

Voting Abstaining: Ramey – 1.

40. R. C. No. 195-23-24 by Public Works Committee to whom was referred Res. No. 152-23-24 by Alderpersons Dekker and Rust authorizing the appropriate City officials to execute the Agreement Between City of Sheboygan and Fox Valley Athletics, LLC for the Management and Operation of Recreational Programs at Wildwood Athletic Complex; recommends adopting the Resolution.

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

Motion made by Dekker, Seconded by Rust.

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

41. R. C. No. 201-23-24 by Finance and Personnel Committee to whom was referred Res. No. 149-23-24 by Alderpersons Mitchell and Filicky-Peneski authorizing the purchase of 1211 North 23rd Street (Parcel No. 59281206682) from Aurora Medical Group Inc. for future use by the City; 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.

42. R. C. No. 202-23-24 by Finance and Personnel Committee to whom was referred Direct Referral Res. No. 154-23-24 by Alderpersons Mitchell and Filicky-Peneski authorizing the appropriate City officials to sign the January 1, 2024 -December 31, 2026 Contract between the City of Sheboygan and the Sheboygan Professional Police Officers' Supervisory Association; 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.

43. R. C. No. 203-23-24 by Finance and Personnel Committee to whom was referred Direct Referral Res. No. 155-23-24 by Alderpersons Mitchell and Filicky-Peneski authorizing entering into a Tax Incremental District Development Agreement with Rabbit Properties, LLC regarding the development improvements to be located at 827 North 14th Street in the City of Sheboygan; 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.

44. R. C. No. 204-23-24 by Licensing, Hearings, and Public Safety Committee to whom was referred Gen. Ord. No. 40-23-24 by Alderpersons Salazar and Felde amending various provisions of the municipal code related to open burning so as to create additional regulation of open burning within the City, including regulations allowing additional forms of open burning so long as such forms are safe and approved by the fire department; recommends adopting the Ordinance.

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

Motion made by Salazar, Seconded by Dekker.

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

GENERAL ORDINANCES

45. Gen. Ord. No. 41-23-24 by Alderperson Mitchell amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification 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. REFER TO CITY PLAN COMMISSION

OTHER MATTERS AUTHORIZED BY LAW – None.

ADJOURN MEETING

46. Motion to Adjourn

MOTION TO ADJOURN AT 6:57 PM

Motion made by Dekker, Seconded by Salazar.

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