

**CITY OF SHEBOYGAN**  
**SEVENTH REGULAR COMMON COUNCIL MEETING MINUTES**  
**Tuesday, July 05, 2022**

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**OPENING OF MEETING**

**1. Roll Call**

Alderspersons present: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust – 9.

Aldersperson excused: Salazar – 1.

**2. Pledge of Allegiance**

**3. Approval of Minutes**

MOTION TO APPROVE MINUTES FROM THE JUNE 20, 2022 MEETING

Motion made by Felde, Seconded by Filicky-Peneski.

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

**4. Resignations**

Amy Horst from the Redevelopment Authority

Monica Hart from the Mayor's International Committee

MOTION TO ACCEPT AND FILE THE RESIGNATIONS

Motion made by Felde, Seconded by Filicky-Peneski.

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

**5. Public Forum**

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

No one 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 Felde, Seconded by Filicky-Peneski.

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

8. R. C. No. 40-22-23 by Finance and Personnel Committee to whom was referred R. O. No. 145-21-22 by City Clerk submitting a claim from Troy Shaw for alleged damages to his Gamo Mach 1 Air Rifle by the Sheboygan Police Department; recommends filing the claim.

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

Motion made by Felde, Seconded by Filicky-Peneski.

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

9. R. C. No. 41-22-23 by Finance and Personnel Committee to whom was referred R. C. No. 265-21-22 by Finance and Personnel Committee to whom was referred R. O. No. 135-21-22 by City Clerk submitting a claim from Geico Casualty Company for alleged damages that occurred after a motor vehicle accident between Colin McCulley and a City of Sheboygan fire truck; recommends filing the claim.

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

Motion made by Felde, Seconded by Filicky-Peneski.

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

10. R. C. No. 42-22-23 by Finance and Personnel Committee to whom was referred R. C. No. 266-21-22 by Finance and Personnel Committee to whom was referred R. O. No. 122-21-22 by City Clerk submitting a claim of unlawful tax from Reinhart Attorneys at Law regarding Parcel No. 59281860858P and Parcel No. 59281860857P (Midstate Amusement Games, LLC); recommends filing the claim.

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

Motion made by Felde, Seconded by Filicky-Peneski.

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

11. R. C. No. 43-22-23 by Licensing, Hearings, and Public Safety Committee who voted to recommend that the Common Council grant Alc. Bev. Lic. No. 2373 - The Duke of Devon (Stefano Viglietti, Agent) an extension until September 30, 2022 to open for business.

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

Motion made by Felde, Seconded by Filicky-Peneski.

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

12. R. C. No. 44-22-23 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 25-22-23 by City Clerk submitting various license applications; recommends approving all license applications.

MOTION TO RECEIVE THE R. C. AND APPROVE THE APPLICATIONS

Motion made by Felde, Seconded by Filicky-Peneski.

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

13. R. C. No. 45-22-23 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 31-22-23 by Alderpersons Felde and Ackley authorizing entering into an Agreement for Urban Search and Rescue Emergency Response Services with the State of Wisconsin Department of Military Affairs Division of Emergency Management with regard to providing City of Sheboygan personnel to a statewide urban search and rescue team; 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, Ramey, Rust – 9.

## REPORT OF OFFICERS

14. R. O. No. 30-22-23 by City Plan Commission to whom was referred Res. No. 32-22-23 by Alderperson Mitchell pursuant to the extraterritorial plat approval jurisdiction of the City of Sheboygan approving the final plat of Maywood Estates subdivision in the Town of Sheboygan; recommends adopting the Resolution.

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

Motion made by Mitchell, Seconded by Filicky-Peneski.

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

15. R. O. No. 31-22-23 by City Plan Commission to whom was referred Gen. Ord. No. 3-22-23 by Alderperson Perrella and R. O. No. 23-22-23 by City Clerk repealing Gen. Ord. No. 39-21-22 granting Harbor Café, LLC, its successors and assigns, the privilege of encroaching upon certain portions of 340/342 South Pier Drive in the City of Sheboygan and granting Grateful Properties, LLC the privilege of encroaching upon expanded portions of 340/342 South Pier Drive, as described, for the purpose of adding an outdoor seating deck; recommends filing the R. O. and adopting the Ordinance.

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

Motion made by Perrella, Seconded by Dekker.

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

16. R. O. No. 32-22-23 by City Plan Commission to whom was referred Gen. Ord. No. 4-22-23 by Alderperson Felde and R. O. No. 24-22-23 by City Clerk granting M Squared Properties, LLC the privilege of encroaching upon described portions of 1444 Pershing Avenue in the City of Sheboygan for the purpose of creating an asphalt driveway and parking lot; recommends filing the R. O. and adopting the Ordinance.

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

Motion made by Felde, Seconded by Filicky-Peneski.

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

Ramey, Rust – 9.

17. R. O. No. 28-22-23 by City Clerk submitting a Notice of Claim from Frontier for alleged damages to their facilities from a mowing incident. REFER TO FINANCE AND PERSONNEL COMMITTEE
18. R. O. No. 27-22-23 by City Clerk submitting a claim from Jody Gallaway for alleged damages to vehicle when it was struck by a falling tree branch on North 25th Street. REFER TO FINANCE AND PERSONNEL COMMITTEE
19. R. O. No. 29-22-23 by City Clerk submitting a claim from Amy E. Hanten for alleged damages to her vehicle from newly painted middle yellow line. REFER TO FINANCE AND PERSONNEL COMMITTEE
20. R. O. No. 33-22-23 by Director of Public Works submitting, as a matter of record, a copy of the United States Department of the Army Headquarters, 88th Readiness Division Storm Water Management Plan for the William F. Fale USARC facility located at 2913 Erie Avenue. REFER TO PUBLIC WORKS COMMITTEE
21. R. O. No. 34-22-23 by City Clerk submitting a Summons and Complaint in the matter of Badger State Lofts, LP vs. City of Sheboygan. REFER TO FINANCE AND PERSONNEL COMMITTEE
22. R. O. No. 35-22-23 by City Clerk submitting a claim from Khue Vang for alleged damages to vehicle when it struck an open sewer pothole on Arizona Avenue. REFER TO FINANCE AND PERSONNEL COMMITTEE
23. R. O. No. 36-22-23 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

## RESOLUTIONS

24. Res. No. 37-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing entering into a contract with Fifth Asset, Inc. d/b/a DebtBook for the financial management of leases, IT subscriptions, and General Obligation Debt.

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

Motion made by Mitchell, Seconded by Filicky-Peneski.

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

25. Res. No. 34-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing the purchase of 1214 South 11th Street to assist in infrastructure development for the City.

### MOTION TO FILE THE DOCUMENT

Motion made by Mitchell, Seconded by Filicky-Peneski.

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

26. Res. No. 36-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing the appropriate City officials to execute the documents necessary to purchase an ambulance from American Response Vehicles, Inc. for the Sheboygan Fire Department and to make other purchases necessary to equip the new ambulance. REFER TO FINANCE AND PERSONNEL COMMITTEE
27. Res. No. 35-22-23 by Alderpersons Felde and Ackley authorizing application for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program Fiscal Year 2022 Local Solicitation and entering into a Memorandum of Understanding with Sheboygan County. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

## **REPORT OF COMMITTEES**

28. R. C. No. 39-22-23 by Finance and Personnel Committee to whom was referred Direct Referral Res. No. 33-22-23 authorizing entering into a Development Agreement with Sheboygan Southpoint Development, LLC.; recommends adopting the Resolution.

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

Motion made by Mitchell, Seconded by Filicky-Peneski.

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

## **GENERAL ORDINANCES**

29. Gen. Ord. No. 6-22-23 by Alderpersons Mitchell and Filicky-Peneski increasing the Room Tax Permit fee to \$100. REFER TO FINANCE AND PERSONNEL COMMITTEE
30. Gen. Ord. No. 7-22-23 by Alderpersons Dekker and Perrella creating parking limits so as to add a two-hour parking limit, between 8:00 a.m. and 5:00 p.m. Monday through Friday, to the west side of S. 12th Street between Georgia and Clara Avenue. REFER TO PUBLIC WORKS COMMITTEE

## **ADJOURN MEETING**

31. Motion to Adjourn

### **MOTION TO ADJOURN AT 6:17 PM**

Motion made by Felde, Seconded by Filicky-Peneski.

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