

CITY OF SHEBOYGAN
SIXTH REGULAR COMMON COUNCIL MEETING MINUTES
Monday, June 19, 2023

OPENING OF MEETING

1. Roll Call

Alderspersons present: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 10.

2. Pledge of Allegiance

3. Approval of Minutes

Fifth Regular Council Meeting held on June 5, 2023

MOTION TO APPROVE THE MINUTES FROM THE FIFTH REGULAR COUNCIL MEETING HELD ON JUNE 5, 2023

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 10.

4. Resignation

Paul Gottsacker from the Historical Preservation Committee

MOTION TO ACCEPT AND FILE

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 10.

5. Mayoral Appointments

John Donovan, Ryan Sorenson, and Kurt Zempel to the Joint Municipal Court Advisory Committee

Randy Meyer to the Senior Service Commission.

Lays over.

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 Salazar.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 10.

9. R. O. No. 19-23-24 by Board of License Examiners submitting applications for Building Contractor Licenses already granted.

MOTION TO ACCEPT AND FILE

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 10.

10. R. C. No. 23-23-24 by Finance and Personnel Committee to whom was referred R. O. No. 12-23-24 by City Clerk submitting a Petition for Review received from the State of Wisconsin Tax Appeals Commission in the matter of Georgia-Pacific Corrugated, LLC v. Wisconsin Department of Revenue; recommends filing the document.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 10.

11. R. C. No. 24-23-24 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 16-23-24 by Alderpersons Mitchell and Perrella authorizing an amendment to the Offer to Purchase regarding 1214 South 11th Street approved by council via Res. No. 133-22-23; recommends adopting the Resolution.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 10.

12. R. C. No. 25-23-24 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 3-23-24 by City Clerk submitting various license applications; recommends granting license no. 3475 (Mi Ranchito) with stipulations.

MOTION TO RECEIVE THE R. C. AND GRANT LICENSE WITH STIPULATIONS

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 10.

13. R. C. No. 26-23-24 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 16-23-24 by City Clerk submitting various license applications; recommends granting all license applications except license no. 3007 (Ananda Marketing LLC) to be granted with a warning.

MOTION TO RECEIVE THE R. C. AND GRANT LICENSE APPLICATIONS, EXCEPT LICENSE NO. 3007 GRANT WITH A WARNING

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 10.

14. R. C. No. 27-23-24 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 17-23-24 by City Clerk submitting various license applications; recommends granting all license applications.

MOTION TO RECEIVE THE R. C. AND GRANT THE LICENSE APPLICATIONS

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 10.

15. R. C. No. 29-23-24 by Public Works Committee to whom was referred Res. No. 18-23-24 by Alderpersons Dekker and Rust authorizing the Director of Public Works to take necessary actions to receive a grant from Alliant Energy and a grant from Restoration of Our Trees Sheboygan for the purchase and planting of municipal trees and authorizing an adjustment to the 2023 budget; recommends adopting the Resolution.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 10.

16. R. C. No. 31-23-24 by Public Works Committee to whom was referred Gen. Ord. No. 6-23-24 by Alderpersons Dekker and Rust repealing portions of Section 21 of Subs. of Gen. Ord. 28-14-15, relating to certain parking restrictions on the east side of the 2200 block of North 5th Street and the 400 block of Euclid Avenue; recommends adopting the Ordinance.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 10.

17. R. C. No. 32-23-24 by Public Works Committee to whom was referred Gen. Ord. No. 7-23-24 by Alderpersons Dekker and Rust repealing Section 11 of Subs. of Gen. Ord. 28-14-15 and Gen. Ord. 25-03-04, relating to parking restrictions on the north side of the 1600 block of Illinois Avenue; recommends adopting the Ordinance.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 10.

REPORT OF OFFICERS

18. R. O. No. 18-23-24 by City Clerk submitting a claim from Deon Johnson for alleged damages to vehicle from a scratch by the police dog. REFER TO FINANCE AND PERSONNEL COMMITTEE
19. R. O. No. 20-23-24 by City Clerk submitting a claim from James and Alice Wilsing for alleged damages to their fence from snow. REFER TO FINANCE AND PERSONNEL COMMITTEE
20. R. O. No. 21-23-24 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE
21. R. O. No. 22-23-24 by City Clerk submitting a claim from Leah V. Zinkgraf for alleged damages to vehicle from potholes on 5th Street. REFER TO FINANCE AND PERSONNEL COMMITTEE

RESOLUTIONS

22. Res. No. 22-23-24 by Alderpersons Mitchell and Filicky-Peneski authorizing the appropriate City officials to enter into contract with the Wisconsin Economic Development Corporation for the purpose of receiving financial assistance through the 2023 Vibrant Spaces Grant to be used in revitalizing and energizing the Uptown Parklet in partnership with neighboring businesses.

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, Salazar – 10.

23. Res. No. 23-23-24 by Alderpersons Dekker and Rust informing the Wisconsin Department of Natural Resources (WDNR) that the 2022 Compliance Maintenance Annual Report (CMAR) has been reviewed.

MOTION TO SUSPEND THE RULES AND ADOPT THE RESOLUTION

Motion made by Dekker, Seconded by Rust.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 10.

24. Res. No. 19-23-24 by Alderpersons Salazar and Felde authorizing the appropriate City officials to execute the Clinical Affiliation Agreement between the City of Sheboygan and Lakeshore Technical College with regard to providing students with supervised clinical experiences at City of Sheboygan Fire Department clinical education sites. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE
25. Res. No. 20-23-24 by Alderpersons Dekker and Rust authorizing the appropriate City officials to enter into a contract with Bay-Lake Regional Planning Commission to update the Sheboygan Urbanized Area Sewer Service Plan and authorizing payment for such services. REFER TO PUBLIC WORKS COMMITTEE
26. Res. No. 21-23-24 by Alderpersons Mitchell and Filicky-Peneski appointing Bond Trust Services Corporation as fiscal agent in connection with certain outstanding obligations. REFER TO FINANCE AND PERSONNEL COMMITTEE

REPORT OF COMMITTEES

27. R. C. No. 28-23-24 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 15-23-24 by Alderpersons Salazar and Felde approving the 2023 Mercury Racing Midwest Challenge and waiving the speed restrictions outlined in 2023 Sheboygan Municipal Code § 60-68 for motorboats during their participation in race activities; recommends adopting the Resolution.

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

Motion made by Salazar, Seconded by Felde.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 10.

28. R. C. No. 30-23-24 by Public Works Committee to whom was referred Gen. Ord. No. 4-23-24 by Alderpersons Dekker and Rust amending Section 8-16 of the 2023 Sheboygan Municipal Code relating to allowing pets in parks and on public grounds; recommends adopting the Ordinance.

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

Motion made by Dekker, Seconded by Salazar.

Before action was taken,

MOTION TO AMEND THE RESOLUTION AS TO INCREASE THE FINE IN SECTION “E” TO \$200 AND INVEST THE ADDITIONAL \$75 IN CREATING MORE PET SPACES

Motion by Heidemann.

City Attorney Adams discussed Germaine and notice issues with the amendment.

MOTION AMENDED TO INCREASE FINE IN SECTION “E” TO \$200 ONLY

Motion by Heidemann, Seconded by Mitchell.

Voting Yea: Heidemann and Mitchell – 2.

Voting Nay: Ackley, Dekker, Felde, Filicky-Peneski, Perrella, Ramey, Rust, Salazar – 8.

On original motion to adopt Ordinance,

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 10.

GENERAL ORDINANCES

29. Gen. Ord. No. 8-23-24 by Alderpersons Dekker and Rust amending Sec 60-131 of the 2023 Sheboygan Municipal Code (1997 Code sec. 134-181) so as to prohibit use of the city-owned boat launches during the Mercury Midwest Challenge Event. REFER TO PUBLIC WORKS COMMITTEE
30. Gen. Ord. No. 9-23-24 by Alderpersons Salazar and Felde amending Sec 38-27 of the 2023 Sheboygan Municipal Code (1997 Code sec. 1-28) so as to delete certain fees. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

MATTERS LAID OVER

31. Res. No. 14-23-24 by Alderperson Dekker amending the boundaries of the James Madison Neighborhood Association and renaming it as the James Madison-Veterans Park Neighborhood Association.

MOTION TO ADOPT THE RESOLUTION

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 10.

OTHER MATTERS AUTHORIZED BY LAW – None

CLOSED SESSION

32. MOTION TO CONVENE IN CLOSED SESSION pursuant to Wis. Stat. § 19.85(1)(e) for the purpose of deliberating or negotiating the investing of public funds or conducting other specified public business whenever competitive or bargaining reasons require a closed session; to wit: discussions regarding potential options related to a contract for the operation of the Sheboygan Marina.

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 10.

ADJOURN MEETING

33. Motion to Adjourn

MOTION TO ADJOURN AT 7:43 PM

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 10.