

CITY OF SHEBOYGAN

NINTH REGULAR COMMON COUNCIL MEETING MINUTES

Monday, August 05, 2024

OPENING OF MEETING

1. Roll Call

Alderspersons present: Belanger, Dekker, Felde (left meeting at 6:49 p.m.), Heidemann, La Fave, Perrella, Peterson, Ramey, Rust – 9.

Aldersperson excused: Mitchell – 1.

2. Pledge of Allegiance

3. Approval of Minutes

Eighth Regular Council Meeting held on July 15, 2024

MOTION TO APPROVE

Motion made by Dekker, Seconded by Rust.

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

4. Confirmation of Mayoral Appointments

Jon Beaudry and Minami Beaudry to the Mayor's International Committee

MOTION TO CONFIRM

Motion made by Dekker, Seconded by Rust.

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

5. Public Forum

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

Dave Repinski, Scott Hanson, Warren Waddell, Andrew Bauman, and Jim Van Akkeren spoke.

6. Presentation

2024 Year-to-date Budget Report and 2025 Budget Outlook by Finance Director Kaitlyn Krueger

7. Mayor's Announcements

Upcoming Community Events, Proclamations, Employee Recognitions

HEARINGS

8. Hearing No. 4-24-25 pursuant to a notice published by the City Clerk, this hearing is to allow interested parties to be heard relative to amendments to various sections of the Sheboygan Municipal Code correcting various errors identified in the current zoning code (Chapter 105). No one spoke.

MOTION TO CLOSE THE HEARING

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Perrella, Peterson, Ramey, Rust – 8.

9. Hearing No. 5-24-25 pursuant to a notice published and letters sent by the City Clerk, this hearing is to allow interested parties to be heard relative to a proposed amendment to the City of Sheboygan's Official Zoning Map. The purpose of the amendment is to change the Use District Classification of property located at 3100 Superior Avenue – Parcel No. 59281631527 from Class Suburban Office (SO) to Class Suburban Office – Planned Unit Development Overlay (SO-PUD) Classification.

Todd Raeder spoke.

MOTION TO CLOSE THE HEARING

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Perrella, Peterson, Ramey, Rust – 8.

10. Hearing No. 6-24-25 pursuant to a notice published by the City Clerk, this hearing is to allow interested parties to be heard relative to the proposed Planned Unit Development (PUD) – General Development Plan (GDP) designation by Malibu Apartments, LLC to construct Malibu Apartments on Parcel No. 59281318390.

Jim Van Akkeren, Scott Hanson, Eric Neave, Christine Potter, Richard Piel spoke.

MOTION TO CLOSE THE HEARING

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Perrella, Peterson, Ramey, Rust – 8.

11. Hearing No. 7-24-25 pursuant to a notice published by the City Clerk, this hearing is to allow interested parties to be heard relative to the proposed update to the local Floodplain Zoning Ordinance.

No one spoke.

MOTION TO CLOSE THE HEARING

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Perrella, Peterson, Ramey, Rust – 8.

CONSENT

- 12. 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, Perrella, Peterson, Ramey, Rust – 8.

13. R. O. No. 37-24-25 by Board of Water Commissioners submitting the report of the Water Utility for the second quarter of 2024.

MOTION TO RECEIVE AND FILE

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Perrella, Peterson, Ramey, Rust – 8.

14. R. C. No. 62-24-25 by Finance and Personnel Committee to whom was referred Res. No. 44-24-25 by Alderpersons Mitchell and Perrella authorizing an amendment to the 2024 budget

reflecting a table of organization change for the Finance Department and Mead Public Library; 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, Perrella, Peterson, Ramey, Rust – 8.

15. R. C. No. 61-24-25 by Public Works Committee to whom was referred Res. No. 45-24-25 by Alderpersons Dekker and Rust authorizing the appropriate City officials to enter a contract with Kleeman Mechanical, Inc., to upgrade the heating, ventilation & air conditioning (HVAC) system in the administrative building at the Wastewater Treatment Facility; 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, Perrella, Peterson, Ramey, Rust – 8.

16. R. C. No. 67-24-25 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 43-24-25 by Alderpersons Rust and La Fave authorizing entering into a professional services agreement with Angela Wessels, LLC for peer support training services for the Sheboygan Fire Department; 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, Perrella, Peterson, Ramey, Rust – 8.

17. R. C. No. 68-24-25 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 32-24-25 by City Clerk submitting various license applications; recommends granting the applications with caveat (*).

MOTION TO RECEIVE THE R. C. AND GRANT THE APPLICATIONS WITH CAVEAT

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Perrella, Peterson, Ramey, Rust – 8.

18. R. C. No. 69-24-25 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 35-24-25 by City Clerk submitting various license applications; 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, Perrella, Peterson, Ramey, Rust – 8.

REPORT OF OFFICERS

19. R. O. No. 39-24-25 by City Plan Commission to whom was referred Gen. Ord. No. 13-24-25 by Alderperson Belanger amending various articles and sections of Chapter 107 of the Municipal Code so as to make updates to the Floodplain Zoning Ordinance in order to comply with the requirements of the Department of Natural Resources; recommends adopting the Ordinance.

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

Motion made by Belanger, Seconded by Dekker.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Perrella, Peterson, Ramey, Rust – 8.

20. R. O. No. 46-24-25 by City Clerk submitting a permanent change of premises for the Weill Center Foundation, Inc. SUSPEND THE RULES AND GRANT THE LICENSE

MOTION TO SUSPEND THE RULES AND GRANT THE LICENSE

Motion made by Rust, Seconded by Perrella.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Perrella, Peterson, Ramey, Rust – 8.

21. R. O. No. 40-24-25 by City Plan Commission to whom was referred Gen. Ord. No. 12-24-25 by Alderperson Ramey and R. O. No. 33-24-25 by City Clerk submitting an 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 3100 Superior Avenue from Class Suburban Office (SO) to Class Suburban Office – Planned Unit Development Overlay (SO-PUD) Classification; recommends filing the R. O. and adopting the Ordinance.

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

Motion made by Ramey, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Perrella, Peterson, Ramey, Rust – 8.

22. R. O. No. 43-24-25 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE
23. R. O. No. 36-24-25 by Police Chief Christopher Domagalski pursuant to section 30-50 of the Municipal Code, submitting the quarterly report showing the Benchmark Measurements for the police department, for the period commencing April 1, 2024 and ending June 30, 2024. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE
24. R. O. No. 38-24-25 by Fire Chief Eric Montellano pursuant to section 24-459 of the Municipal Code, submitting the quarterly report showing the Benchmark Measurements for the fire department, for the period commencing April 1, 2024 and ending June 30, 2024. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE
25. R. O. No. 41-24-25 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 June 2024 is being provided. REFER TO FINANCE AND PERSONNEL COMMITTEE
26. R. O. No. 42-24-25 by City Clerk submitting a Summons and Complaint in the matter of Shirley Winkleman vs. Sheboygan Police Department. REFER TO FINANCE AND PERSONNEL COMMITTEE
27. R. O. No. 45-24-25 by Human Resources & Labor Relations Director Kelly Hendee submitting an exit interview report for Quarter 2 for the City of Sheboygan. REFER TO FINANCE AND PERSONNEL COMMITTEE
28. R. O. No. 44-24-25 by City Clerk submitting a claim from Cheyanne Pelzek for alleged damages to vehicle from road construction. REFER TO FINANCE AND PERSONNEL COMMITTEE

RESOLUTIONS

29. Res. No. 52-24-25 by Alderpersons Mitchell and Perrella authorizing the appropriate City officials to execute an Assignment of Real Property Purchase Agreement and authorizing the purchase of 930 North 8th Street (Parcel Nos. 59281106160 and 59281106190) from I&Z Properties LLC for future use by the City.

MOTION TO SUSPEND THE RULES AND ADOPT THE RESOLUTION

Motion made by Perrella, Seconded by Dekker.

Before action was taken,

Motion to amend the resolution so as to approve an updated assignment that reflects that the assignment is not only the July 9 contract, but the July 23 amendment to the contract between Secure Fund, LLC and I&Z Properties, LLC.

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Perrella, Peterson, Ramey, Rust – 8.

On motion to adopt the amended Resolution,

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Perrella, Peterson, Ramey, Rust – 8.

30. Res. No. 48-24-25 by Alderpersons Belanger and Perrella approving the General Development Plan submitted by Malibu Apartments, LLC for construction of Malibu Apartments on Parcel No. 59281318390 within a Planned Unit Development (PUD) zone.

MOTION TO ADOPT THE RESOLUTION

Motion made by Belanger, Seconded by Perrella.

Voting Yea: Belanger, Dekker, La Fave, Ramey, Rust – 5.

Voting Nay: Heidemann, Perrella, Peterson – 3

31. Res. No. 49-24-25 by Alderpersons Dekker and Ramey authorizing entering into a professional services agreement with R.A. Smith, Inc. for design and engineering services for upgrades to the Uptown Parklet on St. Clair Avenue. REFER TO PUBLIC WORKS COMMITTEE
32. Res. No. 53-24-25 by Alderpersons Mitchell and Perrella for inclusion under the Wisconsin Department of Employee Trust Funds' Income Continuation Insurance Program. REFER TO FINANCE AND PERSONNEL COMMITTEE
33. Res. No. 51-24-25 by Alderpersons Dekker and Ramey authorizing the appropriate City officials to enter into a contract with Ayres Associates, Inc. for the design of Pigeon River Stream Stabilization Upstream of Mill Road Bridge. REFER TO PUBLIC WORKS COMMITTEE
34. Res. No. 50-24-25 by Alderpersons Dekker and Ramey authorizing the appropriate City officials to enter into a contract with Ayres Associates, Inc. for the design of the New Jersey Avenue bridge rehabilitation over the Sheboygan River. REFER TO PUBLIC WORKS COMMITTEE
35. Res. No. 57-24-25 by Alderpersons Dekker and Ramey authorizing the appropriate City officials to enter into a contract with Buyten-Peterson Construction Company for the construction of the Wildwood Parking Lot and Kiwanis Park Improvements. REFER TO PUBLIC WORKS COMMITTEE
36. Res. No. 56-24-25 by Alderpersons Mitchell and Perrella authorizing the appropriate City officials to execute a Memorandum of Understanding with Weill Center Foundation, Inc.

regarding the terms and understandings between the parties with regard to costs of expansion.
REFER TO FINANCE AND PERSONNEL COMMITTEE

37. Res. No. 55-24-25 by Alderpersons Mitchell and Perrella authorizing the purchase of Parcel No. 59281501530 adjacent to N. Commerce Street from Daniel R. Cimarosti, Susan M. Cimarosti, and Jonathan D. Cimarosti for future use by the City. REFER TO FINANCE AND PERSONNEL COMMITTEE
38. Res. No. 54-24-25 by Alderpersons Mitchell and Perrella authorizing the purchase of Parcel No. 59281501655 adjacent to Pennsylvania Avenue from PBRK, LLP for future use by the City. REFER TO FINANCE AND PERSONNEL COMMITTEE

REPORT OF COMMITTEES

39. R. C. No. 63-24-25 by Finance and Personnel Committee to whom was referred Direct Referral Res. No. 46-24-25 by Alderpersons Mitchell and Perrella authorizing a contract between the City of Sheboygan and Tyler Technologies, Inc. for purchase and implementation of Advanced Scheduling and Time & Attendance software programs; recommends adopting the Resolution.

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

Motion made by Perrella, Seconded by Dekker.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Perrella, Peterson, Ramey, Rust – 8.

40. R. C. No. 64-24-25 by Licensing, Hearings, and Public Safety Committee to whom was referred Gen. Ord. No. 11-24-25 by Alderpersons Rust and La Fave amending section 38-59 of the Sheboygan Municipal Code so as to modify regulations pertaining to consuming intoxicating beverages in public; recommends adopting the Ordinance.

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

Motion made by Rust, Seconded by La Fave.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Perrella, Peterson, Ramey, Rust – 8.

41. R. C. No. 65-24-25 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 42-24-25 by Alderpersons Rust and La Fave authorizing the creation of a temporary Designated Outdoor Refreshment Area during the 2024 Mercury Racing Midwest Challenge, August 9-11, 2024; recommends adopting the Resolution.

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

Motion made by Rust, Seconded by La Fave.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Perrella, Peterson, Ramey, Rust – 8.

42. R. C. No. 66-24-25 by Licensing, Hearings, and Public Safety Committee to whom was referred Direct Referral Res. No. 47-24-25 by Alderpersons Rust and La Fave authorizing the Fire Chief to execute an agreement with the City of Manitowoc Fire Department allowing the City to borrow an ambulance to have as reserve for the Mercury Racing Midwest Challenge Powerboat Race event August 8-12, 2024; recommends adopting the Resolution.

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

Motion made by Rust, Seconded by La Fave.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Perrella, Peterson, Ramey, Rust – 8.

43. R. C. No. 70-24-25 by Licensing, Hearings, and Public Safety Committee to whom was referred Direct Referral Gen. Ord. No. 14-24-25 by Alderpersons Rust and La Fave amending section 48-322 of the Sheboygan Municipal Code to remove the mandatory neighbor approval for street festival and special events permits; recommends adopting the Ordinance with amendment to include (c)(9)(c) under Sec 48-322 to read, “A list of all adults who reside or do business on the to-be-closed portion of the street and a statement that all of the identified adults have been contacted about the temporary street closure”.

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

Motion made by Rust, Seconded by La Fave.

Voting Yea: Belanger, Dekker, La Fave, Perrella, Peterson, Ramey, Rust – 7.

Voting Nay: Heidemann – 1.

44. R. C. No. 71-24-25 by Licensing, Hearings, and Public Safety Committee who met on July 25, 2024 to consider a request by David A. Repinski, agent for Dave’s Who’s Inn, holder of Alcohol Beverage No. 1089, to modify voluntary conditions imposed in lieu of a hearing on revocation of said license; recommends the common council accept an amendment of the voluntary conditions agreed to be the license holder in order to avoid a hearing on revocation.

MOTION TO RECEIVE THE R. C. AND GRANT LICENSE WITH AMENDED CONDITIONS

Motion made by Rust, Seconded by La Fave.

Before action was taken,

Motion to grant the license with all conditions removed,

Motion made by Rust, Seconded by La Fave.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Perrella, Peterson, Ramey, Rust – 8.

GENERAL ORDINANCES

45. Gen. Ord. No. 15-24-25 by Alderpersons Rust, Perrella, and Peterson amending sections 14-308 and 14-309 of the Sheboygan Municipal Code so as to allow food trailers to be food trucks.
REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

MATTERS LAID OVER

46. R. O. No. 31-24-25 by City Plan Commission to whom was referred Gen. Ord. No. 10-24-25 by Alderperson Belanger amending various sections of the Sheboygan Municipal Code so as to correct various errors identified in the current zoning code (Chapter 105); recommends adopting the Ordinance.

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

Motion made by Belanger, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Perrella, Peterson, Ramey, Rust – 8.

OTHER MATTERS AUTHORIZED BY LAW – None.

ADJOURN MEETING

47. Motion to Adjourn

MOTION TO ADJOURN AT 7:52 PM

Motion made by Dekker, Seconded by Rust.

Voting Yea: Belanger, Dekker, Heidemann, La Fave, Perrella, Peterson, Ramey, Rust – 8.