

CITY OF SHEBOYGAN
TENTH REGULAR COMMON COUNCIL MEETING MINUTES
Monday, August 21, 2023

OPENING OF MEETING

1. Roll Call

Alders Present: Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey, Rust, and Salazar – 8.

Alders Excused: Ackley and Filicky-Peneski – 2.

2. Pledge of Allegiance

3. Approval of Minutes

Ninth Regular Council Meeting held on August 7, 2023

MOTION TO APPROVE THE MINUTES

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 8.

4. Resignations

Dane Schaefer from the Mayor's International Committee

Libby Olbrantz from the Mayor's International Committee

MOTION TO ACCEPT AND FILE

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 8.

5. Mayoral Appointments – Lays over

Kara Ottum to the Mayor's International Committee

Matt Wierzbach to the Historic Preservation Commission

6. Confirmation of Mayoral Appointment

Diane McGinnis-Casey to the position of Director of Planning and Development

MOTION TO CONFIRM

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 8.

7. Confirmation of Mayoral Appointment

Samuel Melei to the position of Municipal Court Judge

MOTION TO CONFIRM

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 8.

8. Public Forum

Limit of five people having five minutes each with comments limited to items on this agenda. No one spoke.

9. Mayor's Announcements

Upcoming Community Events, Proclamations, Employee Recognitions

CONSENT

10. 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, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 8.

11. R. O. No. 35-23-24 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: Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 8.

12. R. C. No. 61-23-24 by Finance and Personnel Committee to whom was referred R. O. No. 2-23-24 by City Clerk submitting a claim from Torke Coffee Co., Inc. for alleged damages to a vehicle when it was hit by a City garbage truck; recommends filing the claim.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 8.

13. R. C. No. 62-23-24 by Finance and Personnel Committee to whom was referred R. O. No. 129-22-23 by City Clerk submitting a claim from Yang Pao Chang for alleged damages to driveway and sidewalk due to a broken water main; recommends filing the claim.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 8.

14. R. C. No. 63-23-24 by Finance and Personnel Committee to whom was referred Res. No. 33-23-24 by Alderpersons Mitchell and Filicky-Peneski authorizing the City Attorney's Office to settle the matter of *Cristy Murray v. City of Sheboygan and Mark A. Polich*, Case No. 23SE577; 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, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 8.

15. R. C. No. 64-23-24 by Finance and Personnel Committee to whom was referred Res. No. 34-23-24 by Alderpersons Mitchell and Filicky-Peneski authorizing the appropriate City officials to execute an agreement with HeyGov, Inc., to implement forms, licenses, and applications

software for the Departments of Public Works and City Clerk; 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, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 8.

16. R. C. No. 65-23-24 by Finance and Personnel Committee to whom was referred Res. No. 39-23-24 by Alderpersons Mitchell and Filicky-Peneski transferring budgeted funds so as to pay for additional cybersecurity products provided by ACP CreativIT, LLC d/b/a Camera Corner Connecting Point and obligating American Rescue Plan Act (ARPA) funds to pay for the associated costs; 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, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 8.

17. R. C. No. 67-23-24 by Public Works Committee to whom was referred Res. No. 37-23-24 by Alderpersons Dekker and Rust authorizing the donation of a snowmobile and G-2 groomer to the Northern Kettle Moraine Nordic Ski Club; 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, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 8.

18. R. C. No. 69-23-24 by Licensing, Hearings, and Public Safety Committee to whom was referred DIRECT REFERRAL R. O. No. 34-23-24 by City Clerk submitting a license application from The Silver Fern (#2207) for an extension of premises; recommends granting the application contingent on obtaining a Street Festival permit.

MOTION TO RECEIVE THE R. C. AND GRANT THE APPLICATION CONTINGENT

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 8.

19. R. C. No. 70-23-24 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 33-23-24 by City Clerk submitting various license applications; recommends granting all applications.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 8.

20. R. C. No. 71-23-24 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 35-23-24 by Alderpersons Salazar and Felde authorizing application for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program Fiscal Year 2023 Local Solicitation and entering into a Memorandum of Understanding with Sheboygan County; 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, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 8.

REPORT OF OFFICERS

21. R. O. No. 36-23-24 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

RESOLUTIONS

22. Res. No. 42-23-24 by Alderpersons Dekker and Salazar authorizing outside legal counsel in the matter of Chad Pelishek v. City of Sheboygan, et al., and authorizing payment for said service.

MOTION TO SUSPEND THE RULES AND ADOPT THE RESOLUTION

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 8.

23. Res. No. 44-23-24 by Alderpersons Dekker and Salazar authorizing the appropriate City officials to execute two (2) conflict waiver letters prepared by Quarles & Brady LLP regarding representation of the City of Sheboygan and Advocate Health.

MOTION TO SUSPEND THE RULES AND ADOPT THE RESOLUTION

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 8.

24. Res. No. 43-23-24 by Alderpersons Dekker and Rust authorizing the appropriate City officials to execute a Lease Agreement between the City of Sheboygan, the Ellwood H. May Environmental Park Association of Sheboygan County, Inc., and the Sheboygan Area School District. REFER TO PUBLIC WORKS COMMITTEE

25. Res. No. 45-23-24 by Alderpersons Dekker and Rust authorizing the appropriate City officials to execute an Amendment to Lease Agreement between the City of Sheboygan, the Ellwood H. May Environmental Park Association of Sheboygan County, Inc., and Sheboygan County YMCA. REFER TO PUBLIC WORKS COMMITTEE

26. Res. No. 46-23-24 by Mitchell and Filicky-Peneski authorizing the sale of City Parking Lot No. 3 located at 821 Niagara Avenue to Trinity Evangelical Lutheran Church. REFER TO FINANCE AND PERSONNEL COMMITTEE

27. Res. No. 47-23-24 by Alderpersons Dekker, Salazar and Mitchell authorizing the Purchasing Agent to issue a purchase order for a 2023 John Deere ProGator 2020A for the Sheboygan Parking Utility and to trade in a 2012 John Deere ProGator 2020A as part of the purchase. REFER TO TRANSIT COMMISSION

28. Res. No. 48-23-24 Alderpersons Dekker and Rust designating the City Forester as the City's Authorized Representative for the purpose of Wisconsin Department of Natural Resources (WI DNR) Urban Forestry Grants for calendar year 2024 and directing him to submit an Urban Forestry Grant Application. REFER TO PUBLIC WORKS COMMITTEE

REPORT OF COMMITTEES

29. R. C. No. 66-23-24 by Finance and Personnel Committee to whom was referred DIRECT REFERRAL Res. No. 41-23-24 by Alderpersons Mitchell and Filicky-Peneski appointing Casey

Bradley as the new City Administrator effective October 23, 2023 and authorizing the appropriate City officials to enter into an Employment Agreement with Casey Bradley; recommends adopting the Resolution.

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

Motion made by Mitchell, Seconded by Dekker.

Voting Yea: Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 8.

30. R. C. No. 68-23-24 by Public Works Committee to whom was referred Gen. Ord. No. 16-23-24 by Alderpersons Dekker and Rust creating a no parking zone on Broughton Drive north of Ontario Avenue; recommends adopting the Ordinance.

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

Motion made by Dekker, Seconded by Rust.

Voting Yea: Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 8.

31. R. C. No. 72-23-24 by Licensing, Hearings, and Public Safety Committee to whom was referred Gen. Ord. No. 15-23-24 by Alderpersons Salazar and Felde amending section 52-401 so as to remove provisions related to nonpayment notices and administrative fees related thereto so as to have the penalties for bicycle, skateboard, and in-line skate violations be consistent with those for electric scooter violations, thereby allowing the use of citation writing software for such violations; recommends adopting the Ordinance.

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

Motion made by Salazar, Seconded by Felde.

Voting Yea: Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 8.

GENERAL ORDINANCES

32. Gen. Ord. No. 17-23-24 by Alderpersons Dekker and Rust creating a no parking zone on at the terminus of South Pier Drive, at the cul-de-sac to prevent parking between 11 p.m. and 4 a.m. REFER TO PUBLIC WORKS COMMITTEE
33. Gen. Ord. No. 18-23-24 by Alderperson Mitchell repealing Gen. Ord. No. 11-04-05 relating to the grant of encroachment privileges to Gurpal Wisconsin Stations, LLC. REFER TO CITY PLAN COMMISSION

OTHER MATTERS AUTHORIZED BY LAW – None.

ADJOURN MEETING

34. Motion to Adjourn

MOTION TO ADJOURN AT 6:15 PM

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey, Rust, Salazar – 8.