



# FOURTEENTH REGULAR COMMON COUNCIL MEETING AGENDA

**October 16, 2023 at 6:00 PM**

**City Hall, 3rd Floor - Council Chambers, 828 Center Avenue,  
Sheboygan, WI**

---

**"Happiness is an inside job" - William Arthur Ward**

**This meeting may be viewed LIVE on Charter Spectrum Channel 990, AT&T U-Verse Channel 99 and:  
[www.wscssheboygan.com/vod](http://www.wscssheboygan.com/vod).**

Notice of the 14th Regular Meeting of the 2023-2024 Common Council at 6:00 PM, MONDAY, October 16, 2023 in City Hall, 3rd Floor - Council Chambers, 828 Center Avenue, Sheboygan, WI. Persons with disabilities who need accommodations to attend the meeting should contact Meredith DeBruin at the City Clerk's Office, 828 Center Avenue, (920) 459-3361.

Members of the public who wish to participate in public forum remotely shall provide notice to the City Clerk at (920) 459-3361 at least 24 hours before the meeting so that the person may be provided a remote link for that purpose.

## **OPENING OF MEETING**

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Approval of Minutes**  
*Thirteenth Regular Council Meeting held on October 2, 2023*
- 4. Mayoral Appointments**  
*Melissa Parra and Aubrey Lockwood to the Mayor's International Committee*
- 5. Public Forum**  
*Limit of five people having five minutes each with comments limited to items on this agenda.*
- 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**
- 8. Res. No. 82-23-24 by Alderpersons Mitchell and Perrella ordering a hearing on the vacation and discontinuance of the east-west alley east of North 9<sup>th</sup> Street, located in Block 127 of the Original Plat.**
- 9. R. C. No. 98-23-24 by Finance and Personnel Committee to whom was referred R. O. No. 15-23-24 by City Clerk submitting a Summons and Complaint in the matter of Bank United, N.A. vs. Joseph P. Champeau et al.; recommends filing the document.**

10. R. C. No. 99-23-24 by Finance and Personnel Committee to whom was referred R. O. No. 32-23-24 by City Clerk submitting a Summons and Complaint in the matter of Wisconsin Bank & Trust v. Judith A. Meyer et al.; recommends filing the document.
11. R. C. No. 100-23-24 by Finance and Personnel Committee to whom was referred R. O. No. 50-23-24 by City Clerk submitting a Summons and Complaint in the matter of BMO Harris Bank N.A. vs. Jessica J. Jacoby et al.; recommends filing the document.
12. R. C. No. 102-23-24 by Finance and Personnel Committee to whom was referred R. O. No. 137-22-23 by City Clerk submitting a claim from James Passmore for alleged damages to his garage when it was hit by a City of Sheboygan garbage truck; recommends filing the claim.
13. R. C. No. 103-23-24 by Finance and Personnel Committee to whom was referred Res. No. 67-23-24 by Alderpersons Mitchell and Filicky-Peneski authorizing the appropriate City officials to execute Engagement Letter Agreements with Baker Tilly US, LLP ("Baker Tilly") for auditing services relating to the dissolution of Tax Incremental District No. 6, Tax Incremental District No. 10, Tax Incremental District No. 12, Tax Incremental District No. 13, Tax Incremental District No. 14, and Tax Incremental District No. 15; recommends adopting the Resolution.
14. R. C. No. 104-23-24 by Finance and Personnel Committee to whom was referred R. C. No. 209-22-23 by Finance and Personnel Committee to whom was referred R. C. No. 269-21-22 by Finance and Personnel Committee to whom was referred R. O. No. 69-21-22 by City Clerk submitting a claim of alleged unlawful tax collected from FedEx Services by the City of Sheboygan for the 2020 tax year, plus interest as provided by law, with respect to certain property located in the City and known by the personal property tax Account Number 59281950534P; recommends filing the document.
15. R. C. No. 105-23-24 by Finance and Personnel Committee to whom was referred R. C. No. 211-22-23 by Finance and Personnel Committee to whom was referred R. C. No. 271-21-22 by Finance and Personnel Committee to whom was referred R. C. No. 321-20-21 by Finance and Personnel Committee and R. O. No. 75-20-21 by City Clerk submitting a pending claim from Linda Arentsen for alleged injuries when she tripped on a raised part of the sidewalk on Center Avenue; recommends filing the document.
16. R. C. No. 109-23-24 by Public Works Committee to whom was referred Res. No. 70-23-24 by Alderpersons Dekker and Rust authorizing the appropriate City officials to enter into a revised State/Municipal Agreement (revised date August 4, 2023) with the State of Wisconsin Department of Transportation to update the existing traffic signals at the intersection of S. Business Drive and STH 28 / Washington Avenue; recommends adopting the Resolution.
17. R. C. No. 110-23-24 by Public Works Committee to whom was referred Res. No. 71-23-24 by Alderpersons Dekker and Rust authorizing the appropriate City officials to enter into a revised State/Municipal Agreement (revised date August 4, 2023) with the State of Wisconsin Department of Transportation to update the existing traffic signals at the intersection of STH 23 and Taylor Drive; recommends adopting the Resolution.
18. R. C. No. 112-23-24 by Public Works Committee to whom was referred Res. No. 66-23-24 by Alderpersons Dekker and Rust authorizing the appropriate City officials to enter into a contract with Buteyn-Peterson Construction Company for the construction of the Cleveland Park Splash Pad project; recommends adopting the Resolution.
19. R. C. No. 113-23-24 by Public Works Committee to whom was referred Res. No. 69-23-24 by Alderpersons Dekker and Rust authorizing the Department of Public Works to donate a 2011 Ferris zero turn mower to the Sheboygan Area Youth Soccer Organization, Inc. DBA Lakeshore United FC c/o Christopher Lacey; recommends adopting the Resolution.

20. R. C. No. 114-23-24 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 54-23-24 by City Clerk submitting a license application; recommends granting the license application.
21. R. C. No. 115-23-24 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 63-23-24 by Alderpersons Salazar and Felde establishing polling locations for the City of Sheboygan beginning in 2024; recommends adopting the Resolution.
22. R. C. No. 117-23-24 by Licensing, Hearings, and Public Safety Committee to whom was referred Gen. Ord. No. 23-23-24 by Alderpersons Salazar and Felde amending Section 26-20(c) so as to update the list of public buildings where smoking is prohibited; recommends adopting the Ordinance.
23. R. O. No. 58-23-24 by Board of License Examiners submitting applications for Building Contractor Licenses already granted.

## **REPORT OF OFFICERS**

24. R. O. No. 59-23-24 by City Clerk submitting a communication from the Wisconsin Department of Administration regarding The Boerke Company Inc. Annexation.
25. R. O. No. 61-23-24 by City Plan Commission to whom was referred Gen. Ord. No. 24-23-24 by Alderperson Mitchell and R. O. No. 48-23-24 by City Clerk submitting petition for annexing territory from the Town of Wilson to the City of Sheboygan, Wisconsin; recommends filing the application and adopting the Ordinance.
26. R. O. No. 55-23-24 by Chief of Police 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 July 1, 2023 and ending September 30, 2023. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE
27. R. O. No. 56-23-24 by Fire Chief pursuant to section 24-459 of the Municipal Code, submitting the quarterly report of Benchmark Measurements for the Fire Department, for the period commencing July 1, 2023 and ending September 30, 2023. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE
28. R. O. No. 57-23-24 by Director of Parking and Transit submitting the 2024 Business Improvement District (BID) Statement of Purpose, dated September 26, 2023, and the BID's 2024 Operating Budget. REFER TO FINANCE AND PERSONNEL COMMITTEE
29. R. O. No. 60-23-24 by City Clerk submitting a Summons and Complaint in the matter of Citibank, N.A. vs. The Estate of Rae R. Pape, Deceased et al. REFER TO FINANCE AND PERSONNEL COMMITTEE

## **RESOLUTIONS**

30. Res. No. 78-23-24 by Alderpersons Dekker and Rust authorizing the director of engineering and public works to grant permission to Lakeshore CAP to temporarily maintain a campsite on property owned and maintained by the City and to maintain a warming fire on such property during an overnight event beginning on November 4, 2023 and ending November 5, 2023. SUSPEND THE RULES AND ADOPT THE RESOLUTION
31. Res. No. 79-23-24 by Alderpersons Salazar and Felde authorizing the Chief of Police to take necessary actions to receive the 2024 Wisconsin Justice System Improvement Beat Patrol Grant. SUSPEND THE RULES AND ADOPT THE RESOLUTION

32. Res. No. 77-23-24 by Alderpersons Salazar and Felde adopting a Weights and Measures Device License Fee Schedule. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE
33. Res. No. 80-23-24 by Alderpersons Salazar and Felde modifying the ambulance service billing rates for the City of Sheboygan Fire Department. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE
34. Res. No. 81-23-24 by Alderpersons Dekker, Salazar, and Mitchell authorizing the filing of an application with the United States of America Department of Transportation and authorizing the executing of the contract pertaining to grants for calendar year 2024, under former Section 9 (USC 5307) of the Federal Transit Act of 1964, as amended. REFER TO TRANSIT COMMISSION
35. Res. No. 85-23-24 by Alderpersons Mitchell and Perrella vacating the east-west alley east of North 9th Street, located in Block 127 of the Original Plat. REFER TO CITY PLAN COMMISSION
36. Res. No. 84-23-24 by Alderpersons Dekker and Rust adopting a Facility Fee Schedule and an Equipment Fee Schedule. REFER TO PUBLIC WORKS COMMITTEE
37. Res. No. 83-23-24 by Alderpersons Salazar and Felde adopting a Plan Examination and Permit Fee Schedule. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

## **REPORT OF COMMITTEES**

38. R. C. No. 101-23-24 by Finance and Personnel Committee to whom was referred Res. No. 64-23-24 by Alderpersons Mitchell and Filicky-Peneski adopting certain changes to the City's Medical Benefit Plan and Dental Benefit Plan effective for calendar year 2024 coverage and establishing the monthly premium equivalent rates effective for January 2024 coverage and thereafter; recommends adopting the Resolution.
39. R. C. No. 106-23-24 by Finance and Personnel Committee to whom was referred DIRECT REFERRAL Res. No. 74-23-24 by Alderpersons Mitchell and Filicky-Peneski authorizing the issuance of a refund for excess property tax payable to Harbor Pride LLC related to 2022 real estate tax for Parcel No. 59281835115P; recommends adopting the Resolution.
40. R. C. No. 107-23-24 by Finance and Personnel Committee to whom was referred DIRECT REFERRAL Res. No. 75-23-24 by Alderpersons Mitchell and Filicky-Peneski authorizing the issuance of a refund for excess property tax payable to JL French/Nemak related to 2019 real estate tax for Parcel No. 59281479013; recommends adopting the Resolution.
41. R. C. No. 108-23-24 by Finance and Personnel Committee to whom was referred DIRECT REFERRAL Res. No. 76-23-24 by Alderpersons Mitchell and Filicky-Peneski authorizing the issuance of a refund for excess property tax payable to JL French/Nemak related to 2020 real estate tax for Parcel No. 59281479013; recommends adopting the Resolution.
42. R. C. No. 111-23-24 by Public Works Committee to whom was referred Res. No. 65-23-24 by Alderpersons Dekker and Rust authorizing the appropriate City officials to file an application with the United States Department of Transportation for a RAISE grant to construct a bicycle and pedestrian bridge connecting South Pier with the Riverfront; to execute documents necessary to accept grant funds; and designating \$1,335,483.00 of local matching as required by the program; recommends adopting the Resolution.
43. R. C. No. 116-23-24 by Licensing, Hearings, and Public Safety Committee to whom was referred Gen. Ord. No. 22-23-24 by Alderpersons Salazar and Felde amending Section 2-115 so as to eliminate the

need for alderperson signatures on council documents and revising the deadline for submitting requests for documents to the legal department; recommends adopting the Ordinance.

#### **GENERAL ORDINANCES**

- 44.** Gen. Ord. No. 25-23-24 by Alderpersons Salazar and Felde amending section 14-1 Weights and Measures. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE
- 45.** Gen. Ord. No. 26-23-24 by Alderpersons Salazar and Felde amending section 12-32 Plan Examination and Permit Fees. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE
- 46.** Gen. Ord. No. 27-23-24 by Alderpersons Dekker and Rust relating to one-way streets and parking restrictions in the area bounded by South 19<sup>th</sup> Street, Indiana Ave., South 24<sup>th</sup> Street, and Georgia Ave. REFER TO PUBLIC WORKS COMMITTEE

#### **OTHER MATTERS AUTHORIZED BY LAW**

#### **ADJOURN MEETING**

- 47.** Motion to Adjourn

***In compliance with Wisconsin's Open Meetings Law, this agenda was posted in the following locations more than 24 hours prior to the time of the meeting:***

*City Hall • Mead Public Library  
Sheboygan County Administration Building • City's website*