



SEVENTEENTH REGULAR COMMON COUNCIL MEETING AGENDA

December 04, 2023 at 6:00 PM

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

"The measure of intelligence is the ability to change" - Albert Einstein

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

Notice of the 17th Regular Meeting of the 2023-2024 Common Council at 6:00 PM, MONDAY, December 4, 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

Aldersperson Felde may attend meeting remotely

2. Pledge of Allegiance

3. Approval of Minutes

Sixteenth Regular Council Meeting held on November 20, 2023

4. Resignation

William L. Bulson from the Mead Public Library Board of Trustees

5. Mayoral Appointments

Katy Glodosy, Marol Testwuide, David Gass, David Haneman, Jackie Erdman, Andrew Jackus, and Ryan Sorenson to the Business Improvement District Board of Directors for the 2024-2025 Term.

6. Mayoral Appointments

Election Inspectors for all elections in 2024 and 2025

7. Mayoral Appointments

Jim Hollister to the Mead Public Library Board of Trustees

8. Confirmation of Appointment

Kelly Hendee appointed as the Director of Human Resources and Labor Relations effective December 5, 2023

9. Public Forum

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

10. Mayor's Announcements

Upcoming Community Events, Proclamations, Employee Recognitions

HEARINGS

- 11.** Hearing No. 4-23-24 pursuant to letters served and a notice published by the City Clerk, there is a hearing scheduled this evening for the purpose of the vacation and discontinuance of the east-west alley east of North 9th Street, located in Block 127 of the Original Plat.

CONSENT

12. Motion to Receive and File all R.O.'s, Receive all R.C.'s and Adopt all Resolutions and Ordinances

- 13.** R. C. No. 143-23-24 by Finance and Personnel Committee to whom was referred Res. No. 97-23-24 by Alderpersons Mitchell and Filicky-Peneski expressing the intent of the Common Council of the City of Sheboygan to exercise its police powers in levying a special assessment for the 2023 cost of operating and maintaining the off-street parking facilities within the Parking Assessment District No. 1; recommends adopting the Resolution.
- 14.** R. C. No. 144-23-24 by Finance and Personnel Committee to whom was referred Res. No. 98-23-24 by Alderpersons Mitchell and Filicky-Peneski expressing the intent of the Common Council of the City of Sheboygan to exercise its police powers in levying a special assessment for the 2023 cost of operating and maintaining the off-street parking facilities within the Parking Assessment District No. 2; recommends adopting the Resolution.
- 15.** R. C. No. 145-23-24 by Finance and Personnel Committee to whom was referred Res. No. 99-23-24 by Alderpersons Mitchell and Filicky-Peneski expressing the intent of the Common Council of the City of Sheboygan to exercise its police powers in levying a special assessment for the 2023 cost of operating and maintaining the off-street parking facilities within the Parking Assessment District No. 4; recommends adopting the Resolution.
- 16.** R. C. No. 146-23-24 by Finance and Personnel Committee to whom was referred Res. No. 100-23-24 by Alderpersons Mitchell and Filicky-Peneski expressing the intent of the Common Council of the City of Sheboygan to exercise its police powers in levying a special assessment for the 2023 cost of operating and maintaining the off-street parking facilities within the Parking Assessment District No. 5; recommends adopting the Resolution.
- 17.** R. C. No. 142-23-24 by Finance and Personnel Committee to whom was referred R. O. No. 72-23-24 by City Clerk submitting the Tax Levy Certification for the 2023-2024 School Year from the Sheboygan Area School District; recommends filing the report.
- 18.** R. C. No. 147-23-24 by Finance and Personnel Committee to whom was referred Res. No. 102-23-24 by Alderpersons Mitchell and Filicky-Peneski authorizing an amendment in the 2023 budget and directing the Finance Director to make an advance from the General Fund to the Redevelopment Authority Fund to fund land purchases within Tax Incremental District No. 17 ("TID 17"); recommends adopting the Resolution.
- 19.** R. C. No. 150-23-24 by Public Works Committee to whom was referred Res. No. 104-23-24 by Alderpersons Dekker and Rust authorizing Staff to file a claim in the multi-district litigation settlement of Aqueous Film-Forming Product Liability Litigation, District Court for the District of South Carolina, Master Docket No. 2:18-MN-2873-RMG; recommends adopting the Resolution.

20. R. C. No. 151-23-24 by Public Works Committee to whom was referred Gen. Ord. No. 29-23-24 by Alderpersons Dekker and Rust amending Sections 54-397, 54-398, 54-399 of the Municipal Code relating to sewers and sewerage disposal so as to make changes to service charges; recommends adopting the Ordinance.
21. R. C. No. 153-23-24 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 101-23-24 by Alderpersons Salazar and Felde authorizing the Fire Chief to enter into a software contract with Locality Media, Inc. dba First Due; recommends adopting the Resolution.

REPORT OF OFFICERS

22. R. O. No. 76-23-24 by City Plan Commission to whom was requested to consider recommending that the Common Council approve an amendment to the Project Plan and Boundaries of Tax Incremental District No. 17 at its meeting on November 14, 2023; wishes to report the commission considered and recommends approval as submitted.
23. R. O. No. 75-23-24 by City Plan Commission to whom was requested to consider recommending that the Common Council approve an amendment to the Project Plan and Boundaries of Tax Incremental District No. 18 at its meeting on November 14, 2023; wishes to report the commission considered and recommends approval as submitted.
24. R. O. No. 77-23-24 by City Clerk submitting a letter from Josh Sizonen asking permission to archery hunt on Parcel No. 59024342830. REFER TO PUBLIC WORKS COMMITTEE
25. R. O. No. 78-23-24 by City Clerk submitting a Summons and Complaint in the matter of Walmart Real Estate Business Trust c/o Wal-Mart Stores, Inc. vs. City of Sheboygan. REFER TO FINANCE AND PERSONNEL COMMITTEE

RESOLUTIONS

26. Res. No. 111-23-24 by Alderpersons Dekker and Salazar authorizing the appropriate City officials to enter into an Employment Agreement with Kelly Hendee. SUSPEND AND ADOPT
27. Res. No. 107-23-24 by Alderpersons Mitchell and Filicky-Peneski authorizing retaining outside legal counsel to represent the City in the matter of Wal-Mart Real Estate Business Trust v. City of Sheboygan, and authorizing payment for said services. SUSPEND AND ADOPT
28. Res. No. 105-23-24 by Alderpersons Mitchell and Filicky-Peneski approving an amendment to the Project Plan and boundaries of Tax Incremental District No. 17.
29. Res. No. 106-23-24 by Alderpersons Mitchell and Filicky-Peneski approving an amendment to the Project Plan and boundaries of Tax Incremental District No. 18.
30. Res. No. 108-23-24 by Alderperson Rust officially recognizing the Farnsworth Neighborhood Association. LAYS OVER
31. Res. No. 113-23-24 by Alderpersons Mitchell and Filicky-Peneski obligating American Rescue Plan Act (ARPA) funds to pay for various eligible capital projects and authorizing the Finance Director to complete a 2024 budget amendment with associated anticipated costs. REFER TO FINANCE AND PERSONNEL COMMITTEE
32. Res. No. 112-23-24 by Alderpersons Mitchell and Filicky-Peneski authorizing the issuance of a refund for excess property tax payable to Sheboygan Outboard Club related to 2022 real estate tax for Parcel No. 59281895368P. REFER TO FINANCE AND PERSONNEL COMMITTEE

33. Res. No. 110-23-24 by Alderpersons Mitchell and Filicky-Peneski authorizing entering into a Pre-Development Agreement with Cornerstone LLC regarding redevelopment of the Poth and Gartman Farms property on the south side of the City. REFER TO FINANCE AND PERSONNEL COMMITTEE
34. Res. No. 114-23-24 by Alderpersons Mitchell and Dekker submitting the final Resolution and order discontinuing a portion of South 19th Street between Union Avenue and Oakland Avenue and Oakland Avenue between South 19th Street and Union Pacific Railroad right of way. REFER TO CITY PLAN COMMISSION
35. Res. No. 115-23-24 by Alderpersons Salazar and Felde authorizing entering into a Master Services Agreement with Flock Group, Inc. for Flock Safety software products for the Sheboygan Police Department. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE
36. Res. No. 109-23-24 by Alderpersons Dekker and Rust authorizing City officials to execute the Second Amendment to Operating Agreement Between City of Sheboygan and Power Pubs, LLC. REFER TO PUBLIC WORKS COMMITTEE

REPORT OF COMMITTEES

37. R. C. No. 148-23-24 by Finance and Personnel Committee to whom was referred Gen. Ord. No. 32-23-24 by Alderpersons Mitchell and Filicky-Peneski amending various sections of the Sheboygan Municipal Code relating to personnel; recommends adopting the Ordinance.
38. R. C. No. 149-23-24 by Public Works Committee to whom was referred Res. No. 96-23-24 by Alderpersons Dekker and Rust directing Staff to develop a Complete Streets policy to improve citizen accessibility and all forms of mobility within our community and to increase safe, comfortable, and convenient travel while promoting public health and sustainable environmental practices; recommends adopting the Resolution.
39. R. C. No. 152-23-24 by Licensing, Hearings, and Public Safety Committee to whom was referred Gen. Ord. No. 31-23-24 by Alderpersons Salazar and Felde adopting new records retention schedules and making necessary amendments to the Sheboygan Municipal Code relating to the adopting; recommends adopting the Ordinance.

HELD FROM NOVEMBER 20, 2023 MEETING

40. R. C. No. 133-23-24 by Finance and Personnel Committee to whom was referred Res. No. 92-23-24 by Alderpersons Mitchell and Filicky-Peneski authorizing the sale of City Parking Lot No. 3 located at 821 Niagara Avenue to Trinity Evangelical Lutheran Church; recommends adopting the Resolution.

MATTERS LAID OVER

41. R. O. No. 64-23-24 by City Plan Commission to whom was referred 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; recommends adopting the Resolution.

OTHER MATTERS AUTHORIZED BY LAW

42. R. O. No. 79-23-24 by City Clerk submitting a new license application (Jake's Liquor). REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

ADJOURN MEETING

43. 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*