

CITY OF SHEBOYGAN
ELEVENTH REGULAR COMMON COUNCIL MEETING MINUTES
Tuesday, September 06, 2022

OPENING OF MEETING

1. Roll Call

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

2. Pledge of Allegiance

3. Approval of Minutes

MOTION TO APPROVE THE MINUTES FROM THE TENTH REGULAR COUNCIL MEETING HELD AUGUST 15, 2022

Motion made by Felde, Seconded by Filicky-Peneski.

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

4. Resignation

Aldersperson Grazia Perrella from the Public Works Committee

MOTION TO ACCEPT AND FILE

Motion made by Felde, Seconded by Filicky-Peneski.

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

5. Mayoral Appointments

Jessica Huss to Room Tax Commission, Aldersperson Joe Heidemann to Public Works Committee, and Aldersperson Zach Rust as Vice Chair of the Public Works Committee. Lays over.

6. Confirmation of Mayoral Appointments

Kim Meller to City Plan Commission and Kelsey Bird to City Sustainable Task Force

MOTION TO CONFIRM APPOINTMENTS

Motion made by Felde, Seconded by Filicky-Peneski.

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

7. Public Forum

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

8. Mayor's Announcements

Upcoming Community Events, Proclamations, Employee Recognitions

9. Announcement

Board of Water Commissioners election to be held on September 19, 2022 (Term beginning October 1, 2022) – Contact the City Clerk by September 15, 2022.

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 Felde, Seconded by Filicky-Peneski.

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

11. R. O. No. 57-22-23 by Board of License Examiners submitting an application for a Building Contractor License already granted.

MOTION TO RECEIVE AND FILE

Motion made by Felde, Seconded by Filicky-Peneski.

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

12. R. O. No. 60-22-23 by City Clerk submitting a communication from the Wisconsin Department of Administration stating it does not object to the revised final plat submitted for Maywood Estates.

MOTION TO RECEIVE AND FILE

Motion made by Felde, Seconded by Filicky-Peneski.

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

13. R. C. No. 81-22-23 by Finance and Personnel Committee to whom was referred R. C. No. 274-21-22 by Finance and Personnel Committee to whom was referred R. O. No. 79-21-22 by City Clerk submitting a Summons and Complaint in the matter of Washington School Apartments, LLC vs. City of Sheboygan; recommends filing the document.

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

Motion made by Felde, Seconded by Filicky-Peneski.

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

14. R. C. No. 83-22-23 by Finance and Personnel Committee to whom was referred Res. No. 53-22-23 by Alderpersons Mitchell and Filicky-Peneski approving the City of Sheboygan SouthPointe Enterprise Campus Real Estate Sales Commission Policy; recommends adopting the Resolution.

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

Motion made by Felde, Seconded by Filicky-Peneski.

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

15. R. C. No. 84-22-23 by Finance and Personnel Committee to whom was referred R. O. No. 54-22-23 by City Attorney reporting that the City's outside legal counsel has settled the matter of Washington School Apartments, LLC vs. City of Sheboygan, Sheboygan County Circuit Court Case No. 2021CV000312, with a payment by the City in the amount of \$7,496.17 representing a partial refund for property taxes paid in 2021; recommends filing the document.

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

Motion made by Felde, Seconded by Filicky-Peneski.

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

16. R. C. No. 86-22-23 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 55-22-23 by City Clerk submitting a license application (SS Northstar); recommends granting the license.

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

Motion made by Felde, Seconded by Filicky-Peneski.

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

17. R. C. No. 85-22-23 by Finance and Personnel Committee to whom was referred R. O. No. 47-22-23 by City Clerk submitting a Summons and Complaint in the matter of US Bank National Association v. Michelle Aguilar et al; recommends filing the document.

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

Motion made by Felde, Seconded by Filicky-Peneski.

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

18. R. C. No. 87-22-23 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 55-22-23 by Alderpersons Felde and Ackley authorizing the appropriate City officials to execute an agreement with Axim Geospatial for on-demand GIS support to the Sheboygan Police Department; recommends adopting the Resolution.

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

Motion made by Felde, Seconded by Filicky-Peneski.

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

19. R. C. No. 88-22-23 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 56-22-23 by Alderpersons Felde and Ackley authorizing entering into an Intergovernmental Cooperative Agreement with the Village of Kohler with regard to providing City of Sheboygan Fire personnel, equipment, and/or services in response to mass casualty events that result from an act of violence at the Aurora Medical Center-Sheboygan County, located at 3400 Union Avenue.; recommends adopting the Resolution.

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

Motion made by Felde, Seconded by Filicky-Peneski.

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

20. R. C. No. 89-22-23 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 56-22-23 by City Clerk submitting various license applications; recommends granting the licenses.

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

Motion made by Felde, Seconded by Filicky-Peneski.

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

21. R. C. No. 91-22-23 by Public Works Committee to whom was referred Res. No. 52-22-23 by Alderpersons Dekker and Perrella authorizing the appropriate City officials to enter into a contract with Konz Electric, LLC for the replacement of the Central Fire detection and alarm system at the Mead Public Library; recommends adopting the Resolution.

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

Motion made by Felde, Seconded by Filicky-Peneski.

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

REPORT OF OFFICERS

22. R. O. No. 58-22-23 by City Clerk submitting a Summons and Complaint in the matter of Phyllis Dergantz et al. vs. Tammy Angel et. al. REFER TO FINANCE AND PERSONNEL COMMITTEE
23. R. O. No. 59-22-23 by City Clerk submitting a document from the Wisconsin State Board of Assessors regarding a Personal Property Objection received from Georgia Pacific Corrugated LLC on August 12, 2022. REFER TO FINANCE AND PERSONNEL COMMITTEE
24. R. O. No. 61-22-23 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

RESOLUTIONS

25. Res. No. 63-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing the appropriate City officials to enter into a Leave of Absence Administration Services Agreement with Flores & Associates, LLC.

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, Salazar, Rust, Ramey – 10.

26. Res. No. 57-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing the appropriate City Officials to enter into a contract with Scott's Excavating, Inc. for the demolition and associated site restoration of the structures located at 2535-2601 North 15th Street (former Jakum's Hall) so as to prepare the site to be offered for future development. REFER TO FINANCE AND PERSONNEL COMMITTEE
27. Res. No. 59-22-23 by Alderpersons Felde and Ackley authorizing the appropriate City officials to enter into a contract with Metals Treatment Technologies, LLC ("MT2") for lead remediation from the outdoor Police Shooting Range located at the Wastewater Treatment Facility. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE
28. Res. No. 58-22-23 by Alderpersons Felde and Ackley authorizing the Purchasing Agent to issue a purchase order for the purchase of four (4) Police Squad Sport Utility Vehicles and one (1) large capacity van for the Sheboygan Police Department. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE
29. Res. No. 61-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing the Purchasing Agent to issue a purchase order to Transportation Equipment Sales Corporation (TESCO) for the purchase of six (6) paratransit buses for the Shoreline Metro-Metro Connection Paratransit Bus Fleet. REFER TO FINANCE AND PERSONNEL COMMITTEE

30. Res. No. 60-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing the appropriate City officials to enter into an Intergovernmental Cooperative Agreement with Sheboygan County for Sales Tax Revenue-Sharing for Transportation Infrastructure Maintenance. REFER TO FINANCE AND PERSONNEL COMMITTEE
31. Res. No. 62-22-23 by Alderpersons Dekker and Perrell authorizing the appropriate City officials to execute agreements with Schichtel's Nursery, Inc. and Chestnut Ridge Nursery, Inc. for the purchase of 720 street trees. REFER TO PUBLIC WORKS COMMITTEE
32. Res. No. 65-22-23 by Alderpersons Felde and Ackley authorizing application for the NAMI Wisconsin CIT and CIP Expansion Grant. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE
33. Res. No. 64-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing entering into a contract with Key Benefit Concepts for an updated actuarial valuation of Other Post-Employment Benefits (OPEB) liability. REFER TO FINANCE AND PERSONNEL COMMITTEE
34. Res. No. 66-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing a budget adjustment and appropriation in the 2022 budget regarding the implementation of the updated pay scale for non-represented employees. REFER TO FINANCE AND PERSONNEL COMMITTEE

REPORT OF COMMITTEES

35. R. C. No. 82-22-23 by Finance and Personnel Committee to whom was referred R. C. No. 33-22-23 by Finance and Personnel Committee to whom was referred Res. No. 24-22-23 by Alderpersons Mitchell and Filicky-Peneski adopting updated wage classifications and steps as part of the 2022 City of Sheboygan Compensation Program for Non-Represented Employees; recommends adopting the Resolution.

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION WITH AMENDED ATTACHMENT PROVIDED IN COMMITTEE

Motion made by Mitchell, Seconded by Filicky-Peneski.

Before action was taken,

MOTION TO AMEND RESOLUTION TO REFLECT MINIMUM WAGE BE INCREASED CITY WIDE TO \$15/HOUR STARTING

Motion made by Perrella, no second

Mayor stated the motion was not germane.

On motion to adopt the Resolution,

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey – 8.

Voting Nay: Salazar, Rust – 2.

36. R. C. No. 90-22-23 by Public Works Committee to whom was referred Gen. Ord. No. 9-22-23 by Alderpersons Felde and Dekker establishing a Responsible Bidder Policy for the City of Sheboygan; recommends adopting the Substitute Ordinance.

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

Motion made by Dekker, Seconded by Perrella.

Voting Yea: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Salazar,

Rust, Ramey – 10.

GENERAL ORDINANCES

37. Gen. Ord. No. 10-22-23 by Alderperson Heidemann annexing territory owned by the City to the City of Sheboygan, Wisconsin. REFER TO CITY PLAN COMMISSION

ITEMS FOR DISCUSSION ONLY

38. Human Resources Department Update

City Administer, Todd Wolf provided a brief update.

CLOSED SESSION

39. MOTION TO CONVENE IN CLOSED SESSION pursuant to Wis. Stat. § 19.85(1)(g) for conferring with legal counsel for the City who is rendering oral advice regarding strategy to be adopted by the body with respect to litigation in which it is or is likely to be involved, to wit: City of Sheboygan vs. William Sukowaty, Case No. 2016 CV183 and pursuant to Wis. Stat. § 19.85(1)(e) for 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 possible development incentives for the former Sheboygan Press redevelopment project.

Motion made by Felde, Seconded by Filicky-Peneski.

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

ADJOURN MEETING

40. Motion to Adjourn (during closed session)

MOTION TO ADJOURN MEETING AT 7:33 PM

Motion made by Felde, Seconded by Filicky-Peneski.

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