

# **CITY OF SHEBOYGAN**

**\*\*\*AMENDED\*\*\***

## **TWELFTH REGULAR COMMON COUNCIL MEETING MINUTES**

**Monday, September 19, 2022**

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### **OPENING OF MEETING**

#### **1. Roll Call**

Alders 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 ELEVENTH REGULAR COUNCIL MEETING HELD ON SEPTEMBER 6, 2022

Motion made by Felde, Seconded by Filicky-Peneski.

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

#### **4. Confirmation of Mayoral Appointments**

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

MOTION TO CONFIRM APPOINTMENTS

Motion made by Felde, Seconded by Filicky-Peneski.

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

#### **5. Public Forum**

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

#### **6. Election**

Board of Water Commissioners (Three-year term beginning October 1, 2022)

Motion by Barbara Felde, second by Roberta Filicky-Peneski that nominations be received from the floor, voting to be done by open ballot, and if more than two candidates are nominated, the candidate with the lowest number of votes be dropped from the list, and balloting to continue until one candidate receives a majority. Motion by Barbara Felde, second by Dean Dekker to nominate Gerald VanDeKreeke. No other nominations were received. Motion by Roberta Filicky-Peneski, second by Gracia Perrella that nominations be closed. Motion by Barbara Felde, second by Roberta Filicky-Peneski that the City Clerk cast a unanimous ballot for Gerald VanDeKreeke. All ayes.

**7. Presentation**

Financial Management Plan – Operating by Ehlers Public Finance Advisors

**8. Mayor's Announcements**

Upcoming Community Events, Proclamations, Employee Recognitions – No report was given.

**CONSENT**

**9. 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, Ramey, Rust, Salazar – 10.

10. R. O. No. 62-22-23 by Board of License Examiners submitting applications for Building Contractor Licenses 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, Ramey, Rust, Salazar – 10.

11. R. O. No. 65-22-23 by Transit Commission to whom was referred Res. No. 46-22-23 by Alderpersons Felde, Dekker, and Mitchell authorizing the filing of an application with the Wisconsin Department of Transportation and authorizing the executing of the contract pertaining to grants for calendar year 2023, under Federal Mass Transit Operating Assistance program, 49 U.S.C. 5307, and State Urban Mass Transit Operating Assistance program, Wis. Stat. § 85.20, as amended; recommends adopting the Resolution.

**MOTION TO RECEIVE THE R. O. AND ADOPT THE RESOLUTION**

Motion made by Felde, Seconded by Filicky-Peneski.

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

12. R. C. No. 93-22-23 by Finance and Personnel Committee to whom was referred R. O. No. 49-22-23 by City Clerk submitting a claim from Brandon L. Parker for alleged damages to his vehicle when a City of Sheboygan tree fell on it; recommends filing the claim.

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

Motion made by Felde, Seconded by Filicky-Peneski.

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

13. R. C. No. 94-22-23 by Finance and Personnel Committee to whom was referred R. O. No. 53-22-23 by City Clerk submitting a claim from Kong Vue for alleged damages to vehicle when a tree branch fell on it; recommends filing the claim.

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

Motion made by Felde, Seconded by Filicky-Peneski.

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

14. R. C. No. 92-22-23 by Finance and Personnel Committee to whom was referred R. O. No. 29-22-23 by City Clerk submitting a claim from Amy E. Hanten for alleged damages to her vehicle from newly painted middle yellow line; recommends filing the claim.

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

Motion made by Felde, Seconded by Filicky-Peneski.

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

15. R. C. No. 95-22-23 by Finance and Personnel Committee to whom was referred 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; 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, Ramey, Rust, Salazar – 10.

16. R. C. No. 96-22-23 by Finance and Personnel Committee to whom was referred 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; 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, Ramey, Rust, Salazar – 10.

17. R. C. No. 97-22-23 by Finance and Personnel Committee to whom was referred 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; 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, Ramey, Rust, Salazar – 10.

18. R. C. No. 98-22-23 by Finance and Personnel Committee to whom was referred 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; 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, Ramey, Rust, Salazar – 10.

19. R. C. No. 100-22-23 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 65-22-23 by Alderpersons Felde and Ackley authorizing application for the NAMI Wisconsin CIT and CIP Expansion Grant; 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, Ramey, Rust, Salazar – 10.

20. R. C. No. 101-22-23 by Licensing, Hearings, and Public Safety Committee to whom was referred 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; 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, Ramey, Rust, Salazar – 10.

21. R. C. No. 102-22-23 by Licensing, Hearings, and Public Safety Committee to whom was referred 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; 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, Ramey, Rust, Salazar – 10.

22. R. C. No. 103-22-23 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 61-22-23 by City Clerk submitting various license applications; recommends granting the applications.

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

Motion made by Felde, Seconded by Filicky-Peneski.

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

23. R. C. No. 104-22-23 by Public Works Committee to whom was referred Res. No. 62-22-23 by Alderpersons Dekker and Perrella 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; 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, Ramey, Rust, Salazar – 10.

## **REPORT OF OFFICERS**

24. R. O. No. 66-22-23 by City Plan Commission to whom was referred Gen. Ord. No. 10-22-23 by Alderperson Heidemann annexing territory owned by the City to the City of Sheboygan, Wisconsin; recommends adopting the Ordinance.

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

Motion made by Heidemann, Seconded by Mitchell.

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

25. R. O. No. 63-22-23 by City Clerk submitting a claim from Erik Boelkow for alleged damages to his home when a city tree fell on it. REFER TO FINANCE AND PERSONNEL COMMITTEE
26. R. O. No. 64-22-23 by City Clerk submitting a claim from Zeferina Soliz for alleged damages to vehicle when hit by a City garbage truck. REFER TO FINANCE AND PERSONNEL COMMITTEE

## **RESOLUTIONS**

27. Res. No. 68-22-23 by Alderpersons Felde and Filicky-Peneski authorizing the appropriate City officials to execute liability waiver documents in support of tourism promotion videography activities that have taken place on City-owned or managed property.

MOTION TO SUSPEND THE RULES AND ADOPT THE RESOLUTION

Motion made by Felde, Seconded by Filicky-Peneski.

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

28. Res. No. 73-22-23 by Alderpersons Dekker and Rust authorizing a contract with Wallace Tree and Landscape, Inc. for removal of the remaining City street trees and stumps that were damaged during the June 15, 2022 windstorm.

MOTION TO SUSPEND THE RULES AND ADOPT THE RESOLUTION

Motion made by Dekker, Seconded by Rust.

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

29. Res. No. 72-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing the IT Director to execute all necessary documents to enter into a further contract with Darktrace Holdings Limited related to cybersecurity.

**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, Ramey, Rust, Salazar – 10.

30. Res. No. 67-22-23 by Alderpersons Dekker and Rust authorizing the appropriate City officials to accept the temporary easement for the City to conduct maintenance activities on a drainage swale adjacent to 4812 Ferndale Court. REFER TO PUBLIC WORKS COMMITTEE
31. Res. No. 69-22-23 by Alderpersons Felde and Ackley authorizing the appropriate City officials to execute an agreement with TargetSolutions Learning, LLC, d/b/a Vector Solutions ("Vector") to implement scheduling software at the Sheboygan Fire Department. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE
32. Res. No. 70-22-23 by Alderpersons Mitchell and Filicky-Peneski approving Policy Number HR 141 FML titled "Family Medical Leave Policy." REFER TO FINANCE AND PERSONNEL COMMITTEE
33. Res. No. 71-22-23 by Alderpersons Mitchell and Filicky-Peneski authorizing the appropriate City officials to execute a Recording and Broadcast Agreement between the City of Sheboygan and the County of Sheboygan. REFER TO FINANCE AND PERSONNEL COMMITTEE

**REPORT OF COMMITTEES**

34. R. C. No. 99-22-23 by Finance and Personnel Committee to whom was referred 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; recommends adopting the Resolution.

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

Motion made by Mitchell, Seconded by Filicky-Peneski.

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

**ADJOURN MEETING**

35. Motion to Adjourn

**MOTION TO ADJOURN AT 7:20 PM**

Motion made by Felde, Seconded by Filicky-Peneski.

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

Ramey, Rust, Salazar – 10.