

**CITY OF SHEBOYGAN**  
**TWENTY-SECOND REGULAR COMMON COUNCIL MEETING**  
**MINUTES**

**Monday, February 21, 2022**

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**OPENING OF MEETING**

**1. Roll Call**

*Alders present: Dekker, Felde (remote), Filicky-Peneski, Laster, Mitchell, Perrella, Salazar (remote), Savaglio (remote), Walton - 9.*

*Alders excused: Ackley -1.*

**2. Pledge of Allegiance**

**3. Approval of Minutes**

MOTION TO APPROVE MINUTES FROM FEBRUARY 7, 2022

Motion made by Filicky-Peneski, Seconded by Dekker.

Voting Yea: Salazar, Walton, Felde, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell - 9.

**4. Mayoral Appointment**

*Karen Kober to the Senior Activity Center Commission – Lays over.*

**5. Confirmation of Mayoral Appointments**

MOTION TO CONFIRM

Motion made by Filicky-Peneski, Seconded by Dekker.

Voting Yea: Salazar, Walton, Felde, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell - 9.

**6. Public Forum**

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

**7. Mayor's Announcements**

*Upcoming Community Events, Proclamations, Employee Recognitions*

**8. Presentation**

*Tax Incremental Financing (TIF) 101 by Chad Pelishek, Director of Planning and Development and Phil Cossen, Senior Vice President, Ehlers*

**9. Presentation**

*2022 Operations Update by City Administrator Todd Wolf*

**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 Filicky-Peneski, Seconded by Dekker.

Voting Yea: Salazar, Walton, Felde, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell – 9.

11. R. C. No. 211-21-22 by Finance and Personnel Committee to whom was referred R. O. No. 23-21-22 by City Clerk submitting a notice of claim from Randy Roth for alleged damages to his skid steer glass door when a stone hit it from a City worker's lawnmower; recommends filing the notice of claim.

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

Motion made by Filicky-Peneski, Seconded by Dekker.

Voting Yea: Salazar, Walton, Felde, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell – 9.

12. R. C. No. 225-21-22 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 37-21-22 by City Clerk submitting various license applications; recommends filing the document.

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

Motion made by Filicky-Peneski, Seconded by Dekker.

Voting Yea: Salazar, Walton, Felde, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell – 9.

13. R. C. No. 210-21-22 by Finance and Personnel Committee to whom was referred R. O. No. 123-21-22 by Finance Director reporting that, pursuant to Res. No. 66-20-21 authorizing the City Administrator to negotiate settlement of certain claims made by the City of Sheboygan, City Invoice No. 6880, in the amount of \$4,611.23, billed to Brian Dehne, regarding damage to a street light/sign located at the corner of 8th Street and Erie Avenue on April 4, 2018, has been settled with a payment to the City of Sheboygan in the amount of \$4,000.00; recommending filing the claim.

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

Motion made by Filicky-Peneski, Seconded by Dekker.

Voting Yea: Salazar, Walton, Felde, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell – 9.

14. R. C. No. 224-21-22 by Licensing, Hearings, and Public Safety Committee to whom was referred pursuant to R. O. No. 124-21-22 by City Clerk submitting various license applications; recommends granting the licenses with corrected license application details.

MOTION TO RECEIVE THE R. C. AND GRANT THE LICENSES WITH CORRECTED APPLICATION DETAILS

Motion made by Filicky-Peneski, Seconded by Dekker.

Voting Yea: Salazar, Walton, Felde, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell – 9.

15. R. C. No. 212-21-22 by Finance and Personnel Committee to whom was referred Res. No. 127-21-22 by Alderpersons Mitchell and Filicky-Peneski authorizing the sale of City Parking Lot No. 11 located adjacent to and immediately east of 513 North 8th Street to James T. Passmore; recommends adopting the Resolution.

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

Motion made by Filicky-Peneski, Seconded by Dekker.

Voting Yea: Salazar, Walton, Felde, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell – 9.

16. R. C. No. 219-21-22 by Public Works Committee to whom was referred Res. No. 128-21-22 pursuant to Sheboygan Municipal Code §74-63(3) to permit the Winterfest Event at Fountain Park on February 26, 2022 to incorporate a fire; recommends adopting the Resolution.

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

Motion made by Filicky-Peneski, Seconded by Dekker.

Voting Yea: Salazar, Walton, Felde, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell – 9.

17. R. C. No. 213-21-22 by Finance and Personnel Committee to whom was referred Res. No. 130-21-22 by Alderpersons Mitchell and Filicky-Peneski authorizing entering into a Development Agreement with CORTA Sheboygan, LLC and NS Retail Holdings, LLC; recommends adopting the Resolution.

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

Motion made by Filicky-Peneski, Seconded by Dekker.

Voting Yea: Salazar, Walton, Felde, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell – 9.

18. R. C. No. 220-21-22 by Public Works Committee to whom was referred Res. No. 132-21-22 by Alderpersons Dekker and Perrella 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; recommends adopting the Resolution.

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

Motion made by Filicky-Peneski, Seconded by Dekker.

Voting Yea: Salazar, Walton, Felde, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell – 9.

19. R. C. No. 221-21-22 by Public Works Committee to whom was referred Res. No. 133-21-22 by Alderpersons Dekker and Perrella authorizing the appropriate City officials to execute an agreement with Schichtel's Nursery, Inc. regarding the purchase of street trees; recommends adopting the Resolution.

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

Motion made by Filicky-Peneski, Seconded by Dekker.

Voting Yea: Salazar, Walton, Felde, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell – 9.

20. R. C. No. 222-21-22 by Public Works Committee to whom was referred Res. No. 135-21-22 by Alderpersons Dekker and Perrella authorizing a Relocation Order in the City of Sheboygan, Sheboygan County, Wisconsin related to the Southside Sewer Interceptor; recommends adopting the Resolution.

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

Motion made by Filicky-Peneski, Seconded by Dekker.

Voting Yea: Salazar, Walton, Felde, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell – 9.

21. R. C. No. 223-21-22 by Public Works Committee to whom was referred Res. No. 136-21-22 by Alderpersons Dekker and Perrella authorizing executing a one-year lease for the agricultural property in the City of Sheboygan formerly owned by John Poth, Jr.; recommends adopting the Resolution.

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

Motion made by Filicky-Peneski, Seconded by Dekker.

Voting Yea: Salazar, Walton, Felde, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell – 9.

22. R. C. No. 215-21-22 by Finance and Personnel Committee to whom was referred Res. No. 138-21-22 by Alderpersons Mitchell and Filicky-Peneski authorizing the appropriate City Officials to execute an engagement letter with Quarles & Brady LLP to serve as bond counsel with regard to General Obligation Promissory Notes; recommends adopting the Resolution.

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

Motion made by Filicky-Peneski, Seconded by Dekker.

Voting Yea: Salazar, Walton, Felde, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell – 9.

23. R. C. No. 226-21-22 by Licensing, Hearings, and Public Safety Committee who met on February 16, 2022 and voted to recommend that the Common Council grant Alc. Bev. Lic. No. 3515-Dog House (Scott A. Wachowski, Agent) an extension until April 18, 2022 to open for business.

MOTION TO RECEIVE AND FILE THE R. C.

Motion made by Filicky-Peneski, Seconded by Dekker.

Voting Yea: Salazar, Walton, Felde, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell – 9.

**REPORT OF OFFICERS**

24. R. O. No. 126-21-22 by Director of Planning and Development submitting a communication providing additional information related to the purchase of Jakum Hall at 2601 N. 15th Street by the City of Sheboygan.

MOTION TO RECEIVE AND FILE THE DOCUMENT

Motion made by Filicky-Peneski, Seconded by Dekker.

Voting Yea: Salazar, Walton, Felde, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell – 9.

25. R. O. No. 129-21-22 by City Plan Commission to whom was referred Gen. Ord. No. 38-21-22 by Alderperson Savaglio annexing territory from the Town of Sheboygan to the City of Sheboygan, Wisconsin; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, February 15, 2022, and after due consideration, recommends receiving the R. O. and adopting the Ordinance.

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

Motion made by Savaglio, Seconded by Perrella.

Voting Yea: Salazar, Walton, Felde, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell – 9.

26. R. O. No. 127-21-22 by Director of Planning and Development submitting a communication from the Harbor Centre Business Improvement District requesting that the City of Sheboygan release all funds collected on their behalf and those funds allocated to them for fiscal year 2022. REFER TO FINANCE AND PERSONNEL COMMITTEE
27. R. O. No. 128-21-22 by City Clerk submitting a communication from Harbor Cafe, LLC requesting an encroachment on a portion of 340/342 South Pier Drive to build an outdoor seating deck. REFER TO CITY PLAN COMMISSION

## RESOLUTIONS

28. Res. No. 143-21-22 by Alderpersons Felde and Filicky-Peneski authorizing the appropriate City officials to enter into a listing contract with NEI Pfefferle to provide real estate services for City of Sheboygan industrial property within the SouthPointe Enterprise Campus and the Sheboygan Business Center.

MOTION TO SUSPEND THE RULES AND ADOPT THE RESOLUTION

Motion made by Filicky-Peneski, Seconded by Dekker.

Voting Yea: Salazar, Walton, Felde, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell – 9.

29. Res. No. 141-21-22 by Alderpersons Felde and Filicky-Peneski ratifying retaining outside legal counsel on behalf of the Municipal Court Judge related to a matter before the Wisconsin Judicial Commission.

MOTION TO SUSPEND THE RULES AND ADOPT THE RESOLUTION

Motion made by Filicky-Peneski, Seconded by Perrella.

Voting Yea: Salazar, Walton, Felde, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski,

Mitchell – 9.

30. Res. No. 140-21-22 by Alderpersons Mitchell and Filicky-Peneski authorizing the appropriate City officials to execute the Agreement Between the City of Sheboygan, Lakeland University, and Kohler Credit Union regarding the 2022 Memorial Day parade. REFER TO FINANCE AND PERSONNEL COMMITTEE
31. Res. No. 142-21-22 by Alderpersons Mitchell and Filicky-Peneski authorizing the transfer of funds to repay advances made in 2017 to the Redevelopment Authority from the General Fund and the Capital Projects Fund. REFER TO FINANCE AND PERSONNEL COMMITTEE

## **REPORT OF COMMITTEES**

32. R. C. No. 206-21-22 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 117-21-22 by Chief of Police Christopher Domagalski pursuant to section 54-65 of the Municipal Code, submitting the quarterly report showing the Benchmark Measurements for the Police Department for the period commencing October 1, 2021 and ending December 31, 2021; recommends filing the report. (amended report attached)

### **MOTION TO RECEIVE THE R. C. AND FILE THE AMENDED REPORT**

Motion made by Dekker, Seconded by Perrella.

Voting Yea: Salazar, Walton, Felde, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell – 9.

33. R. C. No. 217-21-22 by Finance and Personnel Committee to whom was referred Res. No. 131-21-22 by Alderpersons Mitchell and Filicky-Peneski providing for the sale of approximately \$2,215,000 General Obligation Promissory Notes, Series 2022A; recommends adopting the Resolution.

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

Motion made by Mitchell, Seconded by Filicky-Peneski.

Voting Yea: Salazar, Walton, Felde, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell – 9.

34. R. C. No. 216-21-22 by Finance and Personnel Committee to whom was referred Res. No. 134-21-22 by Alderpersons Mitchell and Filicky-Peneski authorizing a budget transfer and appropriation in the 2022 budget to complete an interfund transfer between the Tax Incremental District 6 Debt Fund and the Redevelopment Authority Fund; recommends adopting the Resolution.

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

Motion made by Mitchell, Seconded by Filicky-Peneski.

Voting Yea: Salazar, Walton, Felde, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell – 9.

35. R. C. No. 218-21-22 by Finance and Personnel Committee to whom was referred Res. No. 137-21-22 by Alderpersons Mitchell and Filicky-Peneski authorizing the purchase of 5509 Moenning and vacant land located East of Moenning Road for future use by the City; recommends

adopting the Resolution with amendment to include Parcel 59030-454922 to the listing of documents.

MOTION TO RECEIVE THE R. C. AND ADOPT THE RESOLUTION WITH AMENDMENT TO DOCUMENTS.

Motion made by Mitchell, Seconded by Filicky-Peneski.

Voting Yea: Salazar, Walton, Felde, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell – 9.

36. R. C. No. 214-21-22 by Finance and Personnel Committee to whom was referred DIRECT REFERRAL Res. No. 139-21-22 by Alderpersons Mitchell and Filicky-Peneski authorizing the City Administrator to execute a Master Service Agreement and Statement of Work with Language Line Services, Inc. for on-demand translation services; recommends adopting the Resolution.

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

Motion made by Mitchell, Seconded by Filicky-Peneski.

Voting Yea: Salazar, Walton, Felde, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell – 9.

#### **GENERAL ORDINANCES**

37. Gen. Ord. No. 39-21-22 by Alderperson Perrella granting Harbor Cafe, LLC, its successors and assigns, the privilege of encroaching upon described portions of 340/342 South Pier Drive in the City of Sheboygan for the purpose of adding an outside seating deck. REFER TO CITY PLAN COMMISSION
38. Gen. Ord. No. 40-21-22 by Alderpersons Felde and Ackley amending Sections 26-1007 and 122-14 of the Sheboygan Municipal Code regarding private well abandonment. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

#### **CHARTER ORDINANCES**

39. Charter Ord. No. 2-21-22 by Alderpersons Felde and Filicky-Peneski (being subject to the home rule provisions of § 66.0101 of the Wisconsin Statutes) to authorize the City Administrator to make certain temporary appointments when there are vacancies in department head level appointive offices where specific provisions for filling said vacancies is not otherwise provided by state law. REFER TO FINANCE AND PERSONNEL COMMITTEE

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

40. R. O. No. 130-21-22 by City Clerk submitting a license application. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

#### **ADJOURN MEETING**

41. Motion to Adjourn

MOTION TO ADJOURN AT 7:35 PM

Motion made by Filicky-Peneski, Seconded by Dekker.

Voting Yea: Salazar, Walton, Felde, Dekker, Perrella, Laster, Savaglio, Filicky-Peneski, Mitchell – 9.