

CITY OF SHEBOYGAN

LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE MINUTES

Thursday, July 25, 2024

COMMITTEE MEMBERS PRESENT: Chair Alderperson Zach Rust, Vice Chair Alderperson Robert La Fave, Alderperson Joseph Heidemann, Alderperson Grazia Perrella

COMMITTEE MEMBERS EXCUSED: Alderperson Daniel Peterson

STAFF/OFFICIALS PRESENT: Mayor Ryan Sorenson, City Attorney Charles Adams, Police Chief Christopher Domagalski, Fire Chief Eric Montellano, City Clerk Meredith DeBruin, Lt. Matthew Walsh, Assistant City Attorney Audrey Kratz, Licensing Clerk Darcie Beernink, Paralegal Kathy Hoffman

OTHERS PRESENT: Attorney Richard Hahn, David Repinski, Scott Felde, Eric Bauer, Dave Kucensky, Craig Hoffman

OPENING OF MEETING

1. Call to Order

Chair Alderperson Zach Rust called the meeting to order at 4:30 PM.

2. Roll Call
3. Pledge of Allegiance

The Pledge of Allegiance was recited.

4. Introduction of Committee members, staff and guests

MINUTES

5. Approval of Minutes

MOTION TO APPROVE THE MINUTES OF THE PREVIOUS MEETING HELD JULY 10, 2024.

Motion made by Alderperson Heidemann, seconded by Vice Chair La Fave.

Voting Yea: Chair Rust, Vice Chair La Fave, Alderperson Heidemann, Alderperson Perrella.

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

6. Gen. Ord. No. 14-24-25 (DIRECT REFERRAL) An Ordinance amending section 48-322 of the Sheboygan Municipal Code to remove the mandatory neighbor approval for street festival and special events permits.

City Attorney Adams spoke regarding this ordinance change regarding neighbor approval. Dave Kucensky spoke regarding how road closures would affect his business (The Flower Cart) during some events.

MOTION TO RECOMMEND THE COMMON COUNCIL ADOPT GEN. ORD. NO. 14-24-25.

Motion made by Alderperson Heidemann, seconded by Alderperson Perrella.

Before action was taken,

MOTION TO AMEND SEC 48-322(c)(9)c. TO READ AS FOLLOWS: "c. A list of all adults who reside or do business on the to-be-closed portion of the street and a statement that all of the identified adults have been contacted about the temporary street closure;"

Motion made by Alderperson Perrella, seconded by Vice Chair La Fave.

Voting Yea: Chair Rust, Vice Chair La Fave, Alderperson Heidemann, Alderperson Perrella.

On motion to recommend the common council adopt Gen. Ord. No. 14-24-25 as amended,

Voting Yea: Chair Rust, Vice Chair La Fave, Alderperson Heidemann, Alderperson Perrella.

7. Gen. Ord. No. 11-24-25 (7-15-24) An Ordinance amending section 38-59 of the Sheboygan Municipal Code so as to modify regulations pertaining to consuming intoxicating beverages in public.

City Attorney Adams explained to the Committee that this ordinance amendment would allow for the creation of temporary "Designated Outdoor Refreshment Areas" (DORAs) where alcohol may be carried and consumed.

MOTION TO RECOMMEND THE COMMON COUNCIL ADOPT ORD. NO. 11-24-25.

Motion made by Alderperson Perrella, seconded by Vice Chair La Fave.

Voting Yea: Chair Rust, Vice Chair La Fave, Alderperson Heidemann, Alderperson Perrella.

8. Res. No. 42-24-25 (7-15-24) A Resolution authorizing the creation of a temporary Designated Outdoor Refreshment Area during the 2024 Mercury Racing Midwest Challenge, August 9-11, 2024.

Mayor Sorenson spoke regarding the boat races in August and explained that the creation of this DORA will assist the South Pier businesses during the boat race event.

MOTION TO RECOMMEND THE COMMON COUNCIL ADOPT RES. NO. 42-24-25.

Motion made by Alderperson Heidemann, seconded by Vice Chair La Fave.

Voting Yea: Chair Rust, Vice Chair La Fave, Alderperson Heidemann, Alderperson Perrella.

9. Res. No. 47-24-25 (DIRECT REFERRAL) A Resolution authorizing the Fire Chief to execute an agreement with the City of Manitowoc Fire Department allowing the City to

borrow an ambulance to have as reserve for the Mercury Racing Midwest Challenge Powerboat Race event August 8-12, 2024.

Fire Chief Montellano spoke regarding the agreement with the City of Manitowoc Fire Department and answered questions from the Committee.

MOTION TO RECOMMEND THE COMMON COUNCIL ADOPT RES. NO. 47-24-25.

Motion made by Alderperson Perrella, seconded by Vice Chair La Fave.

Voting Yea: Chair Rust, Vice Chair La Fave, Alderperson Heidemann, Alderperson Perrella.

10. Res. No. 43-24-25 (7-15-24) A Resolution authorizing entering into a professional services agreement with Angela Wessels, LLC for peer support training services for the Sheboygan Fire Department.

Chief Montellano spoke regarding the agreement and answered questions from the Committee.

MOTION TO RECOMMEND THE COMMON COUNCIL ADOPT RES. NO. 43-24-25.

Motion made by Alderperson Perrella, seconded by Vice Chair La Fave.

Voting Yea: Chair Rust, Vice Chair La Fave, Alderperson Heidemann, Alderperson Perrella.

11. Beverage Operator's License Application No. 5022 (Scott A. Felde) - HEARING REGARDING DENIAL OF LICENSE

Scott A. Felde appeared before the committee for an appeal hearing on possible denial of his license application. City Attorney Adams explained to the committee that Mr. Felde's 2009 felony conviction makes him ineligible for the license unless he receives a pardon from the Governor. The committee heard from Mr. Felde who stated he has had a clean record for a long time and he will look into a pardon.

MOTION TO UPHOLD THE CLERK'S DECISION TO DENY BEVERAGE OPERATOR LICENSE APPLICATION NO. 5022 (SCOTT A. FELDE) DUE TO MR. FELDE'S INELIGIBILITY FOR THE LICENSE.

Motion made by Alderperson Heidemann, seconded by Vice Chair La Fave.

Voting Yea: Chair Rust, Vice Chair La Fave, Alderperson Heidemann, Alderperson Perrella.

12. R. O. No. 29-24-25 (7-15-24) by City Clerk submitting a communication from Holden & Hahn, S.C. regarding Dave's Who's Inn, Inc. liquor license.

13. Discussion and possible action regarding amending voluntary license conditions previously agreed to by David A. Repinski, Agent (Alc. Bev. Lic. No. 1089 - Dave's Who's Inn)

The Committee heard from City Attorney Adams, Police Chief Domagalski, Attorney Richard Hahn and Lt. Matthew Walsh regarding the voluntary license conditions previously agreed to.

MOTION TO MODIFY THE VOLUNTARY LICENSE CONDITIONS WHICH WERE IMPOSED IN LIEU OF A HEARING ON REVOCATION OF THE LICENSE, SO AS TO REMOVE THE CONDITION REGARDING NO UNDERAGE PERSONS ON THE PREMISES AND TO AMEND THE METAL DETECTOR CONDITION TO THE HOURS OF 10:00 P.M. TO CLOSING ON FRIDAYS, SATURDAYS, AND SUNDAYS ONLY.

Motion made by Alderperson Perrella, seconded by Vice Chair La Fave.

Voting Yea: Chair Rust, Vice Chair La Fave, Alderperson Heidemann, Alderperson Perrella.

14. R. O. No. 32-24-25 (7-15-24) by City Clerk submitting various license applications.

MOTION TO APPROVE ALL APPLICATIONS ON R.O. NO. 32-24-25, WITH THE APPROVAL OF THE SUNDAY DOUGH LLC APPLICATIONS BEING CONTINGENT UPON THE APPLICANT CORRECTING BOTH APPLICATIONS.

Motion made by Alderperson Heidemann, seconded by Vice Chair La Fave.

Voting Yea: Chair Rust, Vice Chair La Fave, Alderperson Heidemann, Alderperson Perrella.

15. R. O. No. 35-24-25 (7-15-24) by City Clerk submitting a license application.

MOTION TO APPROVE THE APPLICATION ON R.O. NO. 35-24-25.

Motion made by Alderperson Heidemann, seconded by Vice Chair La Fave.

Voting Yea: Chair Rust, Vice Chair La Fave, Alderperson Heidemann, Alderperson Perrella.

NEXT MEETING DATE

16. The next committee meeting is scheduled to be held on August 14, 2024 at 4:30 p.m.

ADJOURN

17. Motion to adjourn

MOTION TO ADJOURN AT 5:53 PM.

Motion made by Vice Chair La Fave, seconded by Alderperson Perrella.

Voting Yea: Chair Rust, Vice Chair La Fave, Alderperson Heidemann, Alderperson Perrella.