

# **CITY OF SHEBOYGAN**

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

## **THIRD REGULAR COMMON COUNCIL MEETING MINUTES**

**Monday, May 01, 2023**

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### **OPENING OF MEETING**

**1. Roll Call**

Alders Present: Ackley, Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Ramey, Rust – 8.

Alders Excused: Salazar and Perrella – 2.

**2. Pledge of Allegiance**

**3. Approval of Minutes**

Second Regular Council Meeting held on April 24, 2023

**MOTION TO APPROVE MINUTES**

Motion made by Dekker, Seconded by Rust.

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

**4. Mayoral Appointments**

Markus Savaglio to the Board of Zoning Appeals

Nicole Brown to the Mayor's International Committee

Lays over.

**5. Public Forum**

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

**6. Mayor's Announcements**

Upcoming Community Events, Proclamations, Employee Recognitions

### **HEARING**

7. Hearing No. 1-23-24, pursuant to a notice published and letters sent by the City Clerk, to amend the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification for property on Pershing Avenue - Parcel #59281012240 from Suburban Residential (SR-3) to Suburban Residential (SR-5) Classification.

Jack VanDerWeele spoke.

**MOTION TO CLOSE HEARING**

Motion made by Dekker, Seconded by Filicky-Peneski.

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

## **CONSENT**

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

Motion made by Dekker, Seconded by Rust.

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

9. Res. No. 1-23-24 by Alderperson Dekker requesting the Mayor to reactivate various special committees for the 2023-2024 Council year.

#### **MOTION TO ADOPT RESOLUTION**

Motion made by Dekker, Seconded by Rust.

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

## **REPORT OF OFFICERS**

10. R. O. No. 2-23-24 by City Clerk submitting a claim from Torke Coffee Co., Inc. for alleged damages to a vehicle when it was hit by a City garbage truck. REFER TO FINANCE AND PERSONNEL COMMITTEE
11. R. O. No. 3-23-24 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

## **RESOLUTIONS**

12. Res. No. 4-23-24 by Alderpersons Dekker and Salazar authorizing execution of the Assignment of Lease, Landlord's Release and Consent, and Landlord's Estoppel Certificate, on behalf of the City regarding the Harbor Winds Hotel.

Alderperson Dekker requested to suspend the rules. Alderperson Filicky-Peneski objected. Motion to suspend rules passed on vote.

#### **MOTION TO ADOPT RESOLUTION**

Motion made by Dekker, Seconded by Rust.

Voting Yea: Ackley, Dekker, Felde, Heidemann, Mitchell, Ramey, Rust – 7.

Voting Nay: Filicky-Peneski – 1.

13. Res. No. 3-23-24 by Alderpersons Salazar and Felde authorizing acceptance of the 2023 Wisconsin Bureau of Transportation Safety, Bicycle and Pedestrian Enforcement Grant. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE
14. Res. No. 2-23-24 by Alderpersons Mitchell and Filicky-Peneski to authorize establishing an appropriation in the 2023 budget for grant funds received under the 2023 Wisconsin Bureau of Transportation Safety, Bicycle and Pedestrian Enforcement Grant. REFER TO FINANCE AND PERSONNEL COMMITTEE

15. Res. No. 6-23-24 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 for the City of Sheboygan. REFER TO FINANCE AND PERSONNEL COMMITTEE
16. Res. No. 5-23-24 by Alderpersons Mitchell and Filicky-Peneski authorizing the issuance and establishing parameters for the sale of not to exceed \$3,320,000 General Obligation Promissory Notes, Series 2023A. REFER TO FINANCE AND PERSONNEL COMMITTEE
17. Res. No. 7-23-24 by Alderpersons Mitchell and Filicky-Peneski authorizing the Finance Director to sign documents necessary to settle City Invoice No. 7323 for \$73,921.56. REFER TO FINANCE AND PERSONNEL COMMITTEE

## **REPORT OF COMMITTEES**

18. R. C. No. 1-23-24 by Licensing, Hearings, and Public Safety Committee to whom was referred pursuant to R. O. No. 142-22-23 by City Clerk submitting various license applications.

MOTION TO RECEIVE THE R. C. AND GRANT THE LICENSE APPLICATIONS WITH THE EXCEPTION TO HOLD BLUE HARBOR (#2805)

Motion made by Dekker, Seconded by Heidemann.

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

19. R. C. No. 2-23-24 by Licensing, Hearings, and Public Safety Committee to whom was referred Direct Referral R. O. No. 1-23-24 by City Clerk submitting various license applications.

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

Motion made by Dekker, Seconded by Heidemann.

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

## **GENERAL ORDINANCES**

20. Gen. Ord. No. 1-23-24 by Alderpersons Dekker and Rust repealing and recreating Appendix D, Construction Site Erosion Control, of the Sheboygan Municipal Code, providing for construction site erosion control at sites where the construction activities do not include the construction of a building, and repealing and recreating Appendix E, Post-Construction Stormwater Management Zoning Ordinance, of the Sheboygan Municipal Code, providing for the control of post-construction runoff to waters of the State. REFER TO PUBLIC WORKS COMMITTEE

## **DISCHARGE PUBLIC WORKS COMMITTEE**

21. MOTION TO DISCHARGE THE Public Works Committee regarding Res. No. 174-22-23 by Alderpersons Dekker and Rust authorizing the appropriate City officials to execute the Agreement Between the City of Sheboygan, Lakeland University, and Kohler Credit Union regarding the 2023 Memorial Day parade in Sheboygan.

Motion made by Dekker, Seconded by Rust.

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

22. Res. No. 174-22-23 by Alderpersons Dekker and Rust authorizing the appropriate City officials to execute the Agreement Between the City of Sheboygan, Lakeland University, and Kohler Credit Union regarding the 2023 Memorial Day parade in Sheboygan.

**MOTION TO ADOPT RESOLUTION**

Motion made by Dekker, Seconded by Rust.

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

**MATTERS LAID OVER**

23. R. O. No. 141-22-23 by City Plan Commission to whom was referred Gen. Ord. No. 30-22-23 by Alderperson Filicky-Peneski and R. O. No. 128-22-23 by City Clerk submitting application to amend the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to change the Use District Classification for property on Pershing Avenue – Parcel #59281012240 from Suburban Residential (SR-3) to Suburban Residential (SR-5) Classification; recommends adopting the Ordinance.

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

Motion made by Filicky-Peneski, Seconded by Mitchell.

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

**OTHER MATTERS AUTHORIZED BY LAW**

None.

**ADJOURN MEETING**

24. Motion to Adjourn

**MOTION TO ADJOURN AT 6:17 PM**

Motion made by Dekker, Seconded by Rust.

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