

CITY OF SHEBOYGAN
FOURTH REGULAR COMMON COUNCIL MEETING MINUTES
Monday, May 15, 2023

OPENING OF MEETING

1. Roll Call

Alderspersons present: Ackley, Dekker, Heidemann, Mitchell, Perrella, Rust and Salazar – 7.
Alderspersons excused: Filicky-Peneski, Felde, and Ramey – 3.

2. Pledge of Allegiance

3. Approval of Minutes

Third Regular Council Meeting held on May 1, 2023

MOTION TO APPROVE MINUTES FROM THE THIRD REGULAR COUNCIL MEETING HELD
MAY 1, 2023

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Ackley, Dekker, Heidemann, Mitchell, Perrella, Rust, Salazar – 7.

4. Mayoral Appointments

Jeanne Pfeiffer as the Sheboygan Area School District's trustee to Mead Public Library Board.
Lays over.

5. Confirmation of Mayoral Appointments

Markus Savaglio to the Board of Zoning Appeals
Nicole Brown to the Mayor's International Committee

MOTION TO CONFIRM

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Ackley, Dekker, Heidemann, Mitchell, Perrella, Rust, Salazar – 7.

6. Public Forum

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

7. Mayor's Announcements

Upcoming Community Events, Proclamations, Employee Recognitions, Poet Laureate to present
the 2023 Sidewalk Poetry Program winners and poems

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 Salazar.

Voting Yea: Ackley, Dekker, Heidemann, Mitchell, Perrella, Rust, Salazar – 7.

9. R. O. No. 4-23-24 by Board of Water Commissioners submitting a copy of the 2022 Annual Audited Financial Statements, including Independent Auditor's Report, on the Sheboygan Water Utility.

MOTION TO RECEIVE AND FILE THE R. O.

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Ackley, Dekker, Heidemann, Mitchell, Perrella, Rust, Salazar – 7.

10. R. O. No. 5-23-24 by Board of Water Commissioners submitting the Board of Water Commissioners' Report on the Water Utility for the first quarter of 2023.

MOTION TO RECEIVE AND FILE THE R. O.

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Ackley, Dekker, Heidemann, Mitchell, Perrella, Rust, Salazar – 7.

11. R. C. No. 5-23-24 by Public Works Committee to whom was referred Res. No. 172-22-23 by Alderpersons Dekker and Rust authorizing the Purchasing Agent to issue a purchase order for the furnishing and installation of a replacement electronic message board sign with monument base to be installed at Deland Park in Sheboygan; recommends adopting the Resolution.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Ackley, Dekker, Heidemann, Mitchell, Perrella, Rust, Salazar – 7.

12. R. C. No. 9-23-24 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 138-22-23 by Police Chief pursuant to section 54-65 of the Municipal Code, submitting the quarterly report of Benchmark Measurements for the Police Department, for the period commencing January 1, 2023 and ending March 31, 2023; recommends filing the report.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Ackley, Dekker, Heidemann, Mitchell, Perrella, Rust, Salazar – 7.

13. R. C. No. 10-23-24 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 139-22-23 by Fire Chief pursuant to section 50-564 of the Municipal Code, submitting the quarterly report of Benchmark Measurements for the Fire Department, for the period commencing January 1, 2023 and ending March 31, 2023; recommends filing the report.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Ackley, Dekker, Heidemann, Mitchell, Perrella, Rust, Salazar – 7.

14. R. C. No. 11-23-24 by Licensing, Hearings, and Public Safety Committee to whom was referred 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; recommends adopting the Resolution.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Ackley, Dekker, Heidemann, Mitchell, Perrella, Rust, Salazar – 7.

15. R. C. No. 12-23-24 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 142-22-23 by City Clerk submitting various license applications; recommends that the Council grant authority to Blue Harbor Resort to use City property described as the premises extension for the consumption and sale of alcohol beverages and recommend approval of the change of premise application contingent upon said authority being granted.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Ackley, Dekker, Heidemann, Mitchell, Perrella, Rust, Salazar – 7.

16. R. C. No. 13-23-24 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 3-23-24 by City Clerk submitting various license applications; recommends approving the two sidewalk cafe applications; recommends approving the two change of premise applications of House Divided and Craft 30; recommends approving the ten change of premise applications of Legend Larry's contingent upon their obtaining a valid street festival permit for the dates and locations of their applications; hold the remainder of the applications on the R. O.

MOTION TO RECEIVE THE R. C. AND GRANT THE SPECIFIC APPLICATIONS (WITH CONTINGENCIES)

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Ackley, Dekker, Heidemann, Mitchell, Perrella, Rust, Salazar – 7.

REPORT OF OFFICERS

17. R. O. No. 6-23-24 by City Clerk submitting various license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

RESOLUTIONS

18. Res. No. 8-23-24 by Alderpersons Dekker and Salazar authorizing the City Attorney to engage the services of special outside legal counsel to represent the Licensing, Hearings, and Public Safety Committee and Common Council with regard to a quasi-judicial hearing regarding the non-renewal of "Class B" Alcohol Beverage License No. 3475 - JNCortez LLC (Mi Ranchito II - Elena Goya Cortez, Agent) and authorizing payment for said services.

MOTION TO SUSPEND THE RULES AND ADOPT THE RESOLUTION

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Ackley, Dekker, Heidemann, Mitchell, Perrella, Rust, Salazar – 7.

19. Res. No. 9-23-24 by Alderpersons Dekker and Salazar authorizing a budget amendment and establishing an internship budget item in the Mayor's office. REFER TO FINANCE AND PERSONNEL COMMITTEE

REPORT OF COMMITTEES

20. R. C. No. 6-23-24 by Finance and Personnel Committee to whom was referred 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; recommends adopting the Resolution.

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

Motion made by Mitchell, Seconded by Perrella.

Voting Yea: Ackley, Dekker, Heidemann, Mitchell, Perrella, Rust, Salazar – 7.

21. R. C. No. 3-23-24 by Finance and Personnel Committee to whom was referred 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; recommends adopting the Resolution.

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

Motion made by Mitchell, Seconded by Perrella.

Voting Yea: Ackley, Dekker, Heidemann, Mitchell, Perrella, Rust, Salazar – 7.

22. R. C. No. 4-23-24 by Finance and Personnel Committee to whom was referred Res. No. 2-23-24 by Alderpersons Mitchell and Filicky-Peneski authorizing establishing an appropriation in the 2023 budget for grant funds received under the 2023 Wisconsin Bureau of Transportation Safety, Bicycle and Pedestrian Enforcement Grant; recommends adopting the Resolution.

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

Motion made by Mitchell, Seconded by Perrella.

Voting Yea: Ackley, Dekker, Heidemann, Mitchell, Perrella, Rust, Salazar – 7.

23. R. C. No. 7-23-24 by Finance and Personnel Committee to whom was referred 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; recommends adopting the Resolution.

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

Motion made by Mitchell, Seconded by Perrella.

Voting Yea: Ackley, Dekker, Heidemann, Mitchell, Perrella, Rust, Salazar – 7.

24. R. C. No. 8-23-24 by Public Works Committee to whom was referred 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; recommends adopting the Substitute Ordinance.

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

Motion made by Dekker, Seconded by Rust.

Voting Yea: Ackley, Dekker, Heidemann, Mitchell, Perrella, Rust, Salazar – 7.

GENERAL ORDINANCES

25. Gen. Ord. No. 2-23-24 by Alderperson Dekker and Rust creating a no parking zone on the east side of South 12th Street north of Kentucky Avenue. REFER TO PUBLIC WORKS COMMITTEE
26. Gen. Ord. No. 3-23-24 by Alderpersons Salazar and Felde adopting, enacting, and republishing the Code for the Code of Ordinances of Sheboygan, Wisconsin; providing for the repeal of certain ordinances not included therein; providing a penalty for the violation thereof; providing for the manner of amending such Code; and providing when such Code and this ordinance shall become effective. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE

OTHER MATTERS AUTHORIZED BY LAW

None.

CLOSED SESSION

27. MOTION TO CONVENE IN CLOSED SESSION under the exemption provided by Wis. Stat. sec. 19.85(1)(e), to wit: the investing of public funds to support the redevelopment of fourteen residential properties for low-income housing, and regarding a potential lease agreement for use of the Uptown Social building, where competitive or bargaining reasons require a closed session.

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Ackley, Dekker, Heidemann, Mitchell, Perrella, Rust, Salazar – 7.

ADJOURN MEETING

28. Motion to Adjourn

MOTION TO ADJOURN AT 6:49 PM

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Ackley, Dekker, Heidemann, Mitchell, Perrella, Rust, Salazar – 7.