

CITY OF SHEBOYGAN

FIFTEENTH REGULAR COMMON COUNCIL MEETING MINUTES

Monday, November 06, 2023

OPENING OF MEETING

1. **Roll Call**

Alders Present: Dekker, Felde (remote), Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Salazar – 8.

Alders excused: Ackley and Rust – 2.

2. **Pledge of Allegiance**

Led by Cub Scout Pack 3801 and Pack 3804

3. **Approval of Minutes**

Fourteenth Regular Council Meeting held on October 16, 2023 and the Third Special Council Meeting held on October 23, 2023

MOTION TO APPROVE THE FOURTEENTH REGULAR COUNCIL MEETING HELD ON 10-16-23 AND THE THIRD SPECIAL COUNCIL MEETING HELD ON 10-23-23

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Salazar – 8.

4. **Confirmation of Mayoral Appointments**

Melissa Parra and Aubrey Lockwood to the Mayor's International Committee

MOTION TO CONFIRM APPOINTMENTS

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Heidemann, Mitchell, Perrella, Ramey, Salazar – 7.

Not present to vote: Filicky-Peneski – 1.

5. **Public Forum**

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

6. **Mayor's Announcements**

Upcoming Community Events, Proclamations, Employee Recognitions

HEARINGS

7. Potential action to set rules for the hearing scheduled this evening, including such things as limiting the length of time given to each speaker.

Mayor Sorenson explained that speakers were to state their name and address and keep comments to 3 minutes.

8. Hearing No. 3-23-24 pursuant to Chapter 65.90 of the Laws of Wisconsin, and notice published, there is a hearing scheduled for this evening on the annual budget. Any taxpayer or resident of the governmental unit will have the opportunity to be heard on the proposed 2024 budget. Any interested persons may be heard.

MOTION TO OPEN THE HEARING

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Salazar – 8.

Kathy Badtke, Jim VanAkkeren, and Braden Schmidt all spoke.

MOTION TO CLOSE THE HEARING

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Salazar – 8.

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 Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Salazar – 8.

10. R. O. No. 67-23-24 by Sheboygan Transit Commission to whom was referred Res. No. 81-23-24 by Alderpersons Dekker, Salazar, and Mitchell authorizing the filing of an application with the United States of America Department of Transportation and authorizing the executing of the contract pertaining to grants for calendar year 2024, under former Section 9 (USC 5307) of the Federal Transit Act of 1964, as amended; recommends adopting the Resolution.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Salazar – 8.

11. R. C. No. 120-23-24 by Public Works Committee to whom was referred Res. No. 84-23-24 by Alderpersons Dekker and Rust adopting a Facility Fee Schedule and an Equipment Fee Schedule; recommends adopting the Resolution.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Salazar – 8.

12. R. C. No. 121-23-24 by Public Works Committee to whom was referred Gen. Ord. No. 27-23-24 by Alderpersons Dekker and Rust relating to one-way streets and parking restrictions in the area bounded by South 19th Street, Indiana Ave., South 24th Street, and Georgia Ave.; recommends adopting the Ordinance.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Salazar – 8.

13. R. C. No. 122-23-24 by Finance and Personnel Committee to whom was referred R. C. No. 217-22-23 by Finance and Personnel Committee to whom was referred R. O. No. 48-22-23 by City Clerk submitting a Summons and Complaint in the matter of One More Time, LLC vs. City of Sheboygan; recommends filing the document.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Salazar – 8.

14. R. C. No. 123-23-24 by Finance and Personnel Committee to whom was referred R. O. No. 57-23-24 by Director of Parking and Transit submitting the 2024 Business Improvement District (BID) Statement of Purpose, dated September 26, 2023, and the BID's 2024 Operating Budget; recommends filing the document.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Salazar – 8.

15. R. C. No. 124-23-24 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 55-23-24 by Chief of Police Christopher Domagalski pursuant to section 30-50 of the Municipal Code, submitting the quarterly report showing the Benchmark Measurements for the Police Department for the period commencing July 1, 2023 and ending September 30, 2023; recommends filing the report.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Salazar – 8.

16. R. C. No. 125-23-24 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 56-23-24 by Fire Chief pursuant to section 24-459 of the Municipal Code, submitting the quarterly report of Benchmark Measurements for the Fire Department, for the period commencing July 1, 2023 and ending September 30, 2023; recommends filing the report.

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

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Salazar – 8.

REPORT OF OFFICERS

17. R. O. No. 62-23-24 by Sustainable Sheboygan Task Force submitting the Sustainable Sheboygan Vision Statement. The task force requests that it be reviewed and adopted by the Common Council as a guide to the creation and implementation of a sustainability action plan to ensure a sustainable future for Sheboygan.

MOTION TO ACCEPT AND FILE

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Salazar – 8.

18. R. O. No. 68-23-24 by Sheboygan Transit Commission to whom met on October 30, 2023 and discussed the Commercial Offer to Purchase of Lot 3 by Trinity Lutheran Church and School dated October 13, 2023 in the amount of \$78,400.00; recommends the Common Council authorize the sale of lot 3 and accept the Offer to Purchase.

MOTION TO ACCEPT AND FILE

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Salazar – 8.

19. R. O. No. 64-23-24 by City Plan Commission to whom was referred Res. No. 85-23-24 by Alderpersons Mitchell and Perrella vacating the east-west alley east of North 9th Street, located in Block 127 of the Original Plat; recommends adopting the Resolution. LAYS OVER
20. R. O. No. 66-23-24 by City Clerk submitting a request from Paul Rammer for approval to allow hunters to hunt migratory wildlife within the city limits. REFER TO PUBLIC WORKS COMMITTEE
21. R. O. No. 65-23-24 by City Clerk submitting the Tax Levy Certification for the 2023-2024 School Year from the Kohler School District. REFER TO FINANCE AND PERSONNEL COMMITTEE
22. R. O. No. 63-23-24 by City Clerk submitting the tax levy report that supports the 2023-2024 budget for Lakeshore Technical College District and a copy of the district-wide apportionment of the tax levy based upon the 2023 fully certified values furnished by the Wisconsin Department of Revenue. REFER TO FINANCE AND PERSONNEL COMMITTEE
23. R. O. No. 69-23-24 by City Clerk submitting license applications. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE
24. R. O. No. 70-23-24 by Director of Planning and Development submitting the 2022 Consolidated Annual Performance Evaluation Report (CAPER) for the purpose of a presentation and public hearing to be held on November 13, 2023. REFER TO FINANCE AND PERSONNEL COMMITTEE

RESOLUTIONS

25. Res. No. 89-23-24 by Alderpersons Mitchell and Dekker declaring intent to vacate and discontinue a public way pursuant to Wis. Stat. § 66.1003.

MOTION TO SUSPEND THE RULES AND ADOPT THE RESOLUTION

Motion made by Mitchell, Seconded by Dekker

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Salazar – 8.

26. Res. No. 94-23-24 by Alderpersons Dekker and Rust authorizing the appropriate City officials to enter into a contract with TRC Environmental Corporation for geotechnical investigation services for the portion of the SouthPointe Enterprise Campus at the southwest corner of Stahl Road and South Taylor Drive.

MOTION TO SUSPEND THE RULES AND ADOPT THE RESOLUTION

Motion made by Dekker, Seconded by Salazar.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Salazar – 8.

27. Res. No. 87-23-24 by Alderpersons Dekker and Rust authorizing the appropriate City officials to enter into a contract with Buteyn-Peterson Construction Company, Inc. for the construction of the Kiwanis Park pickleball courts, and authorizing a budget amendment. REFER TO PUBLIC WORKS COMMITTEE
28. Res. No. 88-23-24 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. REFER TO FINANCE AND PERSONNEL COMMITTEE
29. Res. No. 90-23-24 by Alderpersons Salazar and Felde authorizing the appropriate City officials to execute the Joint Powers Agreement for Sheboygan County and City of Sheboygan 911 Emergency Systems. REFER TO LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE
30. Res. No. 91-23-24 by Alderpersons Dekker and Rust authorizing the appropriate City officials to enter into a contract with Premier Excavation LLC for the construction of the Butzen Sports Complex parking lot, and authorizing a budget amendment. REFER TO PUBLIC WORKS COMMITTEE
31. Res. No. 92-23-24 by Alderpersons Mitchell and Filicky-Peneski authorizing the sale of City Parking Lot No. 3 located at 821 Niagara Avenue to Trinity Evangelical Lutheran Church. REFER TO FINANCE AND PERSONNEL COMMITTEE
32. Res. No. 93-23-24 by Alderpersons Mitchell and Filicky-Peneski authorizing the submittal of a Substantial Amendment to the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) program for the 2023 Annual Action Plan. REFER TO FINANCE AND PERSONNEL COMMITTEE

REPORT OF COMMITTEES

33. R. C. No. 119-23-24 by Committee of the Whole to whom was referred R. O. No. 51-23-24 by City Plan Commission to whom was referred DIRECT REFERRAL R. O. No. 45-23-24 by Finance Director submitting Capital Improvements Program (CIP) Requests for the years 2024-2028; recommends filing the R. O. and adopting the attached amended Capital Improvements Program.

MOTION TO RECEIVE THE R. C. AND FILE THE R.O. AND ADOPT THE AMENDED CAPITAL IMPROVEMENTS PROGRAM

Motion made by Mitchell, Seconded by Dekker.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Perrella, Ramey, Salazar – 7.

Voting Nay: Mitchell – 1.

34. R. C. No. 118-23-24 by Committee of the Whole to whom was referred Res. No. 73-23-24 by Alderpersons Mitchell and Filicky-Peneski establishing the 2024 Budget appropriations and the 2023 Tax Levy for use during the calendar year; recommends amending the Resolution to change the date listed for hearing to November 6, 2023 and adopting the amended Budget summary.

MOTION TO RECEIVE THE R. C. AND ADOPT THE SUBSTITUTE RESOLUTION WITH THE AMENDED BUDGET SUMMARY

Motion made by Mitchell, Seconded by Filicky-Peneski.

Before action was taken,

MOTION TO AMEND THE BUDGET SUMMARY TO REMOVE THE FUNDING FOR THE CHANGE OF THE POSITION IN THE CITY ATTORNEYS OFFICE AND TO DECREASE THE GENERAL FUND-FUND EQUITY ACCOUNT

Motion made by Heidemann, Seconded by Mitchell.

Voting Yea: Heidemann – 1.

Voting Nay: Dekker, Felde, Filicky-Peneski, Mitchell, Perrella, Ramey, Salazar – 7.

MOTION TO AMEND THE BUDGET SUMMARY TO INCREASE THE CITY ADMINISTRATOR – CONTRACTED SERVICES ACCOUNT BY \$20,000 AND INCREASE THE GENERAL FUND-FUND EQUITY ACCOUNT TO PROVIDE BUS VOUCHERS TO THE HOMELESS

Voting Yea: Heidemann and Mitchell – 2.

Voting Nay: Dekker, Felde, Filicky-Peneski, Perrella, Ramey, Salazar – 6.

MOTION TO AMEND THE BUDGET SUMMARY TO INCLUDE AND FUND IN THE 2024 CIP, SECURITY CAMERAS AT VARIOUS PARKS.

Motion made by Heidemann, ruled out of order by the Mayor.

On original Motion,

Voting Yea: Dekker, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Salazar – 7.

Abstain: Felde – 1.

35. R. C. No. 126-23-24 by Licensing, Hearings, and Public Safety Committee to whom was referred Res. No. 80-23-24 by Alderpersons Salazar and Felde modifying the ambulance service billing rates for the City of Sheboygan Fire Department; recommends adopting the Resolution.

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

Motion made by Salazar, Seconded by Dekker.

Voting Yea: Dekker, Felde, Filicky-Peneski, Heidemann, Mitchell, Perrella, Ramey, Salazar – 8.

GENERAL ORDINANCES – None.

OTHER MATTERS AUTHORIZED BY LAW – None.

ADJOURN MEETING

36. Motion to Adjourn

MOTION TO ADJOURN AT 6:52 PM

Motion made by Dekker, Seconded by Salazar

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

