



PUBLIC WORKS COMMITTEE AGENDA

April 11, 2023 at 5:30 PM

Municipal Service Building - Training Room, 2026 New Jersey Avenue

It is possible that a quorum (or a reverse quorum) of the Sheboygan Common Council or any other City committees/boards/commissions may be in attendance, thus requiring a notice pursuant to State ex rel. Badke v. Greendale Village Board, 173 Wis. 2d 553,494 N.W.2d 408 (1993).

Persons with disabilities who need accommodations to attend this meeting should contact the Department of Public Works at 920-459-3440. Persons other than council members who wish to participate remotely shall provide notice to the Public Works Department at 920-459-3440 at least 24 hours before the meeting so that the person may be provided a remote link for that purpose.

OPENING OF MEETING

1. Call to Order
2. Roll Call - Alderpersons Dekker, Heidemann, Ramey, Salazar, and Rust may attend meeting remotely.
3. Pledge of Allegiance
4. Introduction of Committee Members and Staff

MINUTES

5. Approval of Minutes: March 28, 2023

ITEMS FOR DISCUSSION & POSSIBLE ACTION

6. Res. No. 166-22-23 / April 5, 2023: A resolution authorizing executing a one-year lease for the agricultural property in the City of Sheboygan formerly owned by David L. Gartman, LLC.
7. Gen. Ord. No. 31-22-23 / April 5, 2023: A general ordinance placing stop signs at the northwest corner and southeast corner of S. 22nd Street and David Avenue.
8. Wild Animal Discussion. DISCUSSION ONLY

NEXT MEETING DATE

9. Next Regular Meeting Date: April 25, 2023

ADJOURNMENT

10. Motion to adjourn Sine Die

In compliance with Wisconsin's Open Meetings Law, this agenda was posted in the following locations more than 24 hours prior to the time of the meeting:

*City Hall • Mead Public Library
Sheboygan County Administration Building • City's website*

CITY OF SHEBOYGAN
PUBLIC WORKS COMMITTEE MINUTES
Tuesday, March 28, 2023

COMMITTEE MEMBER PRESENT: Alderperson Amanda Salazar, Chair Dean Dekker, Alderperson Angela Ramey, Alderperson Joe Heidemann, and Vice Chair Zach Rust.

STAFF/OFFICIALS PRESENT: Director of Public Works David Biebel, City Engineer Ryan Sazama, Superintendent of Parks and Forestry Joe Kerlin, Superintendent of Streets and Sanitation Joel Kolste, Superintendent of Facilities and Traffic Mike Willmas, Assistant City Attorney Liz Majerus, Administrative Coordinator Heather Burke, and Administrative Clerk Stacy Weseljak.

OTHERS PRESENT: Joe Voelknol and Chris Lacey.

OPENING OF MEETING

1. Call to Order

Chair Dean Dekker called the meeting to order at 5:30 PM.

2. Roll Call - Alderpersons Dekker, Heidemann, Ramey, Salazar, and Rust may attend meeting remotely.
3. Pledge of Allegiance

The Pledge of Allegiance was recited.

4. Introduction of Committee Members and Staff

MINUTES

5. Approval of Minutes: March 14, 2023

MOTION TO APPROVE MINUTES FROM MARCH 14, 2023

Motion made by Vice Chair Rust, Seconded by Alderperson Ramey.

Voting Yea: Alderperson Salazar, Chair Dekker, Alderperson Ramey, Alderperson Heidemann,
Vice Chair Rust

ITEMS FOR DISCUSSION & POSSIBLE ACTION

6. Res. No. 158-22-23 / March 20, 2023: A resolution authorizing the appropriate City officials to enter into a contract with Dorner Inc. for the reconstruction of Indiana Avenue from South 24th Street to South 17th Street and authorizing an adjustment to the 2023-2027 Capital Improvement Plan and the 2023 budget.

MOTION TO RECOMMEND THE COMMON COUNCIL ADOPT THE RESOLUTION

Motion made by Vice Chair Rust, Seconded by Alderperson Salazar.

Voting Yea: Alderperson Salazar, Chair Dekker, Alderperson Ramey, Alderperson Heidemann,
Vice Chair Rust

7. Res. No. 159-22-23 / March 20, 2023: A resolution authorizing the appropriate City officials to enter into a lease with Lakeshore United FC for use and management of the Butzen property.

MOTION TO RECOMMEND THE COMMON COUNCIL ADOPT THE RESOLUTION

Motion made by Vice Chair Rust, Seconded by Alderperson Heidemann.

Voting Yea: Alderperson Salazar, Chair Dekker, Alderperson Ramey, Alderperson Heidemann,
Vice Chair Rust

NEXT MEETING DATE

8. Next Regular Meeting Date: April 11, 2023

ADJOURNMENT

9. Motion to adjourn

MOTION TO ADJOURN AT 5:48 PM

Motion made by Vice Chair Rust, Seconded by Alderperson Salazar.

Voting Yea: Alderperson Salazar, Chair Dekker, Alderperson Ramey, Alderperson Heidemann,
Vice Chair Rust

CITY OF SHEBOYGAN

REQUEST FOR PUBLIC WORKS COMMITTEE CONSIDERATION

ITEM DESCRIPTION: A resolution authorizing executing a one-year lease for the agricultural property in the City of Sheboygan formerly owned by David L. Gartman, LLC.

REPORT PREPARED BY: David H. Biebel, Director of Public Works

REPORT DATE: April 6, 2023

MEETING DATE: April 11, 2023

FISCAL SUMMARY:

STATUTORY REFERENCE:

Budget Line Item: N/A
Budget Summary: N/A
Budgeted Expenditure: N/A
Budgeted Revenue: N/A

Wisconsin Statutes:
Municipal Code: N/A

BACKGROUND / ANALYSIS: This request is to lease approximately 193 acres of agricultural land that the City owns in the City of Sheboygan, just south of Weeden Creek Road to David L. Gartman, LLC. This is a yearly lease.

STAFF COMMENTS: The City of Sheboygan recently purchased the property from David L. Gartmann, LLC and then this property was annexed in to the City of Sheboygan. Mr. Gartman will be leasing the farmland at the market rate.

ACTION REQUESTED: Motion to recommend the Common Council adopt Res. No. 166-22-23 authorizing executing a one-year lease for the agricultural property in the City of Sheboygan formerly owned by David L. Gartman, LLC.

ATTACHMENTS:

- I. Res. No. 166-22-23
- II. Lease Agreement

III

Res. No. 166 - 22 - 23. By Alderpersons Dekker and Rust. April 5, 2023.

A RESOLUTION authorizing executing a one-year lease for the agricultural property in the City of Sheboygan formerly owned by David L. Gartman, LLC.

RESOLVED: That the Mayor and City Clerk are hereby authorized and directed to execute the attached lease with David L. Gartman, LLC for the 2023 agricultural use of approximately 193 acres of the former David L. Gartman, LLC property in the City of Sheboygan.

PW

I HEREBY CERTIFY that the foregoing Resolution was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the _____ day of _____, 20____.

Dated _____ 20____. _____, City Clerk

Approved _____ 20____. _____, Mayor

LEASE AGREEMENT

THIS AGREEMENT, made this _____ day of April, 2023, by and between the City of Sheboygan, Wisconsin, a municipal corporation of the State of Wisconsin, hereinafter referred to as "**LESSOR**," and David L. Gartman, LLC, 5509 Moenning Road, Sheboygan, WI 53081, hereinafter referred to as "**LESSEE**."

IT IS MUTUALLY UNDERSTOOD AND AGREED BY AND BETWEEN THE LESSOR AND THE LESSEE:

1. That the **LESSOR** does hereby lease and let unto the **LESSEE** approximately 193 acres of tillable land located within certain agricultural property described as follows:

Parcel No. 59281-471044
Parcel No. 59281-471043
Parcel Nos. 59281-471045 and 59030-454913
Parcel No. 59281-471047
Parcel No. 59281-471046
Parcel No. 59281-471049
Parcel Nos. 59281-471041 and 59030-454871
Parcel Nos. 59281-471042 and 59030-454882

All parcels are located in Section 10, Township 14 North, Range 23 East, City of Sheboygan and Town of Wilson, Sheboygan County, Wisconsin. The 193 acres of tillable land does not include the non-farmable areas that include yards and buildings which are the subject of a separate Residential Rental Agreement.

2. That the term of this lease shall be for the period from April 1, 2023 through March 31, 2024.

3. That the rental rate for the parcels being leased by **LESSEE** of land for the period from April 1, 2023 through March 31, 2024 shall be at the rate of one-hundred fifteen (\$115.00) dollars per acre, for a total of Twenty-two Thousand One Hundred Ninety-five and 00/100 Dollars (\$22,195.00), which shall be due and payable at the City of Sheboygan Finance Department located at 828 Center Avenue, Sheboygan, Wisconsin, on the 31st day of March, 2024.

4. That the **LESSEE** shall use the land only for agricultural purposes and that no other type of use is permitted thereon.

5. That the **LESSEE** agrees that the **LESSOR** may, at reasonable and proper times, and upon reasonable notice, enter upon the leased property whenever it is deemed to be in the public interest.

6. That the **LESSEE** shall save, protect and conserve the land to the best of his ability and commit no waste thereon.

7. The **LESSEE** hereby agrees that he will not assign, sublease, or otherwise grant or permit any other person to use the land for any purpose whatsoever.

8. The **LESSEE** agrees to make no improvements of any kind whatsoever in or on the land.

9. The **LESSEE** hereby agrees that he will not encumber the land or crops growing thereon.

10. **LESSEE** shall not erect, install, operate or allow same, in or upon the land, any signs or other similar advertising devices without first having obtained the **LESSOR'S** written consent therefor.

11. **LESSOR** may construct, install and operate one (1) sign on said premises identifying said property.

12. The parties acknowledge that the property is being actively marketed for sale by **LESSOR**. **LESSOR** may remove from the total acreage leased any part thereof upon at least seven (7) months written notice to **LESSEE**, and **LESSOR** shall not pay any damages for such taking of property from the **LESSEE**.

13. **LESSOR** shall be responsible for any and all taxes upon said land.

14. **LESSEE** shall save **LESSOR** harmless from any loss, cost or damage that may arise out of or in connection with this lease or the use of said premises by **LESSEE**, his agents, employees or any other person using said premises.

15. In the event the **LESSEE** shall become bankrupt or insolvent, or should a trustee or receiver be appointed to administer the **LESSEE'S** business, neither this lease nor any interest herein shall become an asset of such trustee or receiver, and, in the event of the appointment of any such trustee or receiver, this lease shall immediately terminate and end.

16. Waiver by the **LESSOR** of any default in performance by the **LESSEE** of any of the terms, covenants, or conditions contained herein, shall not be deemed a continuing waiver of the same or any subsequent default herein.

17. **LESSEE** shall have no right or interest in the renewal of this lease agreement.

Dated this ____ day of April, 2023.

DAVID L. GARTMAN, LLC (LESSEE)

BY: _____
David L. Gartman, Member

Dated this ____ day of April, 2023.

CITY OF SHEBOYGAN (LESSOR)

BY: _____
Ryan Sorenson
Mayor

ATTEST: _____
Meredith DeBruin
City Clerk

This document is authorized by and in accordance with Res. No. ____-22-23.

CITY OF SHEBOYGAN

REQUEST FOR PUBLIC WORKS COMMITTEE CONSIDERATION

ITEM DESCRIPTION: An ordinance placing stop signs at the northwest corner and southeast corner of S. 22nd Street and David Avenue.

REPORT PREPARED BY: Ryan Sazama, City Engineer

REPORT DATE: April 6, 2023

MEETING DATE: April 11, 2023

FISCAL SUMMARY:

STATUTORY REFERENCE:

Budget Line Item:	N/A
Budget Summary:	N/A
Budgeted Expenditure:	N/A
Budgeted Revenue:	N/A

Wisconsin	N/A
Statutes:	
Municipal Code:	N/A

BACKGROUND / ANALYSIS: There are existing stop signs at the intersection of S. 22nd Street and David Avenue which requires all eastbound and westbound traffic at this intersection to stop. Due to this intersection’s close proximity to Madison School the Department of Public Works is recommending adding stop signs that will require all southbound and northbound traffic to also stop at this intersection, creating a four way stop at this intersection.

STAFF COMMENTS: The Department of Public Works recommends placing stop signs at the northwest corner and southeast corner of S. 22nd Street and David Avenue.

ACTION REQUESTED: Motion to recommend the Common Council adopt Gen. Ord. No. 31-22-23 placing stop signs at the northwest corner and southeast corner of S. 22nd Street and David Avenue.

ATTACHMENTS:

- I. Gen. Ord. No. 31-22-23

A

Gen. Ord. No. 31 - 22 - 23. By Alderpersons Dekker and Rust. April 5, 2023.

AN ORDINANCE placing stop signs at the northwest corner and southeast corner of S. 22nd Street and David Avenue.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Pursuant to Section 118-51 of the Municipal Code entitled "Erection of Official Signs," stop signs shall be added requiring southbound and northbound traffic on S. 22nd Street to stop at the intersection of S. 22nd Street and David Avenue.

Section 2. The Department of Public Works and the Police Department are hereby authorized and directed to add the signs to give notification of the aforementioned change.

Section 3. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

W

I HEREBY CERTIFY that the foregoing Ordinance was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the _____ day of _____, 20____.

Dated _____ 20____. _____, City Clerk

Approved _____ 20____. _____, Mayor



City of
Sheboygan
spirit on the lake.

Dear Resident:

The City of Sheboygan Department of Public Works is asking for your support in controlling and reducing the wild turkey population in your neighborhood. The City has received concerns from several residents in your neighborhood about the large number of wild turkeys and have witnessed them becoming aggressive and destructive to landscaping and property.

The City has contacted the Wisconsin Department of Natural Resources and United States Department of Agriculture Fish and Wildlife Services to help with this concern. The City met on-site with a representative and witnessed the wild turkeys in backyards of neighborhood residences. The turkeys were used to the area and people, and not overly concerned with our presence. According to the Fish and Wildlife representative, they have become very comfortable with the area.

Other observations were: the neighborhood has good habitat nearby for the turkeys to shelter and populate without many predators. Many homes have bird feeders which can be good source of food. Prior to any physical options to remove or reduce the number of turkeys, non-invasive methods must be attempted, so we are asking for the entire neighborhood to cooperate and work together to help with managing the turkeys.

The first thing we need is the neighborhood to remove all potential sources of food. This means removing all bird feeders and not storing feed outside. In addition, please pickup any fruit or nuts from trees in your yard. It also means no feeding or placing food for the turkeys to eat. Once this food source is removed, the turkeys should begin to slowly move onto other areas, away from the neighborhood.

Second, start to discourage the turkeys or not make them comfortable. This can be done by erecting fencing or hazards to further discourage the turkeys from entering your yard. Consider placing decoys that discourage turkeys. Attached to this letter is additional detailed information on managing wild turkeys. These activities have been successful in other areas similar to your neighborhood. We need everyone to help and cooperate.

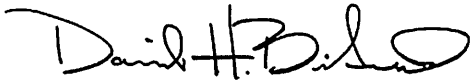
DEPARTMENT OF
PUBLIC WORKS

2026 NEW JERSEY AVE.
SHEBOYGAN, WI
53081-4790

920/459-3440
FAX 920/459-3443

According to State and Federal representatives we are working with, all non-invasive means must be used and tried prior to any consideration of other physical methods, like capture and removal of the turkeys. Even with that said, the location – neighborhood residences in close proximity to one another will make this option highly unlikely, especially with the large number of turkeys in the area. As a result, we are again, asking for the neighborhood’s cooperation and commitment to discouraging the turkeys in order to encourage them to move away from this area.

Sincerely,



David H. Biebel
Public Works Director
City of Sheboygan
Department of Public Works
(920) 459-3440

Mr. Biebel,

Please find a transcript of a recent correspondence with my alderman in which I reference your mailing from Nov 2023 concerning wild turkey.

As a follow-up for you, this issue has not improved and has only gotten worse. The number of turkey, deer and other animals has only increased since your mailing. People are continuing to feed and attract the wildlife. I see it every day. It is causing property damage and unsanitary conditions. We are hoping something can be done.

Sincerely,
Tim & Karen Schultz
1116 Sommer Drive
Sheboygan, WI 53081
kats1987@att.net

----- Forwarded Message -----

From: Karen/Tim Schultz <kats1987@att.net>
To: joe.heidemann@sheboyganwi.gov <joe.heidemann@sheboyganwi.gov>
Sent: Saturday, April 1, 2023 at 04:47:04 PM CDT
Subject: Wild Animal Control

Mr. Heidemann,

As my District 10; Ward 20 Alderman, I am writing to make you aware of the wild animal problems we are experiencing here along the west end of Sommer Drive in Sheboygan.

Specifically, I am referring to the extreme number of deer and turkey currently overtaking our neighborhood. It is not unusual to have 20-30 turkey at a time in our back yard and have counted 40+ on occasion. It is also not unusual to have 10-15+ deer at a time in our backyard. I see similar numbers of animals as I drive east on Sommer Drive. This is an entire neighborhood problem.

The sheer number of animals present destroy property and leave behind unsanitary conditions. We can't do planting in our landscaping because the deer eat whatever we plant. We can't enjoy our backyards because of the amount of deer and turkey droppings left behind. The deer and turkey destroy our lawn due to their foraging.

Wildlife has always been present in our neighborhood but not to the extent that it is now. It has become unreasonable and we feel something needs to be done.

Contributing greatly to this problem are people who feed the wildlife. I have a neighbor who feeds the wildlife twice daily in both her front and back yard showing no courtesy or consideration as to the issues her actions are causing her neighbors.

Last fall Sheboygan Public Works Director David Biebel distributed a letter to our entire neighborhood (see attachment) asking people to refrain from feeding the wild turkey. This has not had the intended effect, as I still witness this happening every day. Feeding deer is not only a Sheboygan ordinance violation it is also against state law. Feeding deer increases the risk of CWD spreading amongst the deer herd.

Years ago when the deer herd got too large it was thinned. Now we have the same problem not only with deer but also with turkey. We are asking that something be done to bring these numbers down and also to stop people from attracting animals by feeding them. Action needs

to be taken and there needs to be consequences for people who disregard the law and continue to feed and attract wildlife to the detriment of their neighbors.

Item 8.

Sincerely,
Tim & Karen Schultz
1116 Sommer Drive
Sheboygan, WI 53081

cc: David Biebel
Public Works Director
City of Sheboygan