



LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE AGENDA

July 13, 2022 at 4:15 PM

City Hall - Third Floor - Common Council Chambers, 828 Center Avenue, Sheboygan WI

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 City Attorney's Office at 828 Center Avenue, Suite 210, Sheboygan, Wisconsin, Ph. 920-459-3917. Persons other than committee members who wish to participate remotely shall provide notice to the City Attorney's Office at Ph. 920-459-3917 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 Barb Felde, Betty Ackley, Dean Dekker, Joe Heidemann, and Amanda Salazar may be attending this meeting remotely
3. Pledge of Allegiance
4. Introduction of Committee members, staff and guests

MINUTES

- [5.](#) Approval of Minutes - June 29, 2022

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

- [6.](#) Res. No. 35-22-23 (7-5-22) A Resolution authorizing application for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program Fiscal Year 2022 Local Solicitation and entering into a Memorandum of Understanding with Sheboygan County.
7. Presentations by potential applicants for available "Class B" alcohol beverage licenses.
8. Discussion and action regarding granting opportunity to apply for available "Class B" alcohol beverage licenses.
- [9.](#) R. O. No. 36-22-23 (7-5-22) by City Clerk submitting various license applications.
- [10.](#) R. C. No. 291-21-22 (4-18-22) [see also R. C. 322-20-21 (4-19-21) and R. O. No. 76-20-21 (9-21-20)] by City Clerk submitting various license applications: Bev. Op. Lic. App. No. 3355 (John Koubaroulis)

NEXT MEETING DATE

11. Next meeting date will be July 27, 2022

ADJOURN

12. Motion to adjourn

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**LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE MINUTES****Wednesday, June 29, 2022**

COMMITTEE MEMBERS PRESENT: Chair Alderperson Barb Felde, Vice Chair Alderperson Betty Ackley (arrived at 4:33 p.m.), Alderperson Dean Dekker, Alderperson Joseph Heidemann, Alderperson Amanda Salazar

STAFF/OFFICIALS PRESENT: City Attorney Charles Adams, Fire Chief Eric Montellano, Assistant Fire Chief Jeff Salzman, Paralegal Kathy Hoffman

OTHERS PRESENT: Denise Quasius, Dave Felde

OPENING OF MEETING

1. Call to Order

Chair Alderperson Barb Felde called the meeting to order at 4:15 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 JUNE 8, 2022.

Motion made by Alderperson Dekker, seconded by Alderperson Heidemann.

Voting Yea: Alderperson Salazar, Chair Felde, Alderperson Dekker, Alderperson Heidemann.

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

6. Presentation to the Committee regarding new Fire Department engine (2021 CIP) - PRESENTATION ONLY

Fire Chief Montellano thanked the committee for all of their support regarding the new engine which replaces a 29-year-old fire apparatus. He invited the committee to stop over at station #1 following the meeting to check out the new engine which was parked outside station #1.

7. Res. No. 31-22-23 (6-20-22) A Resolution authorizing entering into an Agreement Urban Search and Rescue Emergency Response Services with the State of Wisconsin Department of Military Affairs Division of Emergency Management with regard to providing City of Sheboygan personnel to a statewide urban search and rescue team.

Fire Chief Montellano and Assistant Fire Chief Salzman spoke and then answered questions from the committee regarding pre-approval to enter into the agreement with Wisconsin Emergency Management which would allow Sheboygan Fire Department members to be eligible for deployment in the event of a state or national emergency.

MOTION TO RECOMMEND THE COMMON COUNCIL ADOPT RES. NO. 31-22-23.

Motion made by Alderperson Dekker, seconded by Alderperson Salazar.

Voting Yea: Alderperson Salazar, Chair Felde, Alderperson Dekker, Alderperson Heidemann.

Alderperson Ackley joined the meeting at 4:33 p.m.

8. Discussion and possible action regarding request from Alcohol Beverage License No. 2373 (The Duke of Devon) for an extension under the city's continuation of business ordinance.

Denise Quasius appeared before the committee on behalf of The Duke of Devon and explained their reopening and renovation plans and their concerns regarding labor and material shortages, but indicated that they hope to reopen by the end of September.

MOTION TO GRANT AN EXTENSION THROUGH SEPTEMBER 30, 2022 TO ALCOHOL BEVERAGE LICENSE NO. 3333 (THE DUKE OF DEVON) UNDER THE CONTINUATION OF BUSINESS ORDINANCE.

Motion made by Alderperson Salazar, seconded by Alderperson Dekker.

Voting Yea: Alderperson Salazar, Chair Felde, Vice Chair Ackley, Alderperson Dekker, Alderperson Heidemann.

9. R.O. No. 25-22-23 (6-20-22) by City Clerk submitting various license applications.

MOTION TO GRANT THE APPLICATIONS ON R.O. NO. 25-22-23.

Motion made by Alderperson Dekker, seconded by Alderperson Heidemann.

Voting Yea: Alderperson Salazar, Chair Felde, Vice Chair Ackley, Alderperson Dekker, Alderperson Heidemann.

NEXT MEETING DATE

10. The next committee meeting is scheduled to be held on July 13, 2022 at 4:15 p.m.

ADJOURN

11. Motion to adjourn

MOTION TO ADJOURN AT 4:39 PM.

Motion made by Alderperson Salazar, seconded by Alderperson Heidemann.

Voting Yea: Alderperson Salazar, Chair Felde, Vice Chair Ackley, Alderperson Dekker, Alderperson Heidemann.

III

Res. No. 35 - 22 - 23. By Alderpersons Felde and Ackley. July 5, 2022.

A RESOLUTION authorizing application for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program Fiscal Year 2022 Local Solicitation and entering into a Memorandum of Understanding with Sheboygan County.

WHEREAS, the City of Sheboygan and Sheboygan County have the opportunity to obtain a federal local solicitation grant in the total amount of \$18,499 funded through the Edward Byrne Memorial Justice Assistance Grant Program, which is the primary provider of federal criminal justice funding to state and local jurisdictions; and

WHEREAS, in order to obtain the grant in the amount of \$18,499, it is necessary for the County to submit an application through the Justice Assistance Grant Award Program to be used for law enforcement equipment or resources and for the County to enter into a Memorandum of Understanding with the City of Sheboygan for the sharing of grant proceeds and the equipment purchase therewith under terms similar to previous memoranda of understanding with the City of Sheboygan for previous similar grant award sharing; and

WHEREAS, the funding received would be 100% from federal sources with no state or local match requirement.

NOW, THEREFORE, BE IT RESOLVED: That the City of Sheboygan Common Council authorizes the Mayor and Chief of Police to execute the 2022 Justice Assistance Grant Program Award Memorandum of Understanding between the City of Sheboygan and the County of Sheboygan, for the funds and equipment purchased therewith to be shared with the County of Sheboygan, a copy of which is attached hereto.

UHPS

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

FISCAL YEAR 2022 JUSTICE ASSISTANCE GRANT (JAG)
PROGRAM AWARD
MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF SHEBOYGAN AND
THE COUNTY OF SHEBOYGAN
(Local Solicitation)

THIS AGREEMENT is made and entered into this _____ day of September, 2022, by and between the City of Sheboygan, acting by and through its governing body, and the County of Sheboygan, by and through its governing body (hereinafter referred to as CITY and COUNTY, respectively), both of Sheboygan County, State of Wisconsin,

WITNESSETH

WHEREAS, this Agreement is made under the authority of the intergovernmental cooperation statute, Wis. Stat. § 66.0301; and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of both parties and that the undertaking will benefit the public; and

WHEREAS, CITY agrees COUNTY will be the fiscal agent for the fiscal year 2022 Justice Assistance Grant ("JAG") Program funds (local solicitation) award; and

WHEREAS, CITY and COUNTY believe it to be in their best interests to allocate the JAG funds for certain equipment for the City Police Department and the County Sheriff's Department, respectively.

NOW, THEREFORE, CITY and COUNTY agree as follows:

Section 1. CITY agrees COUNTY will be the fiscal agent for the fiscal year 2022 JAG program funds (local solicitation) and COUNTY shall be responsible for providing results measuring data as required under the Government Performance and Results Act of 1993 (GPRA), and the GPRA Modernization Act of 2010, P.L. 111-352. CITY will cooperate with COUNTY in protecting such data in its possession to allow COUNTY to fulfill these requirements.

Section 2. COUNTY and CITY agree to split the grant funds as follows and share the equipment purchased therewith as mutually agreed between the City Police Department and the County Sheriff's Department for law enforcement equipment:

Grant Total	\$18,499.00
City Portion	9,224.50
County Portion	9,224.50

Section 3. CITY and COUNTY agree to defend, hold harmless, and indemnify the other against any and all claims, liabilities, damages, judgments, causes of action, costs, loss and expense, including reasonable attorneys' fees, imposed upon or incurred by the other party arising from or related to the negligent or intentionally tortuous acts or omissions of the indemnifying party's officers, employees, or agents in performing the

services pursuant to this agreement including any liability arising as a result of a failure to comply with the legal requirements the parties agreed to adhere to upon acceptance of an award, all as summarized at www.ojp.usdoj.gov/funding/otherequirements.htm. Each party shall promptly notify the other of any claim arising under this provision and each party shall fully cooperate with the other in the investigation, resolution, and defense of such claim.

Section 4. Each party to this Agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 5. By entering into this Agreement, the parties do not intend to create any obligations, express or implied, other than those set out herein and, further, this Agreement shall not create any rights in any party not a signatory hereto.

APPROVED by the parties through signature of the following officials:

CITY OF SHEBOYGAN:

Ryan J. Sorenson, Mayor

Date

Christopher Domagalski, Chief of Police

Date

COUNTY OF SHEBOYGAN:

Vernon Koch, County Board Chair

Date

Steve Steinhardt, Emergency Management
Director

Date

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CITY OF SHEBOYGAN

REQUEST FOR LICENSING, HEARINGS and PUBLIC SAFETY COMMITTEE
CONSIDERATION

ITEM DESCRIPTION: Resolution to Authorize Application for the 2022 Justice Assistance Grant Program Award.

REPORT PREPARED BY: Christopher Domagalski, Chief of Police

REPORT DATE: July 8, 2022

MEETING DATE: July 13, 2022

FISCAL SUMMARY:

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

STATUTORY REFERENCE:

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

BACKGROUND / ANALYSIS:

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program is a provider of federal criminal justice funding to state and local jurisdictions. The JAG Program provides local units of government with critical funding necessary to support a range of program areas. Funds are awarded on a formula basis and eligible applicants are limited to units of local government that appear on the allocations list. The City of Sheboygan and Sheboygan County are eligible to obtain a grant in the amount of \$ 18,499. To obtain the funds the City and County must enter into a Memorandum of Understanding and share the proceeds.

STAFF COMMENTS:

The City and the County have a long history of entering into a Memorandum of Understanding and sharing the proceeds of this grant. Application for this grant will allow the Police Department to leverage federal resources to purchase equipment for the emergency response team.

ACTION REQUESTED:

Motion to recommend to the council to approve and authorize the Chief of Police and Mayor to execute the 2022 Justice Assistance Grant Program Award Memorandum of Understanding between the City of Sheboygan and the County of Sheboygan.

ATTACHMENTS:

I. Res. No. 35-22-23

II

R. O. No. 36 - 22 - 23. By CITY CLERK. July 5, 2022.

Submitting various license applications.

City Clerk

CHANGE OF AGENT

Lucie Derks is replacing Jason Steffen as agent effective immediately for Festival Foods located at 595 S. Taylor Drive.

"CLASS A" LIQUOR LICENSE (June 30, 2023) (NEW)

<u>No.</u>	<u>Name</u>	<u>Address</u>
3557	Jai Petroleum And Investment LLC (J Mart)	2420 Calumet Drive

"CLASS B" LIQUOR LICENSE (June 30, 2022) (NEW)

<u>No.</u>	<u>Name</u>	<u>Address</u>
3559	The spices of the East LLC (Jay's Restaurant and Bar)	4604 S. Business Drive

CIGARETTE/TOBACCO (June 30, 2023) (RENEW)

<u>No.</u>	<u>Name</u>	<u>Address</u>
2389	The Epicure Lounge	1116 Michigan Avenue

GHS

~~VI~~

R. C. No. 291 - 21 - 22. By LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE.
April 18, 2022.

Your Committee to whom was referred R. C. 322-20-21 by Licensing, Hearings, and Public Safety Committee to whom was referred R. O. No. 76-20-21 by City Clerk submitting various license applications; recommends referred to the Licensing, Hearings, and Public Safety Committee of the 2022-2023 council.

_____	_____
_____	_____
_____	_____
	Committee

I HEREBY CERTIFY that the foregoing Committee Report was duly accepted and adopted by the Common Council of the City of Sheboygan, Wisconsin, on the _____ day of _____, 20____.

Dated _____ 20____. _____, City Clerk

Approved _____ 20____. _____, Mayor

VI

R. C. No. 322 - 20 - 21. By LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE. April 19, 2021.

Your Committee to whom was referred R. O. No. 76-20-21 by City Clerk submitting various license applications; recommends referring documents to the Licensing, Hearings, and Public Safety Committee of the 2021-2022 Council:

BEVERAGE OPERATOR'S LICENSE (NEW) (June 30, 2022)

<u>No.</u>	<u>Name</u>	<u>Address</u>
	3355 Koubardulis, John	710 Pennsylvania Avenue

ALPS
21-22

Paul Sear
Dean Dekker
Barbara Felder

Myhymne Nwanku

Committee

I HEREBY CERTIFY that the foregoing Committee Report was duly accepted and adopted by the Common Council of the City of Sheboygan, Wisconsin, on the _____ day of _____, 20____.

Dated _____ 20____. _____, City Clerk

Approved _____ 20____. _____, Mayor

II

R. O. No. 76 - 20 - 21. By CITY CLERK. September 21, 2020.

Submitting various license applications for the period ending June 30, 2022.

City Clerk

BEVERAGE OPERATOR'S LICENSE (NEW) (June 30, 2022)

<u>No.</u>	<u>Name</u>	<u>Address</u>
3345	Bartlett, Raymond A.	1321 New York Avenue
3352	Bramstedt, Jacob	1229 Whittier Ave., Howards Grove
1327	Castillo, Tera L.	1904 N. 6 th Street
7782	Heyman, Benjamin F.	1410 Lincoln Avenue
3351	Kannich, Samantha J.	712 Broughton Drive #18
3355	Koubardulis, John	710 Pennsylvania Avenue
3353	Malwitz, Melissa L.	621 School Avenue, Oshkosh
3349	Perez, Pascual A.	1416 New York Avenue
3346	Shrestha, Hayley E.	1614A Georgia Avenue
3356	Smith, Tania	1022 Clara Avenue
3354	Todd, Stephanie	3513C Eisner Court

RRPS
9-30 Hold #3355
10-15 Hold #3355
10-28 Hold #3355