



# LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE AGENDA

**August 14, 2024 at 4:30 PM**

**City Hall - Conference Room 106, 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
3. Pledge of Allegiance
4. Introduction of Committee members, staff and guests

## MINUTES

- [5.](#) Approval of Minutes - July 25, 2024

## ITEMS FOR DISCUSSION AND POSSIBLE ACTION

- [6.](#) Gen. Ord. No. 15-24-25 (8-5-24) An Ordinance amending sections 14-308 and 14-309 of the Sheboygan Municipal Code so as to allow food trailers to be food trucks.
- [7.](#) R. O. No. 43-24-25 (8-5-24) by City Clerk submitting various license applications.

## NEXT MEETING DATE

8. Next meeting date will be August 28, 2024

## ADJOURN

9. 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**  
**Thursday, July 25, 2024**

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**COMMITTEE MEMBERS PRESENT:** Chair Alderperson Zach Rust, Vice Chair Alderperson Robert La Fave, Alderperson Joseph Heidemann, Alderperson Grazia Perrella

**COMMITTEE MEMBERS EXCUSED:** Alderperson Daniel Peterson

**STAFF/OFFICIALS PRESENT:** Mayor Ryan Sorenson, City Attorney Charles Adams, Police Chief Christopher Domagalski, Fire Chief Eric Montellano, City Clerk Meredith DeBruin, Lt. Matthew Walsh, Assistant City Attorney Audrey Kratz, Licensing Clerk Darcie Beernink, Paralegal Kathy Hoffman

**OTHERS PRESENT:** Attorney Richard Hahn, David Repinski, Scott Felde, Eric Bauer, Dave Kucensky, Craig Hoffman

**OPENING OF MEETING**

1. Call to Order

Chair Alderperson Zach Rust called the meeting to order at 4:30 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 JULY 10, 2024.

Motion made by Alderperson Heidemann, seconded by Vice Chair La Fave.

Voting Yea: Chair Rust, Vice Chair La Fave, Alderperson Heidemann, Alderperson Perrella.

**ITEMS FOR DISCUSSION AND POSSIBLE ACTION**

6. Gen. Ord. No. 14-24-25 (DIRECT REFERRAL) An Ordinance amending section 48-322 of the Sheboygan Municipal Code to remove the mandatory neighbor approval for street festival and special events permits.

City Attorney Adams spoke regarding this ordinance change regarding neighbor approval. Dave Kucensky spoke regarding how road closures would affect his business (The Flower Cart) during some events.

MOTION TO RECOMMEND THE COMMON COUNCIL ADOPT GEN. ORD. NO. 14-24-25.

Motion made by Alderperson Heidemann, seconded by Alderperson Perrella.

Before action was taken,

MOTION TO AMEND SEC 48-322(c)(9)c. TO READ AS FOLLOWS: "c. A list of all adults who reside or do business on the to-be-closed portion of the street and a statement that all of the identified adults have been contacted about the temporary street closure;"

Motion made by Alderperson Perrella, seconded by Vice Chair La Fave.

Voting Yea: Chair Rust, Vice Chair La Fave, Alderperson Heidemann, Alderperson Perrella.

On motion to recommend the common council adopt Gen. Ord. No. 14-24-25 as amended,

Voting Yea: Chair Rust, Vice Chair La Fave, Alderperson Heidemann, Alderperson Perrella.

7. Gen. Ord. No. 11-24-25 (7-15-24) An Ordinance amending section 38-59 of the Sheboygan Municipal Code so as to modify regulations pertaining to consuming intoxicating beverages in public.

City Attorney Adams explained to the Committee that this ordinance amendment would allow for the creation of temporary "Designated Outdoor Refreshment Areas" (DORAs) where alcohol may be carried and consumed.

MOTION TO RECOMMEND THE COMMON COUNCIL ADOPT ORD. NO. 11-24-25.

Motion made by Alderperson Perrella, seconded by Vice Chair La Fave.

Voting Yea: Chair Rust, Vice Chair La Fave, Alderperson Heidemann, Alderperson Perrella.

8. Res. No. 42-24-25 (7-15-24) A Resolution authorizing the creation of a temporary Designated Outdoor Refreshment Area during the 2024 Mercury Racing Midwest Challenge, August 9-11, 2024.

Mayor Sorenson spoke regarding the boat races in August and explained that the creation of this DORA will assist the South Pier businesses during the boat race event.

MOTION TO RECOMMEND THE COMMON COUNCIL ADOPT RES. NO. 42-24-25.

Motion made by Alderperson Heidemann, seconded by Vice Chair La Fave.

Voting Yea: Chair Rust, Vice Chair La Fave, Alderperson Heidemann, Alderperson Perrella.

9. Res. No. 47-24-25 (DIRECT REFERRAL) A Resolution authorizing the Fire Chief to execute an agreement with the City of Manitowoc Fire Department allowing the City to

borrow an ambulance to have as reserve for the Mercury Racing Midwest Challenge Powerboat Race event August 8-12, 2024.

Fire Chief Montellano spoke regarding the agreement with the City of Manitowoc Fire Department and answered questions from the Committee.

MOTION TO RECOMMEND THE COMMON COUNCIL ADOPT RES. NO. 47-24-25.

Motion made by Alderperson Perrella, seconded by Vice Chair La Fave.

Voting Yea: Chair Rust, Vice Chair La Fave, Alderperson Heidemann, Alderperson Perrella.

10. Res. No. 43-24-25 (7-15-24) A Resolution authorizing entering into a professional services agreement with Angela Wessels, LLC for peer support training services for the Sheboygan Fire Department.

Chief Montellano spoke regarding the agreement and answered questions from the Committee.

MOTION TO RECOMMEND THE COMMON COUNCIL ADOPT RES. NO. 43-24-25.

Motion made by Alderperson Perrella, seconded by Vice Chair La Fave.

Voting Yea: Chair Rust, Vice Chair La Fave, Alderperson Heidemann, Alderperson Perrella.

11. Beverage Operator's License Application No. 5022 (Scott A. Felde) - HEARING REGARDING DENIAL OF LICENSE

Scott A. Felde appeared before the committee for an appeal hearing on possible denial of his license application. City Attorney Adams explained to the committee that Mr. Felde's 2009 felony conviction makes him ineligible for the license unless he receives a pardon from the Governor. The committee heard from Mr. Felde who stated he has had a clean record for a long time and he will look into a pardon.

MOTION TO UPHOLD THE CLERK'S DECISION TO DENY BEVERAGE OPERATOR LICENSE APPLICATION NO. 5022 (SCOTT A. FELDE) DUE TO MR. FELDE'S INELIGIBILITY FOR THE LICENSE.

Motion made by Alderperson Heidemann, seconded by Vice Chair La Fave.

Voting Yea: Chair Rust, Vice Chair La Fave, Alderperson Heidemann, Alderperson Perrella.

12. R. O. No. 29-24-25 (7-15-24) by City Clerk submitting a communication from Holden & Hahn, S.C. regarding Dave's Who's Inn, Inc. liquor license.
13. Discussion and possible action regarding amending voluntary license conditions previously agreed to by David A. Repinski, Agent (Alc. Bev. Lic. No. 1089 - Dave's Who's Inn)

The Committee heard from City Attorney Adams, Police Chief Domagalski, Attorney Richard Hahn and Lt. Matthew Walsh regarding the voluntary license conditions previously agreed to.

MOTION TO MODIFY THE VOLUNTARY LICENSE CONDITIONS WHICH WERE IMPOSED IN LIEU OF A HEARING ON REVOCATION OF THE LICENSE, SO AS TO REMOVE THE CONDITION REGARDING NO UNDERAGE PERSONS ON THE PREMISES AND TO AMEND THE METAL DETECTOR CONDITION TO THE HOURS OF 10:00 P.M. TO CLOSING ON FRIDAYS, SATURDAYS, AND SUNDAYS ONLY.

Motion made by Alderperson Perrella, seconded by Vice Chair La Fave.

Voting Yea: Chair Rust, Vice Chair La Fave, Alderperson Heidemann, Alderperson Perrella.

14. R. O. No. 32-24-25 (7-15-24) by City Clerk submitting various license applications.

MOTION TO APPROVE ALL APPLICATIONS ON R.O. NO. 32-24-25, WITH THE APPROVAL OF THE SUNDAY DOUGH LLC APPLICATIONS BEING CONTINGENT UPON THE APPLICANT CORRECTING BOTH APPLICATIONS.

Motion made by Alderperson Heidemann, seconded by Vice Chair La Fave.

Voting Yea: Chair Rust, Vice Chair La Fave, Alderperson Heidemann, Alderperson Perrella.

15. R. O. No. 35-24-25 (7-15-24) by City Clerk submitting a license application.

MOTION TO APPROVE THE APPLICATION ON R.O. NO. 35-24-25.

Motion made by Alderperson Heidemann, seconded by Vice Chair La Fave.

Voting Yea: Chair Rust, Vice Chair La Fave, Alderperson Heidemann, Alderperson Perrella.

## **NEXT MEETING DATE**

16. The next committee meeting is scheduled to be held on August 14, 2024 at 4:30 p.m.

## **ADJOURN**

17. Motion to adjourn

MOTION TO ADJOURN AT 5:53 PM.

Motion made by Vice Chair La Fave, seconded by Alderperson Perrella.

Voting Yea: Chair Rust, Vice Chair La Fave, Alderperson Heidemann, Alderperson Perrella.

**CITY OF SHEBOYGAN  
ORDINANCE 15-24-25**

**BY ALDERPERSONS RUST, PERRELLA, AND PETERSON.**

**AUGUST 5, 2024.**

AN ORDINANCE amending sections 14-308 and 14-309 of the Sheboygan Municipal Code so as to allow food trailers to be food trucks.

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

**SECTION 1:**        **AMENDMENT** “Sec 14-308 Definitions” of the Sheboygan Municipal Code is hereby *amended* as follows:

AMENDMENT

Sec 14-308 Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Mobile food vehicle* means a commercially manufactured, ~~self-contained, motorized,~~ mobile food unit in which ready-to-eat food is cooked, wrapped, packaged, processed, or portioned for service, sale or distribution.

*Mobile food vehicle vendor* means the owner of a mobile food vehicle; hereinafter referred to as "vendor."

(Code 1997, § 78-100; Ord. No. 88-11-12, § 1, 4-16-2012)

**SECTION 2:**        **AMENDMENT** “Sec 14-309 Restrictions” of the Sheboygan Municipal Code is hereby *amended* as follows:

AMENDMENT

Sec 14-309 Restrictions

- (a) It is unlawful for any person to do any of the following within a public right-of-way or on public property in the city without first having obtained a valid mobile food vending license as prescribed in this article:

- (1) Operate a mobile food vehicle;
  - (2) Serve, sell, or distribute food from a mobile food vehicle;
  - (3) Cook, wrap, package, process, or portion food in a mobile food vehicle for service, sale, or distribution.
- (b) No person shall park, stop, or operate a mobile food vehicle, nor shall any mobile food vehicle vendor permit any person to park, stop or operate a mobile food vehicle in a location adjacent to or within a 100-foot radius of the nearest edge of any building or section of a building comprising a licensed food establishment, excluding any patio, awning, or temporary enclosure attached thereto, the kitchen of which is open for serving food to patrons. This requirement may be waived if the most recent application for a mobile food vending license was submitted together with the written consent of the proprietor of the adjacent licensed food establishment.
- (c) Each and every mobile food vehicle vendor shall at all times keep a measuring wheel with a measuring capacity of no less than 500 feet on the mobile food vehicle. The measuring wheel shall be available for use by any person operating or working on the mobile food vehicle and by any police officer or other municipal official tasked with enforcing the provisions of this article.
- (d) All mobile food vehicle vendors shall abide by all parking and traffic laws, ordinances, statutes, rules, and regulations at all times, except that a mobile food vehicle that is of such a length that it occupies all or a portion of two marked parking spaces may park in the spaces so long as it abides by all other parking restrictions, including depositing required coins in both parking meters, when applicable.
- (e) Any mobile food vehicle which is not self-contained and motorized shall, whenever it is parked on a public right-of-way, remain connected at all times to an operable motor vehicle which is properly licensed for operation upon the roadway and capable of towing the mobile food vehicle, such that the mobile food vehicle may be moved at any time.
- (f) A person with a valid driver's license of such a classification to allow the operation of the mobile food vehicle shall be with the vehicle at all times that any activity is taking place in the mobile food vehicle. The mobile food vehicle vendor is liable for any violation of this section.
- (g) No person shall park, stop, or operate a mobile food vehicle, nor shall any mobile food vehicle vendor permit any person to park, stop or operate a mobile food vehicle in a location within 500 feet of the boundary line of any property upon which a fair, farmer's market, festival, carnival, circus, special event, or civic event licensed or sanctioned by the city is occurring, except when the vendor has obtained a permit or otherwise properly obtained permission to do so.
- (h) All signage must be permanently affixed to the mobile food vehicle. No accessory signage shall be placed outside or around the mobile food vehicle.
- (i) Nothing in this article shall be deemed to supersede or repeal any ordinance relating to noise, park closing hours, or parking, except as specifically provided in this article. Mobile food vehicle vendors shall take every precaution to ensure that their operation does not materially affect the peace and welfare of the general public nor cause any unreasonably loud, disturbing and unnecessary noise or any noise of such character, intensity or duration as to be detrimental to the life or health of any individual or which

is in the disturbance of public peace and welfare.

(Code 1997, § 78-101; Ord. No. 88-11-12, § 1, 4-16-2012)

**SECTION 3:            REPEALER CLAUSE** All ordinances or resolutions or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**SECTION 4:            EFFECTIVE DATE** This Ordinance shall be in effect from and after its passage and publication according to law.

PASSED AND ADOPTED BY THE CITY OF SHEBOYGAN COMMON COUNCIL

Presiding Officer

Attest

\_\_\_\_\_  
Ryan Sorenson, Mayor, City of  
Sheboygan

\_\_\_\_\_  
Meredith DeBruin, City Clerk, City of  
Sheboygan



**CITY OF SHEBOYGAN  
R. O. 43-24-25**

**BY CITY CLERK.**

**AUGUST 5, 2024.**

Submitting various license applications.

**CHANGE OF PREMISE**

<u>No.</u>	<u>Name</u>	<u>Address</u>
3574	Turk's & Timber's Bar and Grill	N. Michigan Avenue- 4-day event 8/30-9/2/24 to include current premise and exterior private parking lot in the back of the building up to the alley
3056	House Divided	840 Wilson Avenue – One day event 8/31/24 to include current premise and parking lots to the North, West, East and South of the business.

**CLASS "A" BEER/"CLASS A" CIDER ONLY LICENSE (June 30, 2025) (NEW)**

<u>No.</u>	<u>Name</u>	<u>Address</u>
3668	Sheboygan Store LLC (Sheboygan Store LLC)	3715 Washington Avenue