



LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE AGENDA

October 11, 2023 at 4:15 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 - September 27, 2023

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

6. Res. No. 63-23-24 (10-2-23) A Resolution establishing polling locations for the City of Sheboygan beginning in 2024.
7. Gen. Ord. No. 22-23-24 (10-2-23) An Ordinance amending Section 2-115 so as to eliminate the need for alderperson signatures on council documents and revising the deadline for submitting requests for documents to the legal department.
8. Gen. Ord. No. 23-23-24 (10-2-23) An Ordinance amending Section 26-20(c) so as to update the list of public buildings where smoking is prohibited.
9. R. O. No. 54-23-24 (10-2-23) by City Clerk submitting a license application.

NEXT MEETING DATE

10. Next meeting date will be October 25, 2023

ADJOURN

11. 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, September 27, 2023

COMMITTEE MEMBERS PRESENT: Vice Chair Alderperson Barb Felde, Alderperson Dean Dekker, Alderperson Joseph Heidemann

COMMITTEE MEMBERS EXCUSED: Chair Alderperson Amanda Salazar, Alderperson Betty Ackley

STAFF/OFFICIALS PRESENT: Assistant City Attorney Liz Majerus, Licensing Clerk Melissa Fassbender, Paralegal Kathy Hoffman

OTHERS PRESENT: Dave Felde

OPENING OF MEETING

1. Call to Order

Vice 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 SEPTEMBER 13, 2023.

Motion made by Alderperson Heidemann, seconded by Alderperson Dekker.

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

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

6. R. O. No. 44-23-24 (DIRECT REFERRAL) by City Clerk submitting a license application.

MOTION TO APPROVE THE VREEKES PERMANENT CHANGE OF PREMISE APPLICATION CONTINGENT UPON FINAL BUILDING INSPECTION

CONFIRMATION THAT TENANT HAS BEEN REMOVED AND CONNECTING WAY PROPERLY INSTALLED.

Motion made by Alderperson Dekker, seconded by Alderperson Heidemann.

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

NEXT MEETING DATE

7. The next committee meeting is scheduled to be held on October 11, 2023 at 4:15 p.m.

ADJOURN

8. Motion to adjourn

MOTION TO ADJOURN AT 4:18 PM.

Motion made by Alderperson Dekker, seconded by Alderperson Heidemann.

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

**CITY OF SHEBOYGAN
RESOLUTION 63-23-24**

BY ALDERPERSONS SALAZAR AND FELDE.

OCTOBER 2, 2023.

A RESOLUTION establishing polling locations for the City of Sheboygan beginning in 2024.

WHEREAS, pursuant to § 5.25(3) of the Wisconsin Statutes, polling places shall be established at least 30 days prior to the first election in which the wards and districts set forth are effective; and

WHEREAS, it is discouraged to move polling locations except when different buildings will better serve the needs of the voters; and

WHEREAS, Uptown Social (a City owned building) is now open to the public and would best serve the needs of voters in Wards 5 and 6; and

WHEREAS, the Evangelical Free Church has recently expanded in size and would best serve the needs of voters in Ward 2, in addition to those wards currently served at this location.

NOW, THEREFORE, BE IT RESOLVED: That the voting polls and designated wards (described in Res. No. 73-21-22) shall be as follows:

First Congregational Church – 310 Bluff Avenue
Wards 3, 4

Evangelical Free Church – 1710 N. 15th Street
Wards 1, 2, 7, 8

Uptown Social – 1817 N. 8th Street
Wards 5, 6

Mead Public Library – 710 N. 8th Street
Wards 13, 14

First United Lutheran Church – 2401 Kohler Memorial Drive
Wards 9, 10, 21, 22

Kiwanis Fieldhouse – 726 Kiwanis Park Drive
Ward 11

Good Shepherd Lutheran Church – 1614 S. 23rd Street
Wards 12, 15, 17, 23

Bethany Reformed Church – 1315 Washington Avenue
Wards 16, 18

Christ Lutheran Church – 3816 S. 12th Street
Wards 19, 20

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
ORDINANCE 22-23-24**

BY ALDERPERSONS SALAZAR AND FELDE.

OCTOBER 2, 2023.

AN ORDINANCE amending Section 2-115 so as to eliminate the need for alderperson signatures on council documents and revising the deadline for submitting requests for documents to the legal department.

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

SECTION 1: **AMENDMENT** “Sec 2-115 Ordinances And Resolutions” of the Sheboygan Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Sec 2-115 Ordinances And Resolutions

- (a) All ordinances, resolutions, reports of officers and reports of committees to be submitted at a regular common council meeting shall be submitted in full to the city attorney for review. Once review is complete, such matters shall~~must either~~ be submitted in full to the city clerk ~~or a request for the drafting thereof on or before 8:00 a.m. of the Thursday preceding any regular council meeting~~ so that they can be included in the agenda and set forth in full in the attached documents. Any submission to the city clerk must be made no later than 4:30 p.m. on the Wednesday preceding any regular council meeting in order to be included in the agenda.
- (b) All ordinances, resolutions, communications, and other matters to be directly referred to a board, commission, or committee shall be submitted in full to the city attorney for review. Once review is complete, such matters shall ~~must either~~ be submitted in full to the city clerk ~~or a request for the drafting thereof~~ at least 72 hours preceding any meeting of the board, commission or committee so that they can be included in the agenda and set forth in full in the attached documents. After inclusion on a board, commission or committee agenda, the matter may be reported on to council and shall be considered to be before the council for consideration and action with no need for a second reading.
- ~~(e) All ordinances and resolutions shall be signed by the councilmember presenting the ordinance or resolution.~~

(Code 1975, § 2-77; Code 1997, § 2-127; Ord. No. 12-15-16, § 1, 10-19-2015)

SECTION 2: **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 3: **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
ORDINANCE 23-23-24**

BY ALDERPERSONS SALAZAR AND FELDE.

OCTOBER 2, 2023.

AN ORDINANCE amending Section 26-20(c) so as to update the list of public buildings where smoking is prohibited.

WHEREAS, in 2011 the City sold the building located at 833 Center Avenue, and in November, 2022, Uptown Social senior center relocated from 428 Wisconsin Avenue to 1817 North 8th Street, necessitating an update to the Sheboygan Municipal Code.

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

SECTION 1: **AMENDMENT** “Sec 26-20 Smoking Prohibited; Exceptions” of the Sheboygan Municipal Code is hereby *amended* as follows:

AMENDMENT

Sec 26-20 Smoking Prohibited; Exceptions

- (a) *State law adopted.* The provisions of Wis. Stats. § 101.123(1), (2), (2m), (3), (6) and (9), and all acts amendatory thereof, to the extent applicable within the city, are adopted by reference in this section as if fully set forth herein.
- (b) *Designated outdoor smoking areas.* The person in charge of a restaurant, tavern, private club, or retail establishment located in an area subject to this section may designate an outside area that is a reasonable distance from any entrance to the restaurant, tavern, private club, or retail establishment where customers, employees, or persons associated with the restaurant, tavern, private club, or retail establishment may smoke.
- (c) *Prohibited in public buildings.* No person shall smoke in any city-owned or -leased public building or within 25 feet of a main entrance thereof at any time, including, but not limited to, the following:
 - (1) City Hall, 828 Center Avenue.
 - (2) ~~Public Works Building, 833 Center Avenue.~~ Sheboygan Transit Building, 608 South Commerce.
 - (3) Bus Transfer Terminal, across from 828 Pennsylvania Avenue.
 - (4) Municipal Service Building, 2026 New Jersey Avenue.
 - (5) Fire stations:
 - a. Station No. 1, 833 New York Avenue.
 - b. Station No. 2, 2413 South 18th Street.

- c. Station No. 3, 1326 North 15th Street.
- d. Station No. 4, 2622 North 8th Street.
- e. Station No. 5, 4504 South 18th Street.
- (6) Mead Public Library, 710 North 8th Street.
- (7) Uptown Social senior center, Senior Activity Center, 1817 North 8th Street~~428 Wisconsin Avenue.~~
- (8) Marina Administration Building, 821 Broughton Drive.
- (9) Youth Boating Center, 619 Broughton Drive.
- (10) Deland Park Community Center, 901 Broughton Drive.
- (11) Wastewater Treatment Facility, 3333 Lakeshore Drive.
- (12) Water Utility Building, 72 Park Avenue.
- (13) Any other city-owned or -rented office.
- (14) All city-owned or -leased motor vehicles.
- (d) *Prohibited in council meetings.* No person shall smoke while in attendance at any public meeting of the common council or in any of its authorized committees regardless of the location of the meeting.
- (e) *Removal of signs prohibited.* It shall be unlawful for any person to remove, deface or destroy any legally required no smoking sign.
- (f) *Penalties.* The following penalties shall apply to violations of this section as indicated:
 - (1) Any person who violates the provisions of Wis. Stats. § 101.123(2), as incorporated herein in subsection (a) or (b) of this section, shall be subject to a forfeiture of not less than \$100.00 nor more than \$250.00 for each violation, together with the costs of prosecution, and in default of payment thereof, to imprisonment in the county jail until such forfeiture and costs are paid, but not to exceed 80 days.
 - (2) Except as provided in subsection (c)(3) or (4) of this section, any person in charge who violates Wis. Stats. § 101.123(2m)(b) through (d), as incorporated herein in subsection (a) of this section shall be subject to a forfeiture of \$100.00 for each violation, together with the costs of prosecution, and in default of payment thereof, to imprisonment in the county jail until such forfeiture and costs are paid, but not to exceed 80 days.
 - (3) For violations subject to the forfeiture under subsection (c)(2) of this section, if the person in charge has not previously received a warning notice for a violation of Wis. Stats. § 101.123(2m)(b) through (d), as incorporated herein in subsection (a) of this section, the law enforcement officer shall issue the person in charge a warning notice and may not issue a citation.
 - (4) No person in charge may be required under subsection (c)(2) of this section to forfeit more than \$100.00 in total, plus costs of prosecution, for all violations of Wis. Stats. § 101.123(2m)(b) through (d), as incorporated in subsection (a) of this section, occurring on a single day.

(Code 1997, § 70-6; Ord. No. 136-96-97, § 1, 4-14-1997; Ord. No. 9-10-11, § 1, 6-21-2010; Ord. No. 61-10-11, § 1, 4-18-2011; Ord. No. 13-11-12, § 1, 7-5-2011)

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. 54-23-24**

BY CITY CLERK.

OCTOBER 2, 2023.

Submitting a license application.

PERMANENT CHANGE OF PREMISE

<u>No.</u>	<u>Name</u>	<u>Address</u>
3448	Sheboygan Axe Bar LLC	1133 Indiana Avenue – to include the first floor; North and South of dividing wall. Second floor; South of dividing wall (Axe Bar) North of dividing wall as a means to access the first floor via the stairs.