

February 1, 2010

COMMON COUNCIL

Official Proceedings of the 2009-2010 Common Council of the City of Sheboygan.

TWENTY-FIRST REGULAR MEETING

The Council met: Monday, February 1, 2010.

Mayor Bob Ryan in the Chair:

On call of the roll, the following Alderpersons were present:

Bohren, Bouck, Bowers, Dekker, Gischia, Hanna, Heidemann, Kath, Kittelson, Kliejunas, Montemayor, Rindfleisch, Surek, Vue, Wangemann – 15.

Absent: VanderWeele – 1.

On motion by Alderperson Gischia and second by Alderperson Heidemann, the reading of the minutes of the Twentieth Regular Meeting held January 18, 2010, and the minutes were approved as entered on the record, all Alderpersons present voting "Aye".

RESIGNATION

February 1, 2010

Dear Mayor Ryan,

I wish to offer my resignation from the Senior Activity Center Commission as I have been unable to attend the meetings.

Yours sincerely,

William Nyhuis

On motion by Alderperson Gischia and second by Alderperson Heidemann, the Resignation was accepted and placed on file, all Alderpersons present voting "Aye".

PUBLIC FORUM

Richard Suscha, 15 N. Point Dr., Ed Wackowski, 2632 N. 8th St. and Dolyce Johnson, 1306 N. 3rd St. spoke.

MAYOR'S ANNOUNCEMENTS

On motion by Alderperson Gischia and second by Alderperson Heidemann, the following documents notated with an asterick (*) were accepted and placed on file, accepted and adopted, or passed on call of the roll:

Bohren, Bouck, Bowers, Dekker, Gischia, Hanna, Heidemann, Kath, Kittelson, Kliejunas, Montemayor, Rindfleisch, Surek, Vue, Wangemann – 15.

Nays: None.

COMMUNICATIONS AND PETITIONS

Com. No. 79 - 09 - 10. February 1, 2010.

Submitting a communication from Alderperson Rindfleisch requesting for a constituent that the 30 minute parking signs on the southeast corner of Clara Ave. and S. 8th St. on the east side of S. 8th St. and both sides of Clara Ave. be removed as they are affecting the lunch business at Nine 21 Bar and Grill.

Was referred to the Committee on Public Protection and Safety.

Com. No. 80 - 09 - 10. February 1, 2010.

Submitting a communication from Keith Brunner requesting removal of the one way sign on the east side of the corner at New York Ave. and N. 5th St. because of safety concerns.

Was referred to the Committee on Public Protection and Safety.

Com. No. 81 - 09 - 10. February 1, 2010.

Submitting a communication from Edward Wackowski regarding changes that he would like to see in Sec. 2-558 of the Municipal Code entitled, "Composition; appointment; terms – Transit Commission".

Was referred to the Committee of the Whole and to the Sheboygan Transit Commission.

REPORT OF OFFICERS

***R. O. No. 392 - 09 - 10. By CITY CLERK. February 1, 2010.**

Submitting various license applications.

TEMPORARY CLASS "B" LICENSE

<u>No.</u>	<u>Name</u>	<u>Address</u>
1077	Gesangverein Concordia	1130 N. 9 th St. – one day event to be held on 10/23/10 at the IC Activity Center

TEMPORARY BEVERAGE OPERATOR'S LICENSE

February 1, 2010

<u>No.</u>	<u>Name</u>	<u>Address</u>
8497	Collins, David S.	1023 Sommer Dr.

COMMERCIAL OPERATORS LICENSE (December 31, 2010)

<u>No.</u>	<u>Name</u>	<u>Address</u>
2619	G & R Lawn Service	2737 N. 12 th St.

***R. O. No. 393 – 09 - 10. By CITY PLAN COMMISSION. February 1, 2010.**

Your Commission to whom was referred R. O. No. 375-09-10 relative to submitting a Certified Survey Map for dedication of land for a storm water drainage pond located immediately south of the Stonebrook Crossing Subdivision, wishes to report this matter was discussed at the regular meeting of the City Plan Commission, January 26, 2010, and after due consideration, recommends approval of the Report of Officer.

***R. O. No. 394 – 09 - 10. By CITY PLAN COMMISSION. February 1, 2010.**

Your Commission to whom was referred Res. No. 175-09-10 relative to authorizing the proper City officials to solicit proposals to purchase and renovate the City-owned property located at 628-30 South 13th Street, wishes to report this matter was discussed at the regular meeting of the City Plan Commission, January 26, 2010, and after due consideration, recommends approval of the Resolution.

***R. O. No. 395 - 09 - 10. By INTERIM CHIEF OF POLICE. February 1, 2010.**

Pursuant to Section 54-65 of the Municipal Code, I herewith submit my quarterly report showing the activities of my department for the period commencing October 1, 2009 and ending December 31, 2009.

***R. O. No. 396 - 09 - 10. By INTERIM CHIEF OF POLICE. February 1, 2010.**

Pursuant to Section 54-65 of the Municipal Code, I herewith submit my yearly report showing activities of my department for the period 2009.

***R. O. No. 397 - 09 - 10. By SHEBOYGAN TRANSIT COMMISSION. February 1, 2010.**

Your Commission met and discussed a copy of Com. No. 60-09-10 from Donna Reseburg, Medical Hearing Associates, regarding concerns about their "bus stop crossings" relating to patients with hearing and visual impairments; recommends that the Communication be accepted and placed on file.

R. O. No. 398 - 09 - 10. By CITY CLERK. February 1, 2010.

Submitting the Mayor's proposed Table of Organization for the City of Sheboygan.

On motion by Alderperson Gischia and second by Alderperson Bohren, the Report of Officer was accepted and placed on file on call of the roll:

Ayes: Bohren, Bouck, Bowers, Dekker, Gischia, Hanna, Heidemann, Kath, Kittelson, Kliejunas, Montemayor, Rindfleisch, Surek, Vue, Wangemann – 15.

Nays: None

R. O. No. 399 - 09 - 10. By BOARD OF CONTRACTORS EXAMINERS. February 1, 2010.

Attached hereto we are submitting applications for Building Contractor Licenses already GRANTED:

820	Cameron B Kath	Carpenter Contractor
	W2626 Schneider Road	
	Sheboygan Falls, WI 53085	

Lies over under the rules.

R. O. No. 400 – 09 - 10. By BOARD OF WATER COMMISSIONERS. February 1, 2010.

To the Honorable, the Mayor and Common Council:

The Sheboygan Board of Water Commissioners reports that the Cost of Service Study (COSS) from the Wisconsin Public Service Commission (PSC) regarding the water rate case is nearing completion. New water rates are expected to go into effect during the first quarter of 2010. This rate increase was planned as part of the overall financial plan following the bond issuance used to pay for the Erie Avenue water reservoir construction. In addition, there has been a 3% increase in gross plant investment and a 5% increase in operating expenses since the last full rate case.

The PSC is working to finalize the cost of service study to determine the actual increases per rate category. At present, the following are estimates: residential 9%, commercial 11%, industrial 15%, wholesale 9%. Using these figures, the water bill for a typical Sheboygan residence would increase by about \$1.00 per month.

Despite the increase, Sheboygan will continue to have among the lowest water rates in the state. Sheboygan's residential water rates are half of the average residential water rates for class AB utilities. Sheboygan's industrial water rates are also half of the average industrial water rates for class AB utilities.

February 1, 2010

The Board anticipates the mandatory public hearing on the rate case will occur within the next 30 days.

Was referred to the Committee on Finance.

R. O. No. 401 - 09 - 10. By CITY CLERK. February 1, 2010.

Submitting a Hold Harmless Agreement for First United Lutheran Church for the proper City Officials to sign in order to utilize the facilities for future local, state and federal elections.

Was referred to the Committee on Law and Licensing.

R. O. No. 402 - 09 - 10. By CITY CLERK. February 1, 2010.

Submitting various license applications for the period ending June 30, 2010 and June 30, 2011.

Was referred to the Committee on Law and Licensing.

R. O. No. 403 - 09 - 10. By CITY CLERK. February 1, 2010.

Submitting a communication from James Gierke to file an appeal to the Sex Offender Residency restrictions.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 404 - 09 - 10. By CITY CLERK. February 1, 2010.

Submitting a communication from the State of Wisconsin Department of Corrections to file an appeal to the Sex Offender Residency restrictions on behalf of State inmate James Gierke.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 405 - 09 - 10. By CITY CLERK. February 1, 2010.

Submitting a communication from Heidi Payton, Sales and Service Agent for AAA Wisconsin requesting a left turn signal at S. Business Dr. and Wilson Ave. near the Washington Square Shopping Center for safety reasons.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 406 - 09 - 10. By CITY CLERK. February 1, 2010.

Submitting a communication from Susie Patterson of Al & Al's Stein Haus requesting permission to close S. 12th St. from the Clara Ave. intersection to the end of their building going west approximately 90' to hold their 3rd Annual Heritage Square Oktoberfest on October 1 and 2, 2010 in Heritage Square.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 407 - 09 - 10. By DIRECTOR OF CITY DEVELOPMENT. February 1, 2010.

Submitting the WPDES Combined Annual Report, NR 216 for reporting years 2005-2008, for the City of Sheboygan WPDES Permit No. WI-S049867-2, as a matter of record.

Was referred to the Committee on Public Works.

R. O. No. 408 - 09 - 10. By CITY CLERK. February 1, 2010.

Submitting a communication from Kohner, Mann & Kailas, Attorneys at Law being a Sheriff's sale notice in a foreclosure matter of U.S. Bank, N.A. vs. Roger Fischer, III, et al.

Was referred to the Special Committee on Risk Management.

R. O. No. 409 - 09 - 10. By CITY CLERK. February 1, 2010.

Submitting a Summons and Complaint in the matter of Aletta G., John B. and Aletta M. Holloway vs. Blue Cross Blue Shield of Illinois et al.

Was referred to the Special Committee on Risk Management.

R. O. No. 410 - 09 - 10. By CITY CLERK. February 1, 2010.

Submitting a claim from Blue Harbor Resort Sheboygan, LLC, for Excessive Assessment.

Was referred to the Special Committee on Risk Management.

R. O. No. 411 - 09 - 10. By CITY CLERK. February 1, 2010.

Submitting sixty-four (64) claims from Blue Harbor Condominium owners for Excessive Assessment.

Was referred to the Special Committee on Risk Management.

R. O. No. 412 - 09 - 10. By CITY CLERK. February 1, 2010.

Submitting a claim from Jay Maki for alleged damages to his vehicle when a City garbage truck struck his car knocking off the driver's side mirror.

Was referred to the Special Committee on Risk Management.

R. O. No. 413 - 09 - 10. By CITY CLERK. February 1, 2010.

Submitting a communication from Alderperson Kliejunas being an article she wrote for "The Beacon" regarding setting Government Service Priorities.

Was referred to the Strategic Fiscal Planning Committee.

R. O. No. 414 - 09 - 10. By CITY CLERK. February 1, 2010.

Submitting an Executive Summary of the 2nd Annual Blue Harbor Employee Health/Wellness Fair of the City/County/School District of Sheboygan by Alderperson Kittelson, Chairman of the Wellness Committee.

Was referred to the Wellness Committee.

RESOLUTIONS INTRODUCED

***Res. No. 178 – 09 - 10. By Alderperson Kittelson. February 1, 2010.**

A RESOLUTION authorizing advertising for bids for the Energy Efficiency and Conservation Block Grant program through the American Recovery and Reinvestment Act (ARRA) for purchase and installation of new lighting fixtures in the City Hall and Municipal Services Building.

RESOLVED: That the Department of Planning and Development and Engineering Division are hereby authorized and directed to advertise for bids under the five percent (5%) alternative of Section 62.15(3), Wisconsin Stats., for the Energy Efficiency Upgrades aforementioned, according to the plans and specifications prepared by the Department of Planning and Development and the Public Works Department, and submit a resume of bids received and accepted to the Common Council for further consideration.

Res. No. 179 - 09- 10. By Alderperson Gischia. February 1, 2010.

A RESOLUTION authorizing retaining outside legal counsel to represent the City in the matter of Aletta G. Holloway, James B. Holloway and Aletta M. Holloway, et al. against the City and authorizing payment for said services.

RESOLVED: That the Common Council hereby authorizes the hiring of Attorney James O. Conway of Olsen, Kloet, Gunderson & Conway, S.C. as outside legal counsel to represent the City of Sheboygan in the matter of Aletta G. Holloway, John B. Holloway and Aletta M. Holloway, et al. v. Cities and Villages Mutual Insurance Company and City of Sheboygan, Sheboygan County Circuit Court Case No. 09CV1606.

BE IT FURTHER RESOLVED: That the Finance Director/Treasurer is hereby authorized and directed to draw on the Insurance Claims Administration Account No. 70511010-521900 in payment of same.

A motion by Alderperson Gischia and second by Alderperson Kliejunas to suspend the rules of the Common Council was passed by unanimous consent.

On motion by Alderperson Gischia and second by Alderperson Heidemann, the foregoing Resolution was passed on call of the roll:

Ayes: Bohren, Bouck, Bowers, Dekker, Gischia, Hanna, Heidemann, Kath, Kittelson, Kliejunas, Montemayor, Rindfleisch, Surek, Vue, Wangemann – 15.

Nays: None.

Res. No. 180 - 09 - 10. By Alderperson Kittelson. February 1, 2010.

A RESOLUTION authorizing the Purchasing Agent to issue requests for proposals for the purchase of lighting fixtures and related equipment and for the installation of same at City Hall and the Municipal Service Building.

WHEREAS, the City of Sheboygan has received Federal Grant Funding for the upgrade and replacement of lighting fixtures in both City Hall and the Municipal Service Building for the purpose of increased energy efficiency and;

WHEREAS, the City intends to purchase the equipment from one vendor and contract for the installation of same by a separate vendor and intends to select these vendors utilizing a competitive bidding or proposal process to assure the goods and services are obtained at the lowest possible cost;

RESOLVED: That the Purchasing Agent in conjunction with the Director of Public Works is hereby authorized to issue a Request For Proposals or similar document ultimately assuring that the City receives the goods and services at the lowest possible cost while satisfying all of the requirements of the Federal grant funding.

On motion by Alderperson Kittelson and second by Alderperson Montemayor, the Resolution was passed on call of the roll:

Ayes: Bohren, Bouck, Bowers, Dekker, Gischia, Hanna, Heidemann, Kath, Kittelson, Kliejunas, Montemayor, Rindfleisch, Surek, Vue, Wangemann – 15.

Nays: None.

Res. No. 181 - 09 - 10. By Alderperson Gischia, Hanna, Bohren and Kittelson. February 1, 2010.

A RESOLUTION approving the FY 2010 One-Year Annual Action Plan for the Community Development Block Grant (CDBG) Program Submission.

February 1, 2010

WHEREAS, \$1,043,285 in entitlement Community Development Block Grant (CDBG) funds is estimated in 2010 from the U.S. Department of Housing and Urban Development (HUD) to the City of Sheboygan for community development and housing activities,

WHEREAS, the Strategic Fiscal Planning Committee held the necessary public hearings and evaluated citizen input concerning potential activities for the City of Sheboygan's 2010 One-Year Action Plan for the Community Development Block Grant Program submission and considered the various alternative allocations of those funds,

WHEREAS, the Strategic Fiscal Planning Committee has recommended to the Common Council that it approve the Final Statement of Community Development Objectives and Proposed Use of Funds,

WHEREAS, the Strategic Fiscal Planning Committee further recommends to the Common Council that it authorize and direct the Mayor to execute the FY 2010 Community Development Block Grant submission, including the various certifications for the funds,

WHEREAS, the Strategic Fiscal Planning Committee recommends the funds be distributed as follows:

Historic Preservation Grants	\$ 15,000
Street Trees	\$ 40,000
Street Improvements	\$503,628
Micro-Enterprise Loans	\$ 50,000
Partners for Community Development	\$ 30,000
Rebuilding Together	\$ 40,000
Sheboygan Housing Coalition	\$ 39,000
Sheboygan County Interfaith Organ.	\$ 5,000
Family Connections	\$ 2,000
Salvation Army	\$ 16,000
Mental Health America	\$ 2,500
Safe Harbor	\$ 3,000
Sheboygan Transit	\$ 53,000
Hmong Association	\$ 11,000
Boys & Girls Club	\$ 1,500
Family Service Association	\$ 10,000
Home, Inc	\$ 13,000
Program Administration	\$208,657

WHEREAS, the Common Council has reviewed and hereby approves the Citizens Participation Plan for the development of this submission,

WHEREAS, the Common Council finds that it is in the City's best interest to secure the FY 2010 funds for the activities approved by the Strategic Fiscal Planning Committee.

NOW, THEREFORE, BE IT RESOLVED: That the Common Council authorizes and directs the Mayor to submit to HUD the Final Statement of Community Development Objectives and Proposed Use of Funds, as recommended by the Strategic Fiscal Planning Committee, assurances contained therein and to provide any other information requested by HUD.

A motion by Alderperson Gischia and second by Alderperson Hanna to suspend the rules of the Common Council was passed by unanimous consent.

On motion by Alderperson Gischia and second by Alderperson Hanna, the foregoing Resolution was passed on call of the roll:

Ayes: Bohren, Bouck, Bowers, Dekker, Gischia, Hanna, Heidemann, Kath, Kittelson, Montemayor, Rindfleisch, Vue, Wangemann – 13.

Nays: None.

Abstain: Kliejunas, Surek – 2.

Res. No. 182 - 09 - 10. By Alderperson Kittelson. February 1, 2010.

A RESOLUTION authorizing executing a one-year lease for the agricultural property in the Town of Wilson, formerly owned by John Poth, Jr.

Lies over under the rules.

Res. No. 183 - 09 - 10. By Alderpersons Gischia, Montemayor, Kliejunas, Bohren and Heidemann. February 1, 2010.

A RESOLUTION to authorize a transfer of appropriations in the 2010 Budget.

Lies over under the rules.

Res. No. 184 - 09 - 10. By Alderperson Gischia. February 1, 2010.

February 1, 2010

A RESOLUTION empowering its citizens/property owners with the ability and responsibility of the trimming of city-owned trees in the area generally located between the sidewalk and the curbing and at either the front, side or back of properties.

Was referred to the Committee on Public Works.

REPORT OF COMMITTEES

***R. C. No. 396 - 09 - 10. By PUBLIC WORKS. February 1, 2010.**

Your Committee to whom was referred Com. No. 71-09-10 from the Great Lakes Area Spirit Society wanting to gather research data on historic locations and their potential to host residual energy that manifests as a haunting; recommends that the Communication be placed on file and to forward the request to GLASEC (Great Lakes Aerospace Science & Education Center, Inc.) who are currently occupying the Armory.

***R. C. No. 397 - 09 - 10. By FINANCE. February 1, 2010.**

Your Committee to whom was referred Com. No. 76-09-10 from the Sheboygan County Chamber of Commerce requesting use of one of the City's "free days" at Blue Harbor Conference Center for the First Friday Forum regarding the Sheboygan River Dredging Project; recommends that the Communication be accepted and placed on file and to approve the request.

R. C. No. 398 - 09 - 10. By LAW AND LICENSING. February 1, 2010.

Your Committee to whom was referred R. O. No. 352-09-10 by the City Clerk, submitting license applications for the period ending June 30, 2010 and June 30, 2011; recommends that Beverage Operator's License #2630 be denied based upon his failure to include all relevant convictions on his application, his status as a habitual law violator and his failure to cooperate with the Committee.

On motion by Alderperson Bohren and second by Alderperson Surek, the Report of Committee was passed on call of the roll:

Ayes: Bohren, Bouck, Bowers, Dekker, Gischia, Hanna, Heidemann, Kath, Kittelson, Kliejunas, Montemayor, Rindfleisch, Surek, Vue, Wangemann – 15.

Nays: None.

***R. C. No. 399 - 09 - 10. By PUBLIC WORKS. February 1, 2010.**

Your Committee to whom was referred the following:

1. Com. No. 58-09-10 from Stevie B's Landscaping, LLC, regarding his offer of the "Free Tree Removal Program" in exchange that he receive all the wood associated with removal;
2. Com. No. 72-09-10 from Mark Belonger stating that the City plows frequently do not plow his snow emergency street even though he is within the city limits;
3. Com. No. 74-09-10 from Tom Tuszynski stating his satisfaction with our HR Director, his upset with the proposed change of garbage pickup fees and his support of the storm water fee;
4. R. O. No. 251-09-10 by the City Clerk submitting a communication from Tom Engels stating that it should be mandatory that everyone shovel, sand and salt all sidewalks to prevent potential serious falls;
5. A copy of R. O. No. 263-09-10 by the Mayor submitting the Preliminary Executive Budget for 2010 for various funds;
6. A copy of R. O. No. 264-09-10 by the Mayor submitting the Preliminary Executive Budget for 2010 for the General Fund, the Special Revenue Funds, the Debt Service Funds, the Capital Projects Funds and the Transit Fund; and
7. R. O. No. 351-09-10 by the City Clerk submitting a communication from Gary Kohl requesting that the City rewrite the snow and ice removal ordinance for residential sidewalks;

recommends that the documents be placed on file.

***R. C. No. 400 - 09 - 10. By PUBLIC WORKS. February 1, 2010.**

Your Committee to whom was referred the following:

1. Com. No. 78-09-10 from Michael Warner stating that there is a problem with the new schedule for garbage pickup;
2. R. O. No. 368-09-10 by the City Clerk submitting a communication from Zak Krueck offering to paint a checkerboard on one or more of the metal tables on the east side of the Library;
3. A copy of R. O. No. 379-09-10 by the City Clerk submitting a communication from Don and Donna Cvetan requesting permission to hold the "Lakeshore Weekend, Benefiting Children's Hospital of Wisconsin";
4. R. O. No. 387-09-10 by the City Clerk submitting the Harbor Centre Marina 2009 Boater Satisfaction Survey Results; and

February 1, 2010

5. R. O. No. 386-09-10 by the City Clerk submitting a communication from Matthew Phillips stating his concerns with the snow plowing on Main Ave. and offering suggestions; recommends that the documents be accepted and placed on file.

***R. C. No. 401 - 09 - 10. By LAW AND LICENSING. February 1, 2010.**

Your Committee to whom was referred, pursuant to R. O. No. 364-09-10 and R. O. No. 376-09-10 by the City Clerk, various license applications for the period ending June 30, 2010 and June 30, 2011; recommends that the following licenses be granted:

CHANGE OF AGENT

Kelly Cvetan to replace Michael Cvetan at Gosse's at Northwestern House, 1909 Union Ave.
Jeffrey Johnson to replace Scott Theune at the Sheboygan Elks Lodge #299, 1943 Erie Ave.

CLASS "A" FERMENTED MALT BEVERAGE LICENSE (June 30, 2010)

Vish, LLC (The Pig Stop II) 2917 N. 15TH St.

BEVERAGE OPERATOR'S LICENSE (June 30, 2011)

<u>No.</u>	<u>Name</u>	<u>Address</u>
8482	Anzures-Hernandez, Flavio	827 Georgia Ave.
8483	Brooks, Brittney N.	1323 N 12 th St.
8481	Evans, Bryan A.	1327 North Ave.
8488	Harry, Robert L.	1630 Oakland Ave.
8486	Hauer, Brian P.	616 National Ave.
8487	Kirby, Thomas L.	1303 Columbus St., Two Rivers
8485	Medina, Eric	627A N 8 th St.
7004	Stapel, Kimberly A.	813 Huron Ave.
8491	Tiegs, Dennis D.	424 Elm Ave., Hawkins
6673	Valdez, Perla	1209 N 14 th St.
8489	Weber, Kendall A.	639 Monroe St, Sheboygan Falls

We further recommend that, by the adoption of this report, the City Clerk is hereby authorized and directed to issue the proper licenses.

***R. C. No. 402 - 09 - 10. By PUBLIC PROTECTION AND SAFETY. February 1, 2010.**

Your Committee to whom was referred the following:

1. R. O. No. 377-09-10 by the Building Inspection Department submitting the report for the month of December 2009; and
 2. R. O. No. 378-09-10 by the Building Inspection Department submitting the report for the year 2009;
- recommends that the Reports of Officer be accepted and placed on file.

***R. C. No. 403 - 09 - 10. By PUBLIC PROTECTION AND SAFETY. February 1, 2010.**

Your Committee to whom was referred R. O. No. 379-09-10 by the City Clerk submitting a communication from Don and Donna Cvetan requesting permission to again hold the "Lakeshore Weekend, Benefiting Children's Hospital of Wisconsin" on August 13, 14 and 15, 2010 in Kiwanis Park; recommends that the Report of Officer be accepted and placed on file and to approve the request.

***R. C. No. 404 - 09 - 10. By PUBLIC PROTECTION AND SAFETY. February 1, 2010.**

Your Committee to whom was referred R. O. No. 380-09-10 by the City Clerk submitting a communication from Chase Longmiller, President of Sheboygan Firefighters Local 483, regarding his concerns with the continued staffing issues that are facing the Sheboygan Fire Department; recommends that the Report of Officer be placed on file.

***R. C. No. 405 - 09 - 10. By FINANCE. February 1, 2010.**

Your Committee to whom was referred Res. No. 154-09-10 by Alderperson Gischia authorizing entering into an agreement for Community Television Support services with LCL Communications, LLC; recommends that the Resolution be placed on file.

***R. C. No. 406 - 09 - 10. By PUBLIC PROTECTION AND SAFETY. February 1, 2010.**

Your Committee to whom was referred the following:

1. A copy of Gen. Ord. No. 41-09-10 by Alderpersons Hanna, Rindfleisch, Wangemann, Bowers and Surek amending portions of Chapter 26 of the Municipal Code relating to establishment of new fees for licenses and permits issued by the Building Inspection Division of the City of Sheboygan;
2. A copy of Gen. Ord. No. 42-09-10 by Alderpersons Hanna, Rindfleisch, Wangemann, Bowers and Surek establishing Article XI of Chapter 26 in the Sheboygan Municipal Code creating a Residential Rental

February 1, 2010

Inspection Program;

3. A copy of Gen. Ord. No. 43-09-10 by Alderpersons Hanna, Rindfleisch, Wangemann, Bowers and Surek amending the text of the City of Sheboygan Official Zoning Ordinance in Section 15.702 so as to increase the permit fee for a driveway permit from \$35.00 to \$50.00; and
4. A copy of Gen. Ord. No. 44-09-10 by Alderpersons Hanna, Rindfleisch, Wangemann, Bowers and Surek amending portions of Chapter 138-12 of the Municipal Code relating to establishment of new fees for weighing or measuring device license issued by the Building Inspection Division of the City of Sheboygan;

recommends that the Ordinances be placed on file.

R. C. No. 407 - 09 - 10. By PUBLIC WORKS. February 1, 2010.

Your Committee to whom was referred the following:

1. R. O. No. 229-09-10 by the Purchasing Agent submitting bids for improvements to the Digestion and Solids Thickening equipment at the Sheboygan Regional Wastewater Treatment Facility; and
2. Res. No. 94-09-10 by Alderperson Kittelson authorizing the Purchasing Agent and/or appropriate City Officials to enter into a contract for Digestion and Solids Thickening Improvements to the Sheboygan Regional Wastewater Treatment Facility;

recommends that the Report of Officer be accepted and placed and the attached Substitute Resolution be passed.

Was accepted and adopted.

***R. C. No. 408 - 09 - 10. By PUBLIC WORKS. February 1, 2010.**

Your Committee to whom was referred Res. No. 178-09-10 by Alderperson Kittelson authorizing the appropriate City officials to execute the Participation Agreement for the Eisner Avenue Reconstruction Project; recommends that the Resolution be passed.

R. C. No. 409 - 09 - 10. By PUBLIC WORKS. February 1, 2010.

Your Committee to whom was referred R. O. No. 181-09-10 by the City Clerk submitting a memorandum from the Wastewater Superintendent regarding the Amendment to the Engineering Agreement for Digester Mixing and Solids Thickening Improvements; recommends that the Report of Officer be accepted and placed on file and to approve the amendment.

On motion by Alderperson Kittelson and second by Alderperson Dekker, the Report of Committee was accepted and adopted on call of the roll:

Ayes: Bohren, Bouck, Bowers, Dekker, Gischia, Hanna, Heidemann, Kath, Kittelson, Kliejunas, Montemayor, Rindfleisch, Surek, Vue, Wangemann – 15.

Nays: None.

R. C. No. 410 - 09 - 10. By FINANCE. February 1, 2010.

Your Committee to whom was referred the following:

1. A copy of R. O. No. 229-09-10 by the Purchasing Agent submitting bids for improvements to the Digestion and Solids Thickening equipment at the Sheboygan Regional Wastewater Treatment Facility; and
2. A copy of Res. No. 94-09-10 by Alderperson Kittelson authorizing the Purchasing Agent and/or appropriate City Officials to enter into a contract for Digestion and Solids Thickening Improvements to the Sheboygan Regional Wastewater Treatment Facility;

recommends that the Report of Officer be accepted and placed on file and the attached Substitute Resolution be passed.

On motion by Alderperson Gischia and second by Alderperson Kliejunas, the Report of Committee and the Substitute Resolution were filed, all Alderpersons present voting "Aye".

R. C. No. 411 - 09 - 10. By FINANCE. February 1, 2010.

Your Committee to whom was referred the following:

1. Res. No. 176-09-10 by Alderperson Hanna authorizing the proper City Officials to execute a contract with the State of Wisconsin to provide Weights and Measures inspections for the period January 1, 2010 through June 30, 2010 (\$11,000); and
2. Res. No. 177-09-10 by Alderperson Hanna authorizing the proper City Officials to execute a contract with the State of Wisconsin to provide Weights and Measures inspections for the period July 1, 2010 through June 30, 2011 (\$22,000);

recommends that the Resolutions be passed.

Was accepted and adopted.

R. C. No. 412 - 09 - 10. By PUBLIC PROTECTION AND SAFETY. February 1, 2010.

February 1, 2010

Your Committee to whom was referred the following:

1. A copy of Res. No. 176-09-10 by Alderperson Hanna authorizing the proper City Officials to execute a contract with the State of Wisconsin to provide Weights and Measures inspections for the period of January 1, 2010 through June 30, 2010 (\$11,000); and
2. A copy of Res. No. 177-09-10 Alderperson Hanna authorizing the proper City Officials to execute a contract with the State of Wisconsin to provide Weights and Measures inspections for the period of July 1, 2010 through June 30, 2011 (\$22,000);

recommends that the Resolutions be passed.

On motion by Alderperson Gischia and second by Alderperson Hanna, the documents were filed as they had been acted on.

R. C. No. 413 - 09 - 10. By SALARIES AND GRIEVANCES. February 1, 2010.

Your Committee to whom was referred Res. No. 152-09-10 by Alderpersons Kittelson, Bouck, Gischia, Kath and Heidemann lifting the hiring freeze in order to hire three (3) Firefighters/Paramedics in the Sheboygan Fire Department; recommends that the Resolution be passed.

Was referred to the Committee on Finance.

***R. C. No. 414 - 09 - 10. By PUBLIC PROTECTION AND SAFETY. February 1, 2010.**

Your Committee to whom was referred Gen. Ord. No. 54-09-10 by Alderperson Hanna repealing and recreating Sec. 50-47 of the Municipal Code, entitled "Inspections Authorized" so as to adopt the local option contained in Comm 14.01(11)(b)6, Wisconsin Administrative Code, to reduce the number of required fire code inspections to one per calendar year, so long as the interval between those inspections does not exceed 15 months; recommends that the Ordinance be passed.

***R. C. No. 415 - 09 - 10. By PUBLIC WORKS. February 1, 2010.**

Your Committee to whom was referred Grade Ord. No. 55-09-10 by Alderperson Kittelson to establish the grade on Creekview Ct. from Moening Rd. to its western terminus; recommends that the Ordinance be passed.

R. C. No. 416 - 09 - 10. By PUBLIC PROTECTION AND SAFETY. February 1, 2010.

Your Committee to whom was referred R. C. No. 395-09-10 by Finance who was referred Gen. Ord. No. 44-09-10 by Alderpersons Hanna, Rindfleisch, Wangemann, Bowers and Surek amending portions of Chapter 138-12 of the Municipal Code relating to establishment of new fees for weighing and measuring device licenses issued by the Building Inspection Division of the City of Sheboygan; recommends that the Report of Committee be accepted and adopted and the Ordinance be passed.

Was accepted and adopted.

R. C. No. 417 - 09 - 10. By PUBLIC PROTECTION AND SAFETY. February 1, 2010.

Your Committee to whom was referred Gen. Ord. No. 53-09-10 by Alderperson Hanna repealing and recreating Article VI Division 3 of Chapter 50 of the Municipal Code so as to update the smoke detector ordinance and require specific types of smoke alarms; recommends that the attached Substitute Ordinance be passed.

On motion by Alderperson Hanna and second by Alderperson Bohren, the Report of Committee was re-referred to the Committee on Public Protection and Safety, the majority of Alderpersons present voting "aye" and Alderperson Bowers voting "nay".

RESOLUTIONS ON SECOND READING

Subs. of Res. No. 94 - 09 - 10. By Alderperson Kittelson. February 1, 2010.

A RESOLUTION authorizing the Purchasing Agent and/or appropriate City Officials to enter into a contract for Digestion and Solids Thickening Improvements to the Sheboygan Regional Wastewater Treatment Facility.

On motion by Alderperson Kittelson and second by Alderperson Hanna, the Substitute Resolution was passed on call of the roll:

Ayes: Bohren, Bouck, Bowers, Dekker, Gischia, Hanna, Heidemann, Kath, Kittelson, Kliejunas, Montemayor, Rindfleisch, Surek, Vue, Wangemann – 15.

Nays: None.

Res. No. 176 - 09 - 10. By Alderperson Hanna. January 18, 2010.

A RESOLUTION authorizing the proper City officials to execute a contract with the State of Wisconsin to provide Weights and Measures inspections for the period of January 1, 2010 through June 30, 2010.

RESOLVED: That the proper City officials are hereby authorized and directed to execute a contract with the State of Wisconsin to provide Weights and Measures inspections per the attached contract. Said contract will be from January 1, 2010 through June 30, 2010 for a total compensation of \$11,000.

Res. No. 177 - 09 - 10. By Alderperson Hanna. January 18, 2010.

A RESOLUTION authorizing the proper City officials to execute a contract with the State of Wisconsin to provide Weights and Measures inspections for the period of July 1, 2010 through June 30, 2011.

RESOLVED: That the proper City officials are hereby authorized and directed to execute a contract with the State of Wisconsin to provide Weights and Measures inspections per the attached contract. Said contract will be from July 1, 2010 through June 30, 2011 for a total compensation of \$22,000.

On motion by Alderperson Gischia and second by Alderperson Hanna, the two (2) foregoing Resolutions were passed on call of the roll:

Ayes: Bohren, Bouck, Bowers, Dekker, Gischia, Hanna, Heidemann, Kath, Kittelson, Kliejunas, Montemayor, Rindfleisch, Surek, Vue, Wangemann – 15.

Nays: None.

ORDINANCES ON SECOND READING

***Gen. Ord. No. 54 - 09 - 10. By Alderperson Hanna. January 18, 2010.**

AN ORDINANCE repealing and re-creating Section 50-47 of the Municipal Code, entitled "Inspections Authorized" so as to adopt the local option contained in Comm 14.01(11)(b)6, Wisconsin Administrative Code, to reduce the number of required fire code inspections to one per calendar year, so long as the interval between those inspections does not exceed 15 months.

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

Section 1. Section 50-47 of the Municipal Code is hereby repealed and recreated to read as follows:

Sec. 50-47. Inspections authorized.

- (a) The chief of the fire department shall inspect or cause to be inspected by the bureau or by officers and personnel of the fire department all buildings, structures and premises, except as otherwise provided in this article, for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire or any violation of any law or lawful order relating to conditions or circumstances defined in section 50-41(2).
- (b) Such inspections shall be conducted at least once per calendar year, provided that the interval between those inspections does not exceed fifteen (15) months. The Fire Chief may require more frequent inspections for buildings he, in his discretion, deems as being high risk. Those occupancies deemed high risk may include, but are not limited to, places of assembly with occupant loads of more than 100; schools; hospitals; daycare centers; nursing homes; congregate care facilities (with or without nursing staff); jails or treatment facilities; or any facility required to be inspected that has reoccurring non-complainant fire code violations.

Section 2. 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.

***Grade Ord. No. 55 - 09 - 10. By Alderperson Kittelson. January 18, 2010.**

AN ORDINANCE to establish the grade on Creekview Court from Moenning Road to its western terminus.

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

Section 1. The grade or elevation of Creekview Ct. from the centerline of Moenning Rd. to its western terminus is hereby fixed and permanently established as follows, from a datum plane which is 581.00' above the mean tide New York, NY:

	<u>North Curb</u>	<u>Centerline</u>	<u>South Curb</u>
At a point 41.00' west of the centerline of Moenning Rd.	82.46'	82.28'	82.46'
At a point 216.65' west of the centerline of Moenning Rd.	81.76'	81.58'	81.76'
At a point 356.34' west of the centerline of Moenning Rd.	82.97'	82.79'	82.97'
At a point 465.78' west of the centerline of Moenning Rd.	83.58'	83.40'	83.58'
At a point 518.97' west of the centerline of Moenning Rd.	83.89'	84.20'	83.89'
At a point 546.97' west of the centerline of Moenning Rd.	84.07'	84.40'	84.07'
At a point 578.97' west of the centerline of Moenning Rd.		84.40	

Section 2. The width of the roadway shall be 32-ft. face of curb to face of curb.

Section 3. A Cul-de-sac with a radius of 78.00' to the face of curb shall have the center point of its radius at 739.46' west of the centerline of Moenning Rd.

Section 4. 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.

Gen. Ord. No. 44 - 09 - 10 By Alderpersons Hanna, Rindfleisch, Wangemann, Bowers and Surek. December 7, 2009.

AN ORDINANCE amending portions of Chapter 138-12 of the Municipal Code relating to establishment of new fees for weighing or measuring device license issued by the Building Inspection Division of the City of Sheboygan.

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

Section 1. The following section of Section 138-12 of the Sheboygan Municipal Code entitled "Weighing or measuring device license" (c) Issuance; fees are hereby amended as follows to require the indicated fee:

Section 138-12 (c). Issuance; fees. The city sealer shall issue a license to the applicant based on the total number of weighing and measuring devices operated by the applicant if the requirements of this ordinance have been complied with upon payment to the Building Inspection Division of the fee required in the following fee schedule:

Initial processing fee	\$ 50.00
Annual base fee	\$ 30.00
Scales 0-50 lbs.	\$ 30.00
Scales 51-1,000 lbs.	\$ 60.00
Scales high accuracy, analytical, jewelers, pharmacy	\$ 60.00
Auto recycling machines	\$100.00
Liquid measuring devices	\$ 28.00
Vehicle tank meters	\$ 65.00
Coin operated laundry	\$ 50.00
Taxi meters	\$ 40.00
Scanner – Point of sale systems: small	\$ 25.00
Scanner – Point of sale systems: large	\$200.00
Miscellaneous devices	\$50.00/hr.

Section 2. 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.

On motion by Alderperson Hanna and second by Alderperson Rindfleisch, the foregoing Ordinance was passed on call of the roll:

Ayes: Bohren, Bouck, Bowers, Dekker, Gischia, Hanna, Heidemann, Kath, Kittelson, Kliejunas, Montemayor, Rindfleisch, Surek, Vue, Wangemann – 15.

Nays: None.

ORDINANCES INTRODUCED

Gen. Ord. No. 55 - 09 - 10. By Alderpersons Kittelson, Hanna and Gischia. February 1, 2010.

AN ORDINANCE repealing and recreating Section 2-563 of the Municipal Code relating to fiscal control of Transit Commission expenditures, so as to conform with current practice.

On motion by Alderperson Bouck and second by Alderperson Kittelson, the Ordinance was referred to the Committee of the Whole and the Sheboygan Transit Commission.

MATTERS LAID OVER

Res. No. 171 - 09 - 10. By Alderpersons Gischia, Bohren, Heidemann, Kliejunas and Montemayor. January 18, 2010.

A RESOLUTION rescinding 2009 Real Estate Taxes for Assessment No. 59281211374.

RESOLVED: That the appropriate City Officials are hereby authorized and directed to rescind 2009 Real Estate Taxes of \$2,722.27 for Assessment No. 59281211374, in accordance with State Statute 70.11(4).

BE IT FURTHER RESOLVED: That the appropriate City Officials are hereby authorized and directed to rescind 2009 Real Estate Taxes in the amount of \$2,722.27 for Assessment No. 59281211374 in accordance with State Statute 70.11(4).

On motion by Alderperson Gischia and second by Alderperson Kliejunas, the Resolution was passed on call of the roll:

February 1, 2010

Ayes: Bohren, Bouck, Bowers, Dekker, Gischia, Hanna, Heidemann, Kath, Kittelson, Kliejunas, Montemayor, Rindfleisch, Surek, Vue, Wangemann – 15.

Nays: None.

Res. No. 172- 09 – 10. By Alderperson Gischia, Bohren, Heidemann, Kliejunas and Montemayor. January 18, 2010.

A RESOLUTION authorizing the use of contingency funds for appraisal services.

WHEREAS, the Building Use Committee has requested an appraisal on the property located at 833 Center Avenue be conducted to determine market value of the building,

WHEREAS, the budget includes funds from the sale of the aforementioned property,

WHEREAS, a quote from Smyth Appraisal Co., LLC, was received in the amount of \$2,100,

WHEREAS, there were no funds budgeted for this service,

WHEREAS, there is \$100,000 of contingency funds available in the 2010 Budget.

NOW, THEREFORE BE IT RESOLVED: The appropriate City Officials are authorized to draw down the funds from the Contingency Account (10182100-810101) to acquire appraisal services for the property located at 833 Center Avenue.

On motion by Alderperson Gischia and second by Alderperson Kliejunas, the Resolution was passed on call of the roll:

Ayes: Bohren, Bouck, Dekker, Gischia, Hanna, Heidemann, Kath, Kittelson, Kliejunas, Montemayor, Surek, Vue, Wangemann – 13.

Nays: Bowers, Rindfleisch-2.

Res. No. 173 - 09 - 10. By Alderpersons Gischia, Bohren, Heidemann, Kliejunas and Montemayor. January 18, 2010.

A RESOLUTION establishing a Deferred Compensation Plan with Nationwide Retirement Solutions.

WHEREAS, the Employer has considered the establishment of a Deferred Compensation Plan to be made available to all eligible employees, elected officials, and independent contractors pursuant to Section 457 of the Internal Revenue Code permitting such plans;

WHEREAS, certain tax benefits could accrue to employees, elected officials, and independent contractors participating in said Deferred Compensation Plans;

WHEREAS, such benefits will act as incentives to employees to voluntarily set aside and invest portions of their current income to meet their future financial requirements and supplement their retirement and Social Security (if applicable);

WHEREAS, the Employer has established a Master Deferred Compensation program for its employees, permitting its employees to enjoy the advantages of this Program;

WHEREAS, by adoption of the Nationwide Program, all regulatory, operational, and administrative responsibilities are hereby assumed by Nationwide on behalf of the Employer.

WHEREAS, Nationwide as Plan Administrator, agrees to hold harmless and indemnify the Employer, its appointed and elected officers and participating employees from any loss resulting from Employer or its Agent's failure to perform its duties and services pursuant to the Nationwide Program.

NOW, THEREFORE THE COMMON COUNCIL DOES HEREBY RESOLVE: The Common Council, meeting in regular scheduled session, the 18th day of January, 2010, hereby adopts the nationwide Deferred Compensation Program and hereby establishes the City of Sheboygan Deferred Compensation Plan for the voluntary participation of all eligible employees.

The Finance Director is hereby authorized to execute for the Employer, individual participation agreements with each said employee requesting same, and to act as the "Administrator" of the Plan representing the Employer, and to execute such agreements and contracts as a necessary to implement the program.

A motion by Alderperson Gischia and second by Alderperson Kliejunas was made to pass the Resolution.

Before action was taken thereon, a motion by Alderperson Gischia and second by Alderperson Bouck to amend the "NOW, THEREFORE THE COMMON COUNCIL DOES HEREBY RESOLVE" paragraph to change the "18th day of January, 2010" to the 1st day of February, 2010 was passed, all Alderpersons present voting "Aye."

On motion by Alderperson Gischia and second by Alderperson Kliejunas, the Resolution, as amended, was passed on call of the roll:

Ayes: Bohren, Bouck, Bowers, Dekker, Gischia, Hanna, Heidemann, Kath, Kittelson, Kliejunas, Montemayor, Rindfleisch, Surek, Vue, Wangemann – 15.

Nays: None.

Res. No. 174- 09 - 10. By Alderman Wangemann. January 18, 2010.

A RESOLUTION designating certain sites with the City of Sheboygan as historic sites.

February 1, 2010

WHEREAS, the Historic Preservation Commission, pursuant to Section 15.915 of the Sheboygan Zoning Ordinance notified all property owners within 100 feet of the designated sites; and

WHEREAS, the Historic Preservation Commission published the necessary Notice of Public Hearing in the Sheboygan Press on December 29, 2009 and the hearing was held on January 7, 2010; and

WHEREAS, the Historic Preservation Commission met following the public hearing and voted to recommend that the Common Council designate certain sites as historic.

WHEREAS, the Common Council finds that these certain sites meet the criteria set forth in Section 15.915(4) of the City of Sheboygan Zoning Ordinance for designation as historic sites.

NOW, THEREFORE BE IT RESOLVED: That the following sites are hereby designated as historic sites in accordance with the Historic Preservation Regulations, Section 15.915 of the City of Sheboygan Zoning Ordinance:

SITE: Linda A. Reiss Residence
ADDRESS: 233 Huron Avenue
TAX PARCEL NO: 59281 – 101220
LEGAL DESCRIPTION: Original Plat. North 104' of Lot 6, Block 38

SITE: Mark & Jennifer Mand Residence
ADDRESS: 1725 North 7th Street
TAX PARCEL NO: 59281 – 013970
LEGAL DESCRIPTION: Zimbals Subdivision, Lot 9, Block 2

SITE: Grace Episcopal Church
ADDRESS: 1011 North 7th Street
TAX PARCEL NO: 59281 – 104920
LEGAL DESCRIPTION: Original Plat. Lots 7, 8, and the West 52.5' of Lot 9, Block 96

SITE: Rectory at Grace Episcopal Church
ADDRESS: 630 Ontario Avenue
TAX PARCEL NO: 59281-104920
LEGAL DESCRIPTION: Original Plat. Lots 7, 8, and the West 52.5' of Lot 9, Block 96

SITE: Bruce Kaiser Residence
ADDRESS: 2033 N. 6th Street
TAX PARCEL NO: 59281-013450
LEGAL DESCRIPTION: Vollraths Park Subdivision. The West 90' of Lot 2 and the North 18' of the West 90' of Lot 1, Block 5

SITE: Allan and Sharol Stessmann Residence
ADDRESS: 703 St. Clair Avenue.
TAX PARCEL NO: 59281-104010
LEGAL DESCRIPTION: Original Plat. The North 37 ½' of Lots 1 & 2, Block 75

BE IT FURTHER RESOLVED: That the historic sites designated herein shall be subject to the provisions of Section 15.915 of the Sheboygan Zoning Ordinance. In particular, Section 15.915 (5)(b) provides that no owner or person in charge of a historic site shall reconstruct, alter, or demolish all or any part of the exterior of such property or construct any improvement upon such designated property or cause or permit any such work to be performed upon such property or demolish such property unless a Certificate of Appropriateness has been granted by the City of Sheboygan Historic Preservation Commission.

BE IT FURTHER RESOLVED: That the City Clerk is authorized and directed to record a certified copy of this Resolution in the Office of the Register of Deeds for Sheboygan County, Wisconsin at the City's expense, and to provide copies to the Building Inspector, Plan Commission, and the City Assessor.

On motion by Alderperson Wangemann and second by Alderperson Kittelson, the Resolution was passed on call of the roll:

Ayes: Bohren, Bouck, Bowers, Dekker, Gischia, Hanna, Heidemann, Kath, Kittelson, Kliejunas, Montemayor, Rindfleisch, Surek, Vue, Wangemann – 15.

Nays: None.

Gen. Ord. No. 50 - 09 - 10. By Alderperson Gischia. January 18, 2010.

AN ORDINANCE obligating the City to pay all taxes required by law to be paid by the Finance Director/Treasurer to the County Treasurer.

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

Section 1. In lieu of the bond required pursuant to Section 70.67(1), Wis. Stats., and in accordance with Section 70.67(2), Wis. Stats., the Common Council of the City of Sheboygan hereby obligates the City of Sheboygan to pay, in case the Finance Director/Treasurer shall fail to do so, all taxes of any kind required by law to be paid by such Finance Director/Treasurer to the County Treasurer.

Section 2. The City Clerk is hereby directed to file a certified copy hereof with the Sheboygan County Treasurer and the Sheboygan County Clerk.

Section 3. This ordinance shall be effective upon passage and publication and shall remain in effect until a certified copy of its repeal shall be filed with the Sheboygan County Clerk and the Sheboygan County Treasurer.

On motion by Alderperson Gischia and second by Alderperson Kliejunas, the Ordinance was passed on call of the roll:

Ayes: Bohren, Bouck, Bowers, Dekker, Gischia, Hanna, Heidemann, Kath, Kittelson, Kliejunas, Montemayor, Rindfleisch, Surek, Vue, Wangemann – 15.

Nays: None.

Gen. Ord. No. 51 - 09 -10. By Alderpersons Heidemann, Kittelson, Bouck, Gischia and Kath. January 18, 2010.

AN ORDINANCE establishing the salary for the Police Chief.

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

Section 1. Notwithstanding the provisions of the City's Compensation Program for Non-represented Employees, Subs. Of Gen. Ord. No. 141-97-98, as amended, the starting salary for the position of Police Chief effective January 19, 2010, shall be established as follows:

- Effective upon date of hire (January 19, 2010), \$97,000
- Effective July 1, 2010, an increase of 3.0% to \$99,910
- Effective January 1, 2011, an increase of 4.0% to \$103,906
- Effective January 1, 2012, an increase of 5.0% to \$109,101

Section 2. That the Police Chief's annual salary will be reviewed for compression one year from date of hire (January 1, 2011) or upon completion of independent review of Department Head Compensation Program.

Section 3. That, except as provided herein, the City's compensation program for non-represented employees shall govern said Police Chief's salary and benefits in addition to increases listed above.

Section 4. This ordinance shall be in effect from and after its passage and publication and as of January 19, 2010.

A motion by Alderperson Heidemann and second by Alderperson Kittelson was made to pass the Ordinance.

Before action was taken thereon, a motion by Alderperson Heidemann and Alderperson Kittelson to amend to remove in Section 1. "Not withstanding the provisions of the City's Compensation Program for Non-represented Employees, Subs. of Gen. Ord. No. 141-97-98, as amended," was passed, all Alderpersons present voting "Aye."

On motion by Alderperson Heidemann and second by Alderperson Kittelson, the Ordinance, as amended, was passed on call of the roll:

Ayes: Dekker, Gischia, Hanna, Kath, Kittelson, Kliejunas, Montemayor, Surek-8.

Nays: Bohren, Bouck, Bowers, Heidemann, Rindfleisch, Vue, Wangemann-7.

Gen. Ord. No. 52 - 09 -10. By Alderpersons Heidemann, Kittelson, Bouck, Gischia and Kath. January 18, 2010.

AN ORDINANCE establishing the salary for the promoted Fire Chief.

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

Section 1. Notwithstanding the provisions of the City's Compensation Program for Non-represented Employees, Subs. Of Gen. Ord. No. 141-97-98, as amended, the annual salary upon promotion for the Fire Chief promoted January 1, 2010, shall be established as follows:

- Effective upon date of promotion (January 1, 2010), an increase of 22.4% to \$94,068.
- Effective January 1, 2011, an increase of 5.0% to \$98,771.
- Effective January 1, 2012, an increase of 7.0% to \$105,684.

Section 2. That the Fire Chief's annual salary will be reviewed for compression one year from date of promotion (January 1, 2011).

February 1, 2010

Section 3. That, except as provided herein, the City's compensation program for non-represented employees shall govern said Fire Chief's salary and benefits in addition to increases listed above.

Section 4. This ordinance shall be in effect from and after its passage and publication and as of January 1, 2010.

A motion by Alderperson Heidemann and second by Alderperson Kittelson was made to pass the Ordinance.

Before action was taken thereon, a motion by Alderperson Heidemann and Alderperson Kittelson to amend to remove in Section 1. "Notwithstanding the provisions of the City's Compensation Program for Non-represented Employees, Subs. of Gen. Ord. No. 141-97-98, as amended," was passed, all Alderpersons present voting "Aye."

On motion by Alderperson Heidemann and second by Alderperson Kittelson, the Ordinance, as amended, was passed on call of the roll:

Ayes: Dekker, Gischia, Hanna, Kath, Kittelson, Kliejunas, Montemayor, Surek-8.

Nays: Bohren, Bouck, Bowers, Heidemann, Rindfleisch, Vue, Wangemann-7.

There being no further business, on motion by Alderperson Bohren and second by Alderperson Gischia, the meeting was then adjourned, all Alderpersons present voting "Aye".

Mayor

City Clerk