

May 17, 2010

COMMON COUNCIL

Official Proceedings of the 2010-2011 Common Council of the City of Sheboygan.

FOURTH REGULAR MEETING

The Council met: Monday, May 17, 2010.

Mayor Bob Ryan in the Chair:

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

Bohren, Bowers, Dekker, Gischia, Hammond, Hanna, Heidemann, Kath, Kittelson, Montemayor, Radtke, Versey, Wangemann – 13.

Absent and Excused: Bouck, Rindfleisch, VanderWeele – 3.

On motion by Alderperson Gischia and second by Alderperson Kittelson, the reading of the minutes of the Third Regular Meeting held May 3, 2010, and the minutes were approved as entered on the record, all Alderpersons present voting "Aye".

RESIGNATIONS

April 28, 2010

Dear Mayor,

That works for me. In fact, it works wo well, please consider this communication as my immediate resignation from the Board of Appeals.

Robert Timm

On motion by Alderperson Gischia and second by Alderperson Kittelson, the foregoing Resignation was accepted and filed, all Alderpersons present voting "Aye".

May 13, 2010

Mary,

I am currently listed as a non-voting member on the Parks and Forestry Committee. I am asking that you forward this correspondence to the Mayor asking that I be able to formally step down from this position and be replaced by Sgt. Scott Reineke. He currently works the shift that the meetings are scheduled and has attended in my absence. I would like to note that I have enjoyed my time on this committee and have learned many aspects of the city that I did not know. Thank you for your assistance in this matter.

Capt. James Veeseer

On motion by Alderperson Gischia and second by Alderperson Kittelson, the foregoing Resignation was accepted and filed, all Alderpersons present voting "Aye".

May 6, 2010

Mary:

Several weeks ago when not hearing from the mayor's office regarding the up-coming appointments, I call you to see what committees I would be on. At that I informed you not I would NO longer serve on the park board. Apparently I was reappointed. Again, I am NOT interested in serving on the park board.

Thanks,

Steven Hemsing

On motion by Alderperson Gischia and second by Alderperson Kittelson, the foregoing Resignation was accepted and filed, all Alderpersons present "Aye".

MAYOR'S APPOINTMENTS

May 17, 2010

HONORABLE MEMBERS OF THE COMMON COUNCIL:

I hereby submit the following appointment for your consideration:

Sgt. Scott Reineke to be considered for appointment to the Board of Parks and Forestry to fill unexpired term of Capt.

James Veeseer whose term expires 4/25/11.

MAYOR BOB RYAN

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

On motion by Alderperson Gischia and second by Alderperson Kittelson, the foregoing Appointment was confirmed on call of the roll:

Ayes: Bohren, Bowers, Dekker, Gischia, Heidemann, Kath, Kittelson, Montemayor, Radtke, Versey, Wangemann – 11.

Nays: None.

Abstain: Hammond, Hanna – 2.

May 17, 2010

May 17, 2010

HONORABLE MEMBERS OF THE COMMON COUNCIL:

I hereby submit the following appointment for your consideration:

John Van Der Male to be considered for appointment to the Board of Parks and Forestry Commissioners as the City Plan Commission representative to fill the unexpired term of Steven Hemsing whose term expires 4/25/11.

MAYOR BOB RYAN

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

On motion by Alderperson Gischia and second by Alderperson Kittelson, the foregoing Appointment was confirmed on call of the roll:

Ayes: Bohren, Bowers, Dekker, Gischia, Heidemann, Kath, Kittelson, Montemayor, Radtke, Versey, Wangemann – 11.

Nays: None.

Abstain: Hammond, Hanna – 2.

May 11, 2010

The Honorable Bob Ryan

Mayor of Sheboygan

City Hall 828 Center Avenue

Sheboygan, WI 53081

RE: City-County Shared Services Committee Appointments

Dear Bob,

In concurrence with Sheboygan County Resolution No. 20 (1993/94) and City of Sheboygan Resolution Number 161-93-94, I am pleased to advise that I have appointed the following County Board Supervisors to serve on the City-County Shared Services Committee for the 2010-2012 Board term:

Mick Anic

Keith Abler

Peggy Feider

If any additional information is needed, please contact my office.

Sincerely,

Michael J. Vandersteen

Chairman of the Board

Lies over under the rules.

May 5, 2010

The Honorable Bob Ryan

City Hall

828 Center Avenue

Sheboygan, WI 53081

RE: Marina and Harbor Committee Appointment

Dear Mayor Ryan,

Pursuant to the City of Sheboygan's Resolution Numbers 213-93-94, 275-93-94, 237-95-96, 69-97-98 and 207-04-05, I am pleased to re-appoint **Supervisor Val Schultz** to serve as Sheboygan County's representative on the "**Marina and Harbor Committee**" (f/k/s Marina Committee). I understand that the appointment is for a one-year term which expires April 30, 2011.

Mr. Schultz can be contacted at his home telephone number – 457-5348, and correspondence should be mailed to his home address – 1747 Greenfield Avenue, Sheboygan, WI 53081.

Please contact me if further information is needed.

Sincerely,

Michael J. Vandersteen

Chairman of the Board

Lies over under the rules.

PUBLIC FORUM

Dolcye Johnson, 1306 N. 3rd St., Milt Storm, 1736 Marvin Ct. and Chase Longmiller, 2611 Rolling Meadows Dr. spoke.

MAYOR'S ANNOUNCEMENTS

May 17, 2010

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

Bohren, Bowers, Dekker, Gischia, Hammond, Hanna, Heidemann, Kath, Kittelson, Montemayor, Radtke, Versey, Wangemann – 13.

Nays: None.

COMMUNICATIONS AND PETITIONS

Com. No. 2 - 10 - 11. May 17, 2010.

Submitting a communication from Beverly and Henry Schaefer stating that they want the City of Sheboygan to get out of the ambulance business and get back to providing fire protection only to the citizens.

Was referred to the Committee on Public Protection and Safety, Strategic Fiscal Planning and the Committee of the Whole.

Com. No. 3 - 10 - 11. May 17, 2010.

Submitting a communication from Richard Thieme asking Alderperson Bohren to support the fire department having five stations and no ambulance service.

Was referred to the Committee on Public Protection and Safety, Strategic Fiscal Planning and the Committee of the Whole.

Com. No. 4 - 10 - 11. May 17, 2010.

Submitting a communication from Stevie B's Landscaping requesting that the City move forward with the proposed "Free Tree Removal Program."

Was referred to the Committee on Public Works.

REPORT OF OFFICERS

*R. O. No. 31 - 10 - 11. By CITY CLERK. May 17, 2010.

Submitting various license applications.

TEMPORARY BEVERAGE OPERATOR'S LICENSE

No.	Name	Address
8577	Heimbold, Pete J.	305 New York Ave.

TEMPORARY CLASS "B" LICENSE

No.	Name	Address
2541	Sheboygan Visual Artists	1201 Erie Ave. – one-day events to be held 6/4/10 & 6/25/10 at 1229 Erie Ave. main Floor gallery.
2732	Spot Light Theater	3893 Enterprise Dr. – three-day event to be held 5/20/10 to 5/22/10 at 1221 Erie Ave.

*R. O. No. 32 - 10 - 11. By CITY PLAN COMMISSION. May 17, 2010.

Your Commission to whom was referred Gen. Ord. No. 1-10-11 and R. O. No. 6-10-11 relative to granting Emily Petkus the privilege of encroaching upon described portions of N. 4th St. located at 1213 N. 4th St. for the purpose of building and maintaining a landscaping brick wall; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, May 11, 2010, and after due consideration, recommends the Subs. of Gen. Ord. 1-10-11 be passed and the Report of Officer be placed on file.

*R. O. No. 33 - 10 - 11. By REDEVELOPMENT AUTHORITY. May 17, 2010.

Your Authority to whom was referred R. O. No. 501-09-10 relative to a communication from Alderperson Bowers requesting to add a Farmers market at the South Pier District; recommends the Report of Officer be placed on file.

R. O. No. 34 - 10 - 11. By CITY PLAN COMMISSION. May 17, 2010.

Your Commission to whom was referred R. O. No. 454-09-10 and R. O. No. 5-10-11 relative to terminating the Business Improvement District, wishes to report this matter was discussed at the May 11, 2010 meeting of the City Plan Commission, and after due consideration, the Plan Commission finds that:

During the 30-day period immediately after the Plan Commission hearing on the petition to terminate the Harbor Centre BID, one additional business amounting to an assessed value of \$241,379 requested termination of the BID, and several owners amounting to an assessed value of \$6,630,710 retracted their request to terminate the BID. The net result is that owners with a net value of real estate subject to the BID assessment and in support of the petition to terminate amount to \$19,037,096 or 39.99% of the total value of real estate in the BID subject to assessment.

May 17, 2010

In that supporters of the petition represent less than 50% of the total value of real estate in the BID subject to assessment, the petition is insufficient to require the City Council to terminate the BID. As such, the Plan Commission recommends that the Common Council place the petition on file.

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

Ayes: Bohren, Bowers, Dekker, Gischia, Hammond, Hanna, Heidemann, Kath, Kittelson, Montemayor, Versey, Wangemann – 12.

Nays: None.

Abstain: Radtke – 1.

R. O. No. 35 - 10 - 11. By LIBRARY DIRECTOR. May 17, 2010.

The Mead Public Library Board has approved its 2009 Annual Report for distribution. This local report includes narrative, financial, and service data sections that may be of interest to the City of Sheboygan Common Council.

Was referred to the Committee on Finance.

R. O. No. 36 - 10 - 11. By CITY CLERK. May 17, 2010.

Submitting a communication from Alderperson Bouck being an article from the Wall Street Journal, April 13, 2010 entitled, "Reaganism, New Jersey Style."

Was referred to the Committee on Finance.

R. O. No. 37 - 10 - 11. By CITY CLERK. May 17, 2010.

Submitting an article from Alderperson Bohren submitted by Dolcye Johnson from the Barron's Cover entitled "The \$2 Trillion Hole."

Was referred to the Committees on Finance, Public Protection and Safety and Salaries and Grievances.

R. O. No. 38 - 10 - 11. By CITY CLERK. May 17, 2010.

Submitting from Alderperson Bohren an article the Milwaukee Journal/Sentinel entitled, "Get Healthy or Else. . ."

Was referred to the Committee on Salaries and Grievances and to the Group Health and Wellness Committee.

R. O. No. 39 - 10 - 11. By CITY CLERK. May 17, 2010.

Submitting various license applications for the period ending June 30, 2011 and June 30, 2012.

Was referred to the Committee on Law and Licensing.

R. O. No. 40 - 10 - 11. By CITY CLERK. May 17, 2010.

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

Was referred to the Committee on Law and Licensing.

R. O. No. 41 - 10 - 11. By BUILDING INSPECTION. May 17, 2010.

We hereby submit the report of the Building Inspection Department for the month of April 2010.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 42 - 10 - 11. By CITY CLERK. May 17, 2010.

Submitting a petition from various citizens requesting that the Mayor and the Common Council keep Fire Station No. 5, 4504 S. 18th St. open.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 43 - 10 - 11. By CITY CLERK. May 17, 2010.

Submitting an application for waiver of the sexual offender residency restrictions from Christopher Thomas Malwitz.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 44 - 10 - 11. By CITY CLERK. May 17, 2010.

Submitting a communication from Sheboygan Countywide Crime Stoppers requesting permission to hold their "National Night Out Event" on August 3rd.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 45 - 10 - 11. By CITY CLERK. May 17, 2010.

Submitting a communication from George Ceolla stating his concern regarding a private basketball play structure located on the public right-of-way on the north side of the 200 block of Euclid Ave.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 46 - 10 - 11. By CITY CLERK. May 17, 2010.

Submitting a communication from Mike Basch, Executive Director of the Sheboygan Senior Community requesting the stop sign from 7th and Wisconsin Ave. be moved to 7th and Niagara Ave. to make it safer for the residents to access the downtown amenities.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 47 - 10 - 11. By CITY CLERK. May 17, 2010.

Submitting an application for waiver of the Sexual Offender Residency Restrictions for Bobby Dudley.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 48 - 10 - 11. By CITY CLERK. May 17, 2010.

Submitting an application for waiver of the Sexual Offender Residency Restrictions for Bonifacio Ordonez.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 49 - 10 - 11. By CITY CLERK. May 17, 2010.

Submitting an application for waiver of the Sexual Offender Residency Restrictions for George Burt.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 50 - 10 - 11. By FIRE CHIEF. May 13, 2010.

Pursuant to Section 50-496 of the Municipal Code, I herewith submit my report of departmental activity for the period commencing January 1, 2010, and ending March 31, 2010.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 51 - 10 - 11. By CITY CLERK. May 17, 2010.

Submitting a communication from John Cinealis, Brat Days 2010 Administration Chairman for the Sheboygan Jaycees, requesting the review and approval of the operating hours for their annual Brat Day's at Kiwanis Park from August 5th through August 7th.

Was referred to the Committees on Public Protection and Safety and Public Works.

R. O. No. 52 - 10 - 11. By CITY CLERK. May 17, 2010.

Submitting a communication from Richard Kummer and Laura Lawrence of Route 43 Harley Davidson requesting that they continue to run the "Roar on Sheboygan Shores" and making various requests of the City.

Was referred to the Committees on Public Protection and Safety and Public Works.

R. O. No. 53 - 10 - 11. By CITY CLERK. May 17, 2010.

Submitting a communication from Jeff Giffin, Commodore of the Sheboygan Yacht Club stating their concerns relating to the lease that the City is currently negotiating with the Wisconsin Naval Ship Association (WINSA).

Was referred to the Committee on Public Works.

R. O. No. 54 - 10 - 11. By CITY CLERK. May 17, 2010.

Submitting a claim from Loella Leicht for alleged damages to her basement when the sewer main in the street backed up.

Was referred to the Special Committee on Risk Management.

R. O. No. 55 - 10 - 11. By CITY CLERK. May 17, 2010.

Submitting a Notice of Intent to Pursue Claim from Progressive Northern Insurance Company on behalf of their insured Gary Gabryel regarding a claim arising out of a motor vehicle vs. bicyclist accident.

Was referred to the Special Committee on Risk Management.

R. O. No. 56 - 10 - 11. By CITY CLERK. May 17, 2010.

Submitting a communication from Jennifer Hudon, City Clerk of the City of Manitowoc stating that they have passed a Resolution accepting Sheboygan's nonmotorized mileage challenge.

Was referred to the Sustainable Task Force Committee and the Group Health and Wellness Committee.

R. O. No. 57 - 10 - 11. By CITY CLERK. May 17, 2010.

Submitting a request from Ann Margaret Tapia wanting to use the parking lot on the riverfront to hold a one day garage sale for 20-50 cars to sell craft items out of their cars and possibly having another one later in the season.

Was referred to the Sheboygan Transit Commission.

RESOLUTIONS INTRODUCED

Res. No. 11 – 10 - 11. By Alderperson Gischia. May 17, 2010.

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF UP TO \$2,947,632 SEWERAGE SYSTEM REVENUE BONDS, SERIES 2010A, AND PROVIDING FOR OTHER DETAILS AND COVENANTS WITH RESPECT THERETO.

WHEREAS, the City of Sheboygan, Sheboygan County, Wisconsin (the "Municipality") owns and operates a sewerage system (the "System") which is operated for a public purpose as a public utility by the Municipality; and

WHEREAS, pursuant to a resolution adopted on November 28, 1995 (the "1995 Resolution"), the Municipality has heretofore issued its Sewerage System Revenue Bonds, Series 1995A, dated November 30, 1995 (the "1995 Bonds"), which 1995 Bonds are payable from the income and revenues of the System; and

WHEREAS, pursuant to a resolution adopted on August 19, 1996 (the "1996A Resolution"), the Municipality has heretofore issued its Sewerage System Revenue Bonds, Series 1996A, dated August 28, 1996 (the "1996A Bonds"), which 1996A Bonds are payable from the income and revenues of the System; and

WHEREAS, pursuant to a resolution adopted on November 18, 1996 (the "1996B Resolution"), the Municipality has heretofore issued its Sewerage System Revenue Bonds, Series 1996B, dated November 26, 1996 (the "1996B Bonds"), which 1996B Bonds are payable from the income and revenues of the System; and

WHEREAS, the 1995 Bonds, the 1996A Bonds and the 1996B Bonds shall collectively be referred to as the "Prior Bonds"; and

WHEREAS, the 1995 Resolution, the 1996A Resolution and the 1996B Resolution shall collectively be referred to as the "Prior Resolutions"; and

WHEREAS, certain improvements to the System are necessary to meet the needs of the Municipality and the residents thereof, consisting of the construction of a project (the "Project") assigned Clean Water Fund Program Project No. 4019-15 by the Department of Natural Resources, and as described in the Department of Natural Resources approval letter for the plans and specifications of the Project, or portions thereof, issued under Section 281.41, Wisconsin Statutes, assigned No. S-2009-0584 and dated July 15, 2009 by the DNR; and

WHEREAS, under the provisions of Chapter 66, Wisconsin Statutes any municipality may, by action of its governing body, provide for purchasing, acquiring, constructing, extending, adding to, improving, operating and managing a public utility from the proceeds of bonds, which bonds are to be payable only from the revenues received from any source by such utility, including all rentals and fees; and

WHEREAS, the Municipality deems it to be necessary, desirable and in its best interest to authorize and sell sewerage system revenue bonds of the Municipality payable solely from the revenues of the System, pursuant to the provisions of Section 66.0621, Wisconsin Statutes, to pay the cost of the Project; and

WHEREAS, the Prior Resolutions permit the issuance of additional bonds on a parity with the Prior Bonds upon certain conditions, and those conditions have been met; and

WHEREAS, other than the Prior Bonds, no bonds or obligations payable from the revenues of the System are now outstanding and

WHEREAS, it is necessary and desirable to change the definition of "Current Expenses" set forth in the 1996B Resolution to exclude costs related to maintaining an adequate and Department of Natural Resources approved replacement fund; and

WHEREAS, the 1996B Resolution may be amended, in any respect, with a written consent of the owners of not less than two-thirds (2/3) of the principal amount of the 1996B Bonds outstanding, exclusive of 1996B Bonds held by the Municipality; and

WHEREAS, the State of Wisconsin Clean Water Fund Program, as owner of all outstanding 1996B Bonds, has provided such consent, which is attached hereto as Exhibit B.

NOW, THEREFORE, be it resolved by the Governing Body of the Municipality that:

Section 1. Definitions. The following terms shall have the following meanings in this Resolution unless the text expressly or by implication requires otherwise:

- (a) "Act" means Section 66.0621, Wisconsin Statutes;
- (b) "Bond Registrar" means the Municipal Treasurer which shall act as Paying Agent for the Bonds;
- (c) "Bonds" means the \$2,947,632 Sewerage System Revenue Bonds, Series 2010A, of the Municipality dated their date of issuance, authorized to be issued by this Resolution;
- (d) "Bond Year" means the twelve-month period ending on each May 1;
- (e) "Current Expenses" means the reasonable and necessary costs of operating, maintaining, administering and repairing the System, including salaries, wages, costs of materials and supplies, insurance and audits, but shall exclude depreciation, debt service, tax equivalents and capital expenditures;
- (f) "Debt Service Fund" means the Sewerage System Special Redemption Fund of the Municipality, which shall be the "special redemption fund" as such term is defined in the Act;

(g) "Financial Assistance Agreement" means the Financial Assistance Agreement by and between the State of Wisconsin by the Department of Natural Resources and the Department of Administration and the Municipality pursuant to which the Bonds are to be issued and sold to the State, substantially in the form attached hereto and incorporated herein by this reference;

(h) "Fiscal Year" means the twelve-month period ending on each December 31;

(i) "Governing Body" means the Common Council, or such other body as may hereafter be the chief legislative body of the Municipality;

(j) "Gross Earnings" means the gross earnings of the System, including earnings of the System derived from sewerage charges imposed by the Municipality, all payments to the Municipality under any wastewater treatment service agreements between the Municipality and any contract users of the System, and any other monies received from any source including all rentals and fees and any special assessments levied and collected in connection with the Project;

(k) "Municipal Treasurer" means the Treasurer of the Municipality who shall act as Bond Registrar and Paying Agent;

(l) "Municipality" means the City of Sheboygan, Sheboygan County, Wisconsin;

(m) "Net Revenues" means the Gross Earnings of the System after deduction of Current Expenses;

(n) "1995 Bonds" means the Municipality's Sewerage System Revenue Bonds, Series 1995A, dated November 30, 1995;

(o) "1995 Resolution" means a resolution adopted by the Common Council on November 28, 1995 authorizing the issuance of the 1995 Bonds;

(p) "1996A Bonds" means the Municipality's Sewerage System Revenue Bonds, Series 1996A, dated August 28, 1996;

(q) "1996A Resolution" means a resolution adopted by the Common Council on August 19, 1996 authorizing the issuance of the 1996A Bonds;

(r) "1996B Bonds" means the Municipality's Sewerage System Revenue Bonds, Series 1996B, dated November 26, 1996;

(s) "1996B Resolution" means a resolution adopted by the Common Council on November 18, 1996 authorizing the issuance of the 1996B Bonds;

(t) "Parity Bonds" means bonds payable from the revenues of the System other than the Bonds but issued on a parity and equality with the Bonds pursuant to the restrictive provisions of Section 11 of this Resolution;

(u) "Prior Bonds" means the 1995 Bonds, the 1996A Bonds and the 1996B Bonds collectively;

(v) "Prior Resolutions" means the 1995 Resolution, the 1996A Resolution and the 1996B Resolution collectively;

(w) "Project" means the Project described in the preamble to this Resolution. All elements of the Project are to be owned and operated by the Municipality as part of the System as described in the preamble hereto;

(x) "Record Date" means the close of business on the fifteenth day of the calendar month next preceding any principal or interest payment date; and

(y) "System" means the entire sewerage system of the Municipality specifically including that portion of the Project owned by the Municipality and including all property of every nature now or hereafter owned by the Municipality for the collection, transmission, treatment and disposal of domestic and industrial sewerage and waste, including all improvements and extensions thereto made by the Municipality while any of the Bonds and Parity Bonds remain outstanding, including all real and personal property of every nature comprising part of or used or useful in connection with such sewerage system and including all appurtenances, contracts, leases, franchises, and other intangibles.

(x) "1996B Bonds" means the Municipality's Sewerage System Revenue Bonds, Series 1996B, dated November 12, 1996;

(y) "1996B Resolution" means a resolution adopted on November 18, 1996 authorizing the issuance of the 1996B Bonds;

Section 2. Authorization of the Bonds and the Financial Assistance Agreement. For the purpose of paying the cost of the Project (including legal, fiscal, engineering and other expenses), there shall be borrowed on the credit of the income and revenue of the System up to the sum of \$2,947,632; and fully registered revenue bonds of the Municipality are authorized to be issued in evidence thereof and sold to the State of Wisconsin Clean Water Fund Program in accordance with the terms and conditions of the Financial Assistance Agreement, which is incorporated herein by this reference and the Mayor and City Clerk of the Municipality are hereby authorized, by and on behalf of the Municipality, to execute the Financial Assistance Agreement.

Section 3. Terms of the Bonds. The Bonds shall be designated "Sewerage System Revenue Bonds, Series 2010A" (the "Bonds"); shall be dated their date of issuance; shall be numbered one and upward; shall bear interest at the rate of 2.400% per annum; shall be issued in denominations of \$0.01 or any integral multiple thereof; and shall mature on the dates and in the amounts as set forth in Exhibit B of the Financial Assistance Agreement and in the Bond form attached hereto as Exhibit A as it is from time to time adjusted by the State of Wisconsin based upon the actual draws made by the Municipality. Interest on the Bonds shall be payable commencing on November 1, 2010 and semiannually

thereafter on May 1 and November 1 of each year. The Bonds shall not be subject to redemption prior to maturity except as provided in the Financial Assistance Agreement.

The schedule of maturities of the Bonds is found to be such that the amount of annual debt service payments is reasonable in accordance with prudent municipal utility practices.

Section 4. Form, Execution, Registration and Payment of the Bonds. The Bonds shall be issued as registered obligations in substantially the form attached hereto as Exhibit A and incorporated herein by this reference.

The Bonds shall be executed in the name of the Municipality by the manual signatures of the Mayor and City Clerk, and shall be sealed with its official or corporate seal, if any.

The principal of, premium, if any, and interest on the Bonds shall be paid by the Municipal Treasurer, who is hereby appointed as the Municipality's Bond Registrar.

Both the principal of and interest on the Bonds shall be payable in lawful money of the United States of America by the Bond Registrar. Payment of principal of the final maturity on the Bond will be payable upon presentation and surrender of the Bond to the Bond Registrar. Payment of principal on the Bond (except the final maturity) and each installment of interest shall be made to the registered owner of each Bond who shall appear on the registration books of the Municipality, maintained by the Bond Registrar, on the Record Date and shall be paid by check or draft of the Municipality and mailed to such registered owner at his or its address as it appears on such registration books or at such other address may be furnished in writing by such registered owner to the Bond Registrar.

Section 5. Security for the Bonds. The Bonds, together with interest thereon, shall not constitute an indebtedness of the Municipality nor a charge against its general credit or taxing power. The Bonds, together with interest thereon, shall be payable only out of the Debt Service Fund hereinafter established, and shall be a valid claim of the registered owner or owners thereof only against such Debt Service Fund and the revenues of the System pledged to such fund, on a parity with the pledge granted to the holders of the Prior Bonds. Sufficient revenues are hereby pledged to said Debt Service Fund, and shall be used for no other purpose than to pay the principal of, premium, if any, and interest on the Prior Bonds, the Bonds and any Parity Bonds as the same becomes due.

Section 6. Funds and Accounts. In accordance with the Act, for the purpose of the application and proper allocation of the revenues of the System, and to secure the payment of the principal of and interest on the Prior Bonds, the Bonds and Parity Bonds, certain funds of the System which were created and established by a resolution adopted on October 18, 1993 (the "1993 Resolution") are hereby continued and, since all obligations authorized by the 1993 Resolution have been discharged, amended as provided below and shall be used solely for the following respective purposes:

- (a) Revenue Fund, into which shall be deposited as received the Gross Earnings of the System, which money shall then be divided among the Operation and Maintenance Fund, the Debt Service Fund, the Depreciation Fund and the Surplus Fund in the amounts and in the manner set forth in Section 7 hereof and used for the purposes described below.
- (b) Operation and Maintenance Fund, which shall be used for the payment of Current Expenses.
- (c) Sewerage System Special Redemption Fund (the "Debt Service Fund"), which shall be used for the payment of the principal of, premium, if any, and interest on the Prior Bonds, the Bonds and Parity Bonds as the same becomes due.
- (d) Depreciation Fund, which shall be used to provide a proper and adequate depreciation account for the System.
- (d) Surplus Fund, which shall first be used whenever necessary to pay principal of, premium, if any, or interest on the Prior Bonds, the Bonds and Parity Bonds when the Debt Service Fund shall be insufficient for such purpose, and thereafter shall be disbursed as follows: (i) at any time, to remedy any deficiency in any of the Funds provided in this Section 6 hereof; and (ii) money thereafter remaining in the Surplus Fund at the end of any Fiscal Year may be transferred to any of the funds or accounts created herein or to reimburse the general fund of the Municipality for advances made by the Municipality to the System.

Section 7. Application of Revenues. After the delivery of the Bonds, the Gross Earnings of the System shall be deposited as collected in the Revenue Fund and shall be transferred monthly to the funds listed below in the following order of priority and in the manner set forth below:

- (a) to the Operation and Maintenance Fund, in an amount equal to the estimated Current Expenses for such month and for the following month (after giving effect to available amounts in said Fund from prior deposits);
- (b) to the Debt Service Fund, an amount equal to one-sixth (1/6) of the next installment of interest coming due on the Prior Bonds, the Bonds and any Parity Bonds then outstanding and an amount equal to one-twelfth (1/12) of the installment of principal of the Prior Bonds, the Bonds and any Parity Bonds coming due during such Bond Year (after giving effect to available amounts in said Fund from accrued interest, any premium or any other source); and
- (c) to the Depreciation Fund, an amount determined by the Governing Body to be sufficient to provide a proper and adequate depreciation account for the System; and

- (d) to the Surplus Fund, any amount remaining in the Revenue Fund after the monthly transfers required above have been completed.

Transfers from the Revenue Fund to the Operation and Maintenance Fund, the Debt Service Fund, the Depreciation Fund and the Surplus Fund shall be made monthly not later than the tenth day of each month, and such transfer shall be applicable to monies on deposit in the Revenue Fund as of the last day of the month preceding. Any other transfers and deposits to any fund required or permitted by subsection (a) through (d) of this Section, except transfers or deposits which are required to be made immediately or annually, shall be made on or before the tenth day of the month. Any transfer or deposit required to be made at the end of any Fiscal Year shall be made within sixty (60) days after the close of such Fiscal Year. If the tenth day of any month shall fall on a day other than a business day, such transfer or deposit shall be made on the next succeeding business day.

It is the express intent and determination of the Governing Body that the amounts transferred from the Revenue Fund and deposited in the Debt Service Fund shall be sufficient in any event to pay the interest on the Prior Bonds, the Bonds and any Parity Bonds as the same accrues and the principal thereof as the same matures.

Section 8. Deposits and Investments. The Debt Service Fund shall be kept apart from monies in the other funds and accounts of the Municipality and the same shall be used for no purpose other than the prompt payment of principal of and interest on the Prior Bonds, the Bonds and any Parity Bonds as the same becomes due and payable. All monies therein shall be deposited in special and segregated accounts in a public depository selected under Chapter 34, Wisconsin Statutes and may be temporarily invested until needed in legal investments subject to the provisions of Section 66.0603(1m), Wisconsin Statutes. The other funds herein created (except the Sewerage System CWFPP Project Fund) may be combined in a single account in a public depository selected in the manner set forth above and may be temporarily invested until needed in legal investments subject to the provisions of Section 66.0603(1m), Wisconsin Statutes.

Section 9. Service to the Municipality. The reasonable cost and value of services rendered to the Municipality by the System by furnishing sewerage services for public purposes shall be charged against the Municipality and shall be paid in monthly installments as the service accrues, out of the current revenues of the Municipality collected or in the process of collection, exclusive of the revenues derived from the System; that is to say, out of the tax levy of the Municipality made by it to raise money to meet its necessary current expenses. The reasonable cost and value of such service to the Municipality in each year shall be equal to an amount which, together with other revenues of the System, will produce in each Bond Year Net Revenues equivalent to not less than the annual principal and interest requirements on the Prior Bonds, the Bonds, any Parity Bonds and any other obligations payable from the revenues of the System then outstanding, times the greater of (i) 110% or (ii) the highest debt service coverage ratio required with respect to any obligations payable from revenues of the System then outstanding. However, such payment out of the tax levy shall be subject to (a) approval of the Public Service Commission, or successors to its function, if applicable, (b) yearly appropriations therefor, and (c) applicable levy limitations, if any; and neither this Resolution nor such payment shall be construed as constituting an obligation of the Municipality to make any such appropriation over and above the reasonable cost and value of the services rendered to the Municipality and its inhabitants or to make any subsequent payment over and above such reasonable cost and value.

Section 10. Operation of System; Municipality Covenants. It is covenanted and agreed by the Municipality with the owner or owners of the Bonds, and each of them, that the Municipality will perform all of the obligations of the Municipality as set forth in the Financial Assistance Agreement.

Section 11. Additional Bonds. The Bonds are issued on a parity with the Prior Bonds as to the pledge of revenues of the System. No bonds or obligations payable out of the revenues of the System may be issued in such manner as to enjoy priority over the Bonds. Additional obligations may be issued if the lien and pledge is junior and subordinate to that of the Bonds. Parity Bonds may be issued only under the following circumstances:

- (a) Additional Parity Bonds may be issued for the purpose of completing the Project and for the purpose of financing costs of the Project which are ineligible for payment under the State of Wisconsin Clean Water Fund Program. However, such additional Parity Bonds shall be in an aggregate amount not to exceed 20% of the face amount of the Bonds; or

- (b) Additional Parity Bonds may also be issued if all of the following conditions are met:

- (1) The Net Revenues of the System for the Fiscal Year immediately preceding the issuance of such additional bonds must have been in an amount at least equal to the maximum annual interest and principal requirements on all bonds outstanding payable from the revenues of the System, and on the bonds then to be issued, times the greater of (i) 1.10 or (ii) the highest debt service coverage ratio to be required with respect to the Additional Parity Bonds to be issued or any other obligations payable from the revenues of the System then outstanding. Should an increase in permanent rates and charges, including those made to the Municipality, be properly ordered and made effective during the Fiscal Year immediately prior to the issuance of such additional bonds or during that part of the Fiscal Year of issuance prior to such issuance, then Net Revenues for purposes of such computation shall include such additional revenues as an independent certified public accountant, consulting professional engineer or the

Wisconsin Public Service Commission may certify would have accrued during the prior Fiscal Year had the new rates been in effect during that entire immediately prior Fiscal Year.

(2) The payments required to be made into the funds enumerated in Section 6 of this Resolution must have been made in full.

(3) The additional bonds must have principal maturing on May 1 of each year and interest falling due on May 1 and November 1 of each year.

(4) The proceeds of the additional bonds must be used only for the purpose of providing extensions or improvements to the System, or to refund obligations issued for such purpose.

Section 12. Sale of Bonds. The sale of the Bonds to the State of Wisconsin Clean Water Fund Program for the purchase price of up to \$2,947,632 and at par, is ratified and confirmed; and the officers of the Municipality are authorized and directed to do any and all acts, including executing the Financial Assistance Agreement and the Bonds as hereinabove provided, necessary to conclude delivery of the Bonds to said purchaser, as soon after adoption of this Resolution as is convenient. The purchase price for the Bonds shall be paid upon requisition therefor as provided in the Financial Assistance Agreement, and the officers of the Municipality are authorized to prepare and submit to the State requisitions and disbursement requests in anticipation of the execution of the Financial Assistance Agreement and the issuance of the Bonds.

Section 13. Application of Bond Proceeds. The proceeds of the sale of the Bonds shall be deposited by the Municipality into a special fund designated as "Sewerage System CWFPP Project Fund." The Sewerage System CWFPP Project Fund shall be used solely for the purpose of paying the costs of the Project as more fully described in the preamble hereof and in the Financial Assistance Agreement. Moneys in the Sewerage System CWFPP Project Fund shall be disbursed within three (3) business days of their receipt from the State of Wisconsin and shall not be invested in any interest-bearing account.

Section 14. Amendment to Resolution. After the issuance of any of the Bonds, no change or alteration of any kind in the provisions of this Resolution may be made until all of the Bonds have been paid in full as to both principal and interest, or discharged as herein provided, except: (a) the Municipality may, from time to time, amend this Resolution without the consent of any of the owners of the Bonds, but only to cure any ambiguity, administrative conflict, formal defect, or omission or procedural inconsistency of this Resolution; and (b) this Resolution may be amended, in any respect, with a written consent of the owners of not less than two-thirds (2/3) of the principal amount of the Bonds then outstanding, exclusive of Bonds held by the Municipality; provided, however, that no amendment shall permit any change in the pledge of revenues derived from the System or the maturity of any Bond issued hereunder, or a reduction in the rate of interest on any Bond, or in the amount of the principal obligation thereof, or in the amount of the redemption premium payable in the case of redemption thereof, or change the terms upon which the Bonds may be redeemed or make any other modification in the terms of the payment of such principal or interest without the written consent of the owner of each such Bond to which the change is applicable.

Section 15. Defeasance. When all Bonds have been discharged, all pledges, covenants and other rights granted to the owners thereof by this Resolution shall cease. The Municipality may discharge all Bonds due on any date by irrevocably depositing in escrow with a suitable bank or trust company a sum of cash and/or bonds or securities issued or guaranteed as to principal and interest of the U.S. Government, or of a commission, board or other instrumentality of the U.S. Government, maturing on the dates and bearing interest at the rates required to provide funds sufficient to pay when due the interest to accrue on each of said Bonds to its maturity or, at the Municipality's option, if said Bond is prepayable to any prior date upon which it may be called for redemption, and to pay and redeem the principal amount of each such Bond at maturity, or at the Municipality's option, if said Bond is prepayable, at its earliest redemption date, with the premium required for such redemption, if any, provided that notice of the redemption of all prepayable Bonds on such date has been duly given or provided for.

Section 16. Rebate Fund. Unless the Bonds are exempt from the rebate requirements of the Internal Revenue Code of 1986, as amended (the "Code"), the Municipality shall establish and maintain, so long as the Bonds and any Parity Bonds are outstanding, a separate account to be known as the "Rebate Fund." The sole purpose of the Rebate Fund is to provide for the payment of any rebate liability with respect to the Bonds under the relevant provisions of the Code and the Treasury Regulations promulgated thereunder (the "Regulations"). The Rebate Fund shall be maintained by the Municipality until all required rebate payments with respect to the Bonds have been made in accordance with the relevant provisions of the Code and the Regulations.

The Municipality hereby covenants and agrees that it shall pay to the United States from the Rebate Fund, at the times and in the amounts and manner required by the Code and the Regulations, the portion of the "rebate amount" (as defined in Section 1.148-3(b) of the Regulations) that is due as of each "computation date" (within the meaning of Section 1.148-3(e) of the Regulations). As of the date of this Resolution, the provisions of the Regulations specifying the required amounts of rebate installment payments and the time and manner of such payments are contained in Sections 1.148-3(f) and (g) of the Regulations, respectively. Amounts held in the Rebate Fund and the investment income therefrom are not pledged as security for the Bonds or any Parity Bonds and may only be used for the payment of any rebate liability with respect to the Bonds.

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The Municipality may engage the services of accountants, attorneys or other consultants necessary to assist it in determining the rebate payments, if any, owed to the United States with respect to the Bonds. The Municipality shall maintain or cause to be maintained records of determinations of rebate liability with respect to the Bonds for each computation date until six (6) years after the retirement of the last of the Bonds. The Municipality shall make such records available to the State of Wisconsin upon reasonable request therefor.

Section 17. Resolution a Contract. The provisions of this Resolution shall constitute a contract between the Municipality and the owner or owners of the Bonds, and after issuance of any of the Bonds no change or alteration of any kind in the provisions of this Resolution may be made, except as provided in Section 14, until all of the Bonds have been paid in full as to both principal and interest. The owner or owners of any of the Bonds shall have the right in addition to all other rights, by mandamus or other suit or action in any court of competent jurisdiction, to enforce such owner's or owners' rights against the Municipality, the Governing Body thereof, and any and all officers and agents thereof including, but without limitation, the right to require the Municipality, its Governing Body and any other authorized body, to fix and collect rates and charges fully adequate to carry out all of the provisions and agreements contained in this Resolution.

Section 18. Continuing Disclosure. The officers of the Municipality are hereby authorized and directed, if requested by the State of Wisconsin, to provide to the State of Wisconsin Clean Water Fund Program and to such other persons or entities as directed by the State of Wisconsin such ongoing disclosure regarding the Municipality's financial condition and other matters, at such times and in such manner as the Clean Water Fund Program may require, in order that securities issued by the Municipality and the State of Wisconsin satisfy rules and regulations promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended and as it may be amended from time to time, imposed on brokers and dealers of municipal securities before the brokers and dealers may buy, sell, or recommend the purchase of such securities.

Section 19. Amendment to the 1996B Resolution. Section 1(f) of the 1996B Resolution is stricken in its entirety and is hereby amended to read as follows:

(f) "Current Expenses" means the reasonable and necessary costs of operating, maintaining, administering and repairing the System, including salaries, wages, costs of materials and supplies, insurance, and audits, but shall exclude depreciation, debt service, tax equivalents and capital expenditures;

Except as expressly amended by this Resolution, the 1996B Resolution shall remain in full force and effect.

Section 20. Conflicting Resolutions. All ordinances, resolutions (other than the Prior Resolutions), or orders, or parts thereof heretofore enacted, adopted or entered, in conflict with the provisions of this Resolution, are hereby repealed and this Resolution shall be in effect from and after its passage. In case of any conflict between this Resolution and the Prior Resolutions, the Prior Resolutions shall control as long as any of the respective Prior Bonds are outstanding.

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

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

Ayes: Bohren, Bowers, Dekker, Gischia, Hammond, Hanna, Heidemann, Kath, Kittelson, Montemayor, Radtke, Versey, Wangemann – 13.

Nays: None.

Res. No. 12 – 10 - 11. By Alderpersons Gischia, Bouck, Bohren, Radtke and Hammond. May 17, 2010.

A RESOLUTION authorizing the appropriate City Officials to enter into contract for obtaining Independent Financial Consulting Services.

NOW, THEREFORE BE IT RESOLVED: The appropriate City Officials are hereby authorized to enter into contract with Ehlers & Associates to provide Independent Financial Consulting Services in accordance with the attached fee schedule.

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

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

Ayes: Bohren, Bowers, Dekker, Gischia, Hammond, Hanna, Heidemann, Kath, Kittelson, Montemayor, Radtke, Versey, Wangemann – 13.

Nays: None.

Res. No. 13 – 10 – 11. By Alderperson Gischia. May 17, 2010.

A RESOLUTION AUTHORIZING THE ISSUANCE AND PROVIDING FOR THE SALE OF \$2,045,000 GENERAL OBLIGATION PROMISSORY NOTES AND \$8,345,000 TAXABLE GENERAL OBLIGATION REFUNDING BONDS.

WHEREAS, the Common Council of the City of Sheboygan, Sheboygan County, Wisconsin (the "City") hereby finds and determines that it is necessary, desirable and in the best interest of the City to raise funds for the purpose of paying the cost of various construction, improvement and acquisition projects set forth in the City's 2010 Capital Improvement Plan, including improving City Hall and the Municipal Service Building and extending and improving streets,

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sidewalks and storm sewers (the "Project") and refunding certain outstanding obligations of the City, to wit: certain State Trust Fund Loans dated January 30, 2008; October 17, 2001 (TID 12); October 17, 2001 (TID 10); 2002-2007 (Environmental TID); June 11, 2008; and August 22, 2008 (collectively, the "Loans") (hereinafter the refinancing of the Loans shall be referred to as the "Refunding"), and there are insufficient funds on hand to pay said costs;

WHEREAS, the Common Council hereby finds and determines that the Project is within the City's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b) of the Wisconsin Statutes;

WHEREAS, the Common Council deems it to be necessary, desirable and in the best interest of the City to refund the Loans for the purpose of restructuring its outstanding indebtedness and achieving debt service cost savings;

WHEREAS, cities are authorized by the provisions of Section 67.12(12) and Section 67.04 of the Wisconsin Statutes to borrow money and to issue general obligation promissory notes for such public purposes and general obligation refunding bonds to refinance their outstanding obligations, respectively;

WHEREAS, due to certain provisions contained in the Internal Revenue Code of 1986, as amended, it is necessary to issue the general obligation refunding bonds on a taxable rather than tax-exempt basis; and

WHEREAS, the Common Council of the City hereby finds and determines that (a) general obligation promissory notes in the amount of \$2,045,000 should be issued to pay the cost of the Project and (b) taxable general obligation refunding bonds in the amount of \$8,345,000 should be issued to pay the cost of the Refunding, and it is now necessary and desirable to authorize their issuance and sale.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1. Authorization of the Notes. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(12) of the Wisconsin Statutes, the principal sum of TWO MILLION FORTY-FIVE THOUSAND DOLLARS (\$2,045,000) from a purchaser to be determined by competitive sale.

Section 2. Authorization of the Bonds. For the purpose of paying the cost of the Refunding, there shall be borrowed pursuant to Section 67.04 of the Wisconsin Statutes, the principal sum of EIGHT MILLION THREE HUNDRED FORTY-FIVE THOUSAND DOLLARS (\$8,345,000) from a purchaser to be determined by competitive sale.

Section 3. Sale of the Notes and Bonds. To evidence such indebtedness, the Mayor and City Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the respective purchasers of the general obligation promissory notes and taxable general obligation refunding bonds for, on behalf of and in the name of the City:

(a) General Obligation Promissory Notes, aggregating the principal amount of TWO MILLION FORTY-FIVE THOUSAND DOLLARS (\$2,045,000) (the "Notes"); and

(b) Taxable General Obligation Refunding Bonds, aggregating the principal amount of EIGHT MILLION THREE HUNDRED FORTY-FIVE THOUSAND DOLLARS (\$8,345,000) (the "Bonds").

The City shall offer the Notes and Bonds for public sale at a subsequent meeting of the Common Council.

Section 4. Designation of the Notes. The City may, by further action of the Common Council, determine to issue the Notes as tax-exempt notes designated "General Obligation Promissory Notes" or as taxable Build America Bonds designated "Taxable General Obligation Promissory Notes (Build America Bonds - Direct Payment)".

Section 5. Notices of Sale. The City Clerk (in consultation with the City's financial advisor, Ehlers & Associates, Inc. ("Ehlers")) is hereby authorized and directed to cause the sale of the Notes and Bonds to be publicized at such times and in such manner as the City Clerk may determine and to cause copies of complete, official Notices of Sale and other pertinent data to be forwarded to interested bidders as the City Clerk (in consultation with Ehlers) may determine.

Section 6. Official Statement. The City Clerk (in consultation with Ehlers) shall cause an Official Statement concerning these issues to be prepared and distributed. The appropriate City officials shall determine when the Official Statement is final for purposes of Securities and Exchange Commission Rule 15c2-12 and shall certify said Statement, such certification to constitute full authorization of such Statement under this Resolution.

Section 7. Award of the Notes and Bonds. Following receipt of bids for the Notes and Bonds, the Common Council shall consider taking further action to provide the details of the Notes and Bonds; to award the Notes and Bonds to the lowest responsible bidders therefor; and to levy a direct annual irrepealable tax sufficient to pay the principal of and interest on the Notes and Bonds as the same becomes due as required by law.

Section 8. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

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

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

Ayes: Bohren, Bowers, Dekker, Gischia, Hammond, Hanna, Heidemann, Kath, Kittelson, Montemayor, Radtke, Versey, Wangemann – 13.

Nays: None.

Res. No. 14 - 10 - 11. By Alderpersons Gischia, Bouck, Bohren, Hammond and Radtke. May 17, 2010.

A RESOLUTION establishing the 2011 budget calendar.

WHEREAS, the City of Sheboygan needs to establish a budget calendar annually.

NOW, THEREFORE, BE IT RESOLVED: That City of Sheboygan hereby adopts the 2011 Budget Calendar attached hereto.

May 2010	Finance Committee established budget schedule and guidelines to be submitted and approved by the Common Council
	Departments start preparing for 2011 budget
June 2010	Common Council adopts budget schedule and guidelines
July 16, 2010	Revenue estimates due to the Finance Department
July 30, 2010	2011 Departmental Expenditure requests due to Finance Department
August 9, 2010	Finance Committee conducts preliminary review of 2011 estimated revenues
August 2010	Executive Budget Review – Mayor, Finance, and Department Heads
August 2010	Presentation & Review of Preliminary Executive Budget – Strategic Fiscal Planning Committee
October 4	Mayor’s Executive Report of Officer presenting Budget, Fund Balance, and GO Bonded Debt to the Common Council
October 5 - 13	Standing Committees review department budget and make report of committee to the Common Council
October 18	Standing Committees report to Common Council on the status of department budgets
October 25	Finance Committee review reports of Standing Committees on department budgets
November 1	Proposed budget submitted to Common Council
November 5	Publication of Notice of Public Hearing on 2011 Proposed Budget
November 15	Public Hearing on 2011 Proposed Budget
November 22 or 29	Special Council meeting to adopt 2011 Budget

On motion by Alderperson Gischia and second by Alderperson Kittelson, the Resolution was passed, all Alderpersons present voting “Aye”.

Res. No. 15 – 10 - 11. By Alderperson Montemayor. May 17, 2010.

A RESOLUTION authorizing the purchase of vacant property located at the northeast corner of 10th Street and Erie Avenue (936 Erie Avenue) a.k.a. the former Body Shoppe of Sheboygan, LLC property.

Was referred to the Committee on Finance and to the City Plan Commission.

Res. No. 16 - 10 - 11. By Alderperson Gischia. May 17, 2010.

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

Was referred to the Committee on Finance.

Res. No. 17 - 10 - 11. By Alderperson Bohren. May 17, 2010.

A RESOLUTION approving amendment to Engineering Service Agreement for Digester Mixing and Solids Thickening Improvements and authorizing the Purchasing Agent or appropriate City official to execute same.

Was referred to the Committee on Public Works.

Res. No. 18 - 10 - 11. By Alderperson Gischia. May 17, 2010.

A RESOLUTION lifting the hiring freeze in order to hire a Finance Director/Treasurer.

WHEREAS, the City of Sheboygan passed Resolution 73-09-10 that extended the hiring freeze to December 31, 2010;

Was referred to the Committee on Salaries and Grievances.

REPORT OF COMMITTEES

***R. C. No. 20 - 10 - 11. By LAW AND LICENSING. May 17, 2010.**

Your Committee to whom was referred R. C. No. 508-09-10 and pursuant to R. O. No. 516-09-10 and R. O. No 10-10-11 by the City Clerk, submitting license applications for the period ending June 30, 2011 and June 30, 2012; recommends that the following licenses be granted:

BEVERAGE OPERATOR’S LICENSE(NEW) (June 30, 2011)

<u>No.</u>	<u>Name</u>	<u>Address</u>
8565	Kerpe, Ben J.	2609 N. 5 th St.
8555	Krueger, Rose M.	2518 N. 15 th St.
8550	Rogers, Stacy L.	1212 N. 12 th St.

8538 Schneider, Nicole 110 Amherst Ave. #B201, Sheboygan Falls
BEVERAGE OPERATOR'S LICENSE(NEW) (June 30, 2012)

<u>No.</u>	<u>Name</u>	<u>Address</u>
8567	Bitter, Brittnee M.	1720 Apple Tree Rd., Howards Grove
4241	Carey, Scott A.	1132 Lincoln Ave.
8568	Dewey, Suzanne R.	310 S. Lincoln Dr., Howards Grove
8569	Hudson, Cherie N.	1022 Kentucky Ave.
5650	Soerens, Donna M.	1130 Bluff Ave.

BEVERAGE OPERATOR'S LICENSE(RENEWAL) (June 30, 2012)

<u>No.</u>	<u>Name</u>	<u>Address</u>
7972	Alvarez, Manuel O.	405 Superior Ave.
6434	Anderson, Jon M.	527 Blackstock Ave.
2751	Brownson, David B.	C723 Michigan Ave.
7339	Cleveland, Heather A.	1722 N. 3 rd St.
7133	Edwards, Andrea P.	811 Geele Ave.
5305	Freriks, Scott A.	1217A Lincoln Ave.
7176	Gulley, Melissa M.	1623 N. 4 th St.
8073	Hendrikse, Jolene D.	202 Leavens Ave., Sheboygan Falls
6452	Hohmann, Luanne J.	1236 Eisner Ave.
1574	Johnston, Janet	1628 S. 19 th St.
4672	Kennedy, Christofer E.	1312 Camelot Blvd.
1617	Kercho, Charleen M.	3639 Koehler Dr.
5849	Kiley, Rebecca L.	1420B S. 12 th St.
7140	Miller, Joan	1909 Mead Ave.
3731	Reinke, Steven G.	2228 S. 8 th St.
6247	Schneider, Lisa M.	2713 S. 11 th Pl.
7905	Schuessler, Michael J.	1706 Broadway
6454	Senkbeil, Gregory A.	820 N. 28 th St.
8056	Sholten, Russell J.	4602 Douglas Fir Ln.
8059	Sholten, Suzanne O.	4602 Douglas Fir Ln.
6417	Sneen, Bruce A.	516 Forest Blvd., Sheboygan Falls
2736	Teetzen, Bradley R.	307 Riverhills Dr., Sheboygan Falls
6292	Walker, Joel P.	387 N. Westhaven Dr., #H204, Oshkosh

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. 21 - 10 - 11. By FINANCE. May 17, 2010.**

Your Committee to whom was referred R. O. No. 7-10-11 by the Board of Water Commissioners submitting a copy of the 2009 annual Audit Report; recommends that the Report of Officer be accepted and placed on file.

***R. C. No. 22 - 10 - 11. By FINANCE. May 17, 2010.**

Your Committee to whom was referred R. O. No. 8-10-11 by the Board of Water Commissioners submitting their report on the Water Utility for the first quarter of 2010; recommends that the Report of Officer be accepted and placed on file.

***R. C. No. 23 - 10 - 11. By FINANCE. May 17, 2010.**

Your Committee to whom was referred R. O. No. 9-10-11 by the City Clerk submitting a communication from Mike Trimmerger of Sheridan Elementary School requesting that they be allowed to use one of the City's "free days" at Blue Harbor Resort for an educational conference for parents on May 27th; recommends that the Report of Officer be placed on file.

***R. C. No. 24 - 10 - 11. By LAW AND LICENSING. May 17, 2010.**

Your Committee to whom was referred R. O. No. 11-10-11 by the City Clerk, submitting license applications for the period ending June 30, 2011; recommends that the following licenses be granted:

CHANGE OF PREMISES

<u>No.</u>	<u>Name</u>	<u>Address</u>
2726	JMKAC	608 New York Ave. – one-day events to be Held 7/1/10 & 8/19/10 to include Festival Green, NW corner & current premise.

2726	JMKAC	608 New York Ave. – four-day event to be held 7/8/10 to 7/11/10 to include the Festival Green & Tile Garden area.
2726	JMKAC	608 New York Ave. – one-day events to be held 6/5; 6/12; 6/19; 7/2; 7/10; 7/31; 8/7; 8/28; 9/11; & 9/18 to include SW corner of New York & 7 th to SE corner of New York & 6 th .
1890	Suscha's Bar	1054 Pennsylvania Ave. – one-day event to be held 6/12/10 to include all of the parking lot north & east of current premise.
1252	Petek's Tavern	2702 S. 8 th St. – one-day event to be held 5/22/10 to include area south and west of Tavern.

SIDEWALK CAFE LICENSE (April 14, 2011)

<u>No.</u>	<u>Name</u>	<u>Address</u>
2560	Urbane	1231 N. 8 th St.

"CLASS A" LIQUOR LICENSE (June 30, 2011)

<u>No.</u>	<u>Name</u>	<u>Address</u>
2532	Fischers Food & Liquor	4554 S. 12 th St.
2518	Pick N Save #6341	1317 N. 25 th St.
2516	Pick N Save #6340	2213 Calumet Dr.
1257	Piggly Wiggly #15	3124 S. Business Dr.
2702	Tietzs Piggly Wiggly	2905 N. 15 th St.

CLASS "A" FERMENTED MALT BEVERAGE LICENSE (June 30, 2011)

<u>No.</u>	<u>Name</u>	<u>Address</u>
2209	Aldi #94	919 S. Taylor Dr.
1150	Harbor Centre Marina	821 Broughton Dr.
1193	Kwik Trip #361	1618 Calumet Dr.
1998	Kwik Trip #780	2622 S. Business Dr.
2710	The Pig Stop II	2917 N. 15 th St.
2581	South Side Clark	1710 Indiana Ave.

"CLASS B" LIQUOR LICENSE (June 30, 2011)

<u>No.</u>	<u>Name</u>	<u>Address</u>
1877	Applebee's	526 S. Taylor Dr.
1040	Brennans on Michigan	1101 Michigan Ave.
1511	Dennys Bar	2140 Calumet Dr.
2121	El Camino	823 Michigan Ave.
1516	Emmers	906 S. 15 th St.
1119	Four of a Kind	811 Indiana Ave.
2487	Frankie's Pub & Grill	2218 Indiana Ave.
1892	Gosse's at Northwestern	1909 Union Ave.
2584	Guadalajara Mex Bar & Grill	1129 S. 8 th St.
2716	Happy Valley	1509 S. 12 th St.
2564	Harbor Lights Tavern	434 Pennsylvania Ave.
2192	Harry's Diner	2504 Calumet Dr.
2129	Hops Haven Brew Haus	1327 N. 14 th St.
1926	Il Ritrovo	515 S. 8 th St.
2193	Kaddyshack LLC, The	1502 S. 13 th St.
2685	Lino Reistorante Italiano	422 South Pier Dr.
1226	Meyers Lakeview Pub	550 Wilson Ave.
2272	PJ's Party Zone	910 N. 18 th St.
1252	Peteks Tavern	2702 S. 8 th St.
1286	Sheboygan Riverside Boat	1228A Wisconsin Ave.
1412	Trattoria Stefano	522 S. 8 th St.
1420	VFW Post 9156	552 S. Evans St.

CLASS "B" FERMENTED MALT BEVERAGE LICENSE (June 30, 2011)

<u>No.</u>	<u>Name</u>	<u>Address</u>
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2598	New China Buffet	571 S. Taylor Dr.
1986	Pizza Hut #13440	1107 N. 14 th St.
1987	Pizza Hut #13462	2727 S. Business Dr.

CLASS "C" WINE LICENSE (June 30, 2011)

No.	Name	Address
1987	New China Buffet	571 S. Taylor Dr.

TAXICAB BUSINESS LICENSE (June 30, 2011)

No.	Name	Address
2525	All Star Taxi I	W2254 Ourtown Rd., Sheboygan Falls
2509	Santanans Limo	2724 Main Ave.

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. 25 - 10 - 11. By PUBLIC PROTECTION AND SAFETY. May 17, 2010.**

Your Committee to whom was referred R. O. No. 16-10-11 by the City Clerk submitting a communication from Chief Domagalski of the Sheboygan Police Department stating that the Sheboygan Jaycee's organization has approached him inquiring if the Police Department would have any problems or concerns if they requested the Council for an extension of hours to serve alcoholic beverages for the 2010 Bratwurst Day event; recommends that the Report of Officer be accepted and placed on file and to approve the request.

***R. C. No. 26 - 10 - 11. By PUBLIC PROTECTION AND SAFETY. May 17, 2010.**

Your Committee to whom was referred R. O. No. 17-10-11 by the City Clerk submitting a communication from Donna Cvetan, Chairperson of Lakeshore Weekend, requesting a "variance" to the sound and beverage ordinance for their 2nd Annual Miesfeld's Lakeshore Weekend to benefit Children's Hospital of Wisconsin at Kiwanis Park on August 13-15, 2010 and also requesting that the access street to Kiwanis Park be blocked in order to promote a safe environment; recommends that the Report of Officer be accepted and placed on file and to approve the request.

***R. C. No. 27 - 10 - 11. By PUBLIC PROTECTION AND SAFETY. May 17, 2010.**

Your Committee to whom was referred R. O. No. 18-10-11 by the City Clerk submitting a communication from Jennifer Jacobs, Campaign Manager of The Leukemia and Lymphoma Society's Scenic Shore 150 Bike Tour stating that they will be in our area with approximately 1,000 bike riders and wish to have some traffic control if deemed necessary by the City for Saturday & Sunday, July 24th & 25th, 2010 and checking if there are any conflicting events that weekend; recommends that the Report of Officer be accepted and placed on file and to approve the request.

***R. C. No. 28 - 10 - 11. By PUBLIC PROTECTION AND SAFETY. May 17, 2010.**

Your Committee to whom was referred R. O. No. 21-10-11 by the City Clerk submitting a communication from Amy Kanter regarding speeding issues occurring on North Ave. and stating that there are serious safety concerns; recommends that the Report of Officer be placed on file.

***R. C. No. 29 - 10 - 11. By PUBLIC PROTECTION AND SAFETY. May 17, 2010.**

Your Committee to whom was referred R. O. No. 24-10-11 by the City Clerk submitting a communication from Denny Moyer, General Manager of the Sheboygan A's stating that they will be hosting the Heroes of the Diamond, the United States Military All-Star Baseball Team at Wildwood Baseball Park on July 26th and requesting that the Council consider issuing a proclamation for this event; consider closing off Wildwood Ave. to traffic from 10 a.m. to midnight and requesting the Department of Public Works loan bunting and flags to decorate the park for that night; recommends that the Report of Officer be accepted and placed on file and to approve the request.

***R. C. No. 30 - 10 - 11. By PUBLIC WORKS. May 17, 2010.**

Your Committee to whom was referred a copy of R. O. No. 24-10-11 by the City Clerk submitting a communication from Denny Moyer, General Manager of the Sheboygan A's stating that they will be hosting the Heroes of the Diamond, the United States Military All-Star Baseball Team at Wildwood Baseball Park on July 26th and requesting that the Council consider issuing a proclamation for this event; consider closing off Wildwood Ave. to traffic from 10 a.m. to midnight and requesting the Department of Public Works loan bunting and flags to decorate the park for that night; recommends that the Report of Officer be accepted and placed on file and to approve the request for use of the City's decorative material for the event.

R. C. No. 31 - 10 - 11. By STRATEGIC FISCAL PLANNING. May 17, 2010.

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Your Committee to whom was referred R. O. No. 29-10-11 by the Finance Director submitting the Sheboygan Fire Department Ambulance Service: Alternative Scenarios and Benchmarking Analysis; recommends that a copy of the document be referred to the Special Budget Sub-Committee.

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

Ayes: Dekker, Gischia, Hammond, Hanna, Kittelson, Montemayor, Radtke, Wangemann – 8.

Nays: Bohren, Bowers, Heidemann, Kath, Versey – 5.

R. C. No. 32 - 10 - 11. By PUBLIC PROTECTION AND SAFETY. May 17, 2010.

Your Committee to whom was referred R. O. No. 23-10-11 by the City Clerk submitting Incident Detail Prints - Sheboygan Police Department and a summary of Ambulance Response times for the period 1/1/10 through 3/31/10 submitted by Alderperson Versey; recommends that the Report of Officer be forwarded to the Common Council for action having no recommendation from the Committee on Public Protection and Safety.

A motion by Alderperson Kittelson and second by Alderperson Montemayor was made to accept and adopt the Report of Committee.

Before action was taken thereon, a motion by Alderperson Versey and second by Alderperson Bohren was made to refer the Report of Committee to the Committee of the Whole, passed on call of the roll:

Ayes: Bohren, Bowers, Heidemann, Kath, Radtke, Versey, Wangemann – 7.

Nays: Dekker, Gischia, Hammond, Hanna, Kittelson, Montemayor – 6.

R. C. No. 33 - 10 - 11. By LAW AND LICENSING. May 17, 2010.

Your Committee to whom was referred, pursuant to R. C. No. 508-09-10 and R. O. No. 49-09-10 by the City Clerk, various license applications for the period ending June 30, 2010 and June 30, 2011; recommends that Taxicab Operator's License # 8547 be denied based upon the applicant's failure to include all relevant convictions on the license application and failure to cooperate with the Committee.

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

Ayes: Bohren, Bowers, Dekker, Gischia, Hammond, Hanna, Heidemann, Kath, Kittelson, Montemayor, Versey, Wangemann – 13.

Nays: None.

R. C. No. 34 - 10 - 11. By LAW AND LICENSING. May 17, 2010.

Your Committee to whom was referred, pursuant to R. C. No. 508-09-10 and R. O. No. 49-09-10 by the City Clerk, various license applications for the period ending June 30, 2010 and June 30, 2011; recommends that Taxicab Operator's License #8546 be denied based upon the applicant's failure to cooperate with the Committee.

A motion by Alderperson Kath and second by Alderperson Montemayor was made to accept and adopt the Report of Committee.

Before action was taken thereon, a motion by Alderperson Bohren and second by Alderperson Gischia was made to re-refer the Report of Committee to the Committee on Law and Licensing, passed all Alderpersons present voting "Aye".

***R. C. No. 35 - 10 - 11. By FINANCE. May 17, 2010.**

Your Committee to whom was referred Res. No. 231-09-10 by Alderperson Gischia authorizing the Purchasing Agent to enter into agreement for the sale of the 1996 Pierce Heavy Rescue Vehicle to the Village of Cedar Grove, WI Fire Department; recommends that the Resolution be passed.

***R. C. No. 36 - 10 - 11. By PUBLIC WORKS. May 17, 2010.**

Your Committee to whom was referred Res. No. 7-10-11 by Alderperson Bohren authorizing the proper City officials to participate in the D.O.T. Road Salt Purchase Program; recommends that the Resolution be passed.

R. C. No. 37 - 10 - 11. By FINANCE. May 17, 2010.

Your Committee to whom was referred Res. No. 5-10-11 by Alderperson Gischia authorizing a transfer of appropriation in the 2010 Budget (Economic Development Land Acquisition); recommends that the Resolution be passed.

Was accepted and adopted.

R. C. No. 38 - 10 - 11. By FINANCE. May 17, 2010.

Your Committee to whom was referred Res. No. 6-10-11 by Alderperson Gischia authorizing a transfer of appropriation in the 2010 Budget (establishing appropriation for the 2010 Capital Improvements Program); recommends that the Resolution be passed.

Was accepted and adopted.

R. C. No. 39 - 10 - 11. By SALARIES AND GRIEVANCES. May 17, 2010.

Your Committee to whom was referred Res. No. 9-10-11 by Alderperson Gischia authorizing entering into an agreement for Human Resource and Labor Relations consulting services with HR Unlimited, LLC; recommends that the Resolution be passed.

On motion by Alderperson Gischia and second by Alderperson Kittelson, the Report of Committee was referred to the Committee on Finance, all Alderpersons present voting "Aye".

RESOLUTIONS ON SECOND READING

***Res. No. 231 - 09 - 10. By Alderperson Gischia. April 19, 2010.**

A RESOLUTION authorizing the Purchasing Agent to enter into agreement for the sale of the 1996 Pierce Heavy Rescue Vehicle to the Village of Cedar Grove, WI Fire Department.

RESOLVED: That the Purchasing Agent is hereby authorized to enter into agreement with the Village of Cedar Grove for the sale of (1) 1996 Pierce Heavy Rescue Vehicle in the amount of \$75,000.00.

BE IT FURTHER RESOLVED: That the funds received from the sale of this equipment shall be used to off-set the cost of future lease payments for the new Rescue-Pumper Vehicle and shall be held for same by the Finance Director under the direction and oversight of the Finance Committee.

***Res. No. 7 - 10 - 11. By Alderperson Bohren. May 3, 2010.**

A RESOLUTION authorizing the proper City officials to participate in the D.O.T. Road Salt Purchase Program.

WHEREAS, the Calumet, Manitowoc, and Sheboygan County Cooperative Salt Purchasing Group disbanded in 1993, in favor of joining the Wisconsin D.O.T. Road Salt Program,

WHEREAS, Chapter 2.150.3 of the Municipal Code allows the Purchasing Agent to "purchase from or in cooperation with, other governmental agencies without competitive bids,"

WHEREAS, the Wisconsin D.O.T. Salt Purchase Program has provided favorable pricing and worked to the satisfaction of the Department of Public Works and the Purchasing Agent.

NOW, THEREFORE, BE IT RESOLVED: That the proper City official is hereby authorized to participate in the 2010 Wisconsin Department of Transportation State Road Salt Bid.

Res. No. 5 - 10 - 11. By Alderperson Gischia. May 3, 2010

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

RESOLVED: That the Finance Director be and is hereby authorized and directed to make the following transfers of appropriations in the 2010 Budget for the purposes of:

Economic Development Land Acquisition:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Industrial Fund	Industrial Fund	
Unreserved Fund Balance	Land	
407-253000	40761100-611100	\$400,000

BE IT FURTHER RESOLVED: That the City Clerk publish this budget change according to §65.90(5) of the Wisconsin Statutes.

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

Ayes: Bohren, Bowers, Dekker, Gischia, Hammond, Hanna, Heidemann, kath, Kittelson, Montemyor, Versey, Wangemann – 13.

Nays: None.

Res. No. 6 - 10 - 11. By Alderperson Gischia. May 3, 2010.

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

RESOLVED: That the Finance Director be and is hereby authorized and directed to make the following transfer of appropriations in the 2010 Budget for the purpose of:

Establishing appropriation for the 2010 Capital Improvements Program:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
2010 Capital Improvements	2010 Capital Improvements	
Improvements	City Hall Improvements	
47033140-631100-0	47011210-621200	\$145,000
	Municipal Service Building	
	47011220-621200	\$55,000
	Sidewalks	

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47033190-631100	\$50,000
Mini-Storm Sewers	
47033150-631500	\$200,000
Street Reconstruction	
47033140-631200	\$1,550,000

BE IT FURTHER RESOLVED: That the City Clerk publish this budget change according to 65.90 (5) of the Wisconsin Statutes.

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

Ayes: Bohren, Bowers, Dekker, Gischia, Hammond, Hanna, Heidemann, kath, Kittelson, Montemyor, Versey, Wangemann – 13.

Nays: None.

ORDINANCE ON SECOND READING

***Subs. of Gen. Ord. No. 1 – 10 - 11. By Alderpersons Bouck. May 17, 2010.**

AN ORDINANCE granting Emily Petkus her heirs and assigns, the privilege of encroaching upon described portions of N. 4th St. located at 1213 N. 4th St. in the City of Sheboygan for the purpose of building and maintaining a landscaping brick wall.

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

Section 1. Subject to the terms and conditions contained herein, Emily Petkus her heirs and assigns, is hereby granted the privilege of encroaching into that part of N. 4th St. right-of-way adjacent to Lot 7 of Block 68, Original Plat of the City of Sheboygan, located in Sect. 23 T.15N., R.23E., City of Sheboygan, Sheboygan County, Wisconsin for the purpose of building and maintaining a landscaping brick wall, in accordance with the sketch attached hereto and made a part hereof.

More particularly described as:

Commencing at the NW corner of said Lot 7 Block 68 also being the point of beginning, thence south along the west line of said Lot 7 also being the east line of N. 4th St. 75.00', thence west 3.00', thence north 75.00', thence east 3.0' to the point of beginning.

Section 2. The privilege as granted above is granted only on the condition that by the acceptance of the privilege, the said Emily Petkus her heirs and assigns:

a. Shall become primarily responsible and liable for all and any damage to persons or property caused by and arising from the grant and exercise of such privilege.

b. Shall remove the encroachment allowed herein within ten (10) days after notice so to remove given by the State of Wisconsin or the City of Sheboygan; in the event of the failure so to remove, the said Emily Petkus her heirs and assigns: shall pay the costs of removal by the State of Wisconsin or the City of Sheboygan, waiving all claim or claims for damages resulting from such removal, whether the removal is done by the said Emily Petkus her heirs and assigns, or by the State of Wisconsin or by the City of Sheboygan.

c. Shall pay such compensation to the City of Sheboygan for the grant of this privilege as may be determined by a board consisting of the Mayor, the Director of Public Works and the City Attorney; the compensation shall be paid into the General Fund.

d. Shall make such construction and/or alterations and maintain the same subject to the approval of the City Building Inspector and Director of Public Works, and shall waive the right to contest in any manner the validity of this ordinance or the amount of compensation charged.

Section 3. The provisions of §66.0425(1) thru (5) of the Wisconsin Statutes are incorporated herein by reference to all intents and purposes as if set out fully.

Section 4. The City Clerk is authorized and directed to record a certified copy of this ordinance in the office of the Register of Deeds for Sheboygan County, Wisconsin, the costs thereof to be charged to the General Fund.

Section 5. This ordinance shall take effect and be in full force from and after its passage and publication and upon payment of the consideration to be determined hereunder, provided, however, that in the event of failure to exercise the privilege herein granted and the payment of such consideration within six (6) months from the effective date hereof, then and in that event such privilege shall be rendered null and void.

ORDINANCE INTRODUCED

Gen. Ord. No. 2 – 10 – 11. By Alderpersons Hanna, Gischia, VanDerWeele and Versey. May 17, 2010.

AN ORDINANCE re-establishing the salary schedule for a certain designated elected official.

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

Lies over under the rules.

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

Mayor

City Clerk