

COMMON COUNCIL

Official Proceedings of the 2011-2012 Common Council of the City of Sheboygan.

ELEVENTH REGULAR MEETING

The Council met: Tuesday, September 6, 2011.

Mayor Bob Ryan in the Chair:

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

Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 16.

Absent and Excused: None.

On motion by Alderperson Rindfleisch and second by Alderperson Dekker, the reading of the minutes of the Tenth Regular Meeting held August 15, 2011, were approved as entered on the record, all Alderpersons voting "Aye".

RESIGNATIONS

Friday,

August 10, 2011

Mayor Ryan:

It is with a heavy heart that I regret to inform you that I must resign from the Sustainable Sheboygan Taskforce effective immediately. I begin graduate school for my Masters in Urban Planning this fall, and with that I also move to Milwaukee to reduce the commute.

Thank you for the opportunity to serve on this wonderful committee. I considered it a blessing and a privilege.

Sincerely,

Heather Cleveland

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

August 22, 2011

Bob Ryan, Mayor

City of Sheboygan

828 Center Avenue

Sheboygan, WI 53081

Dear Mayor Ryan:

I will be spending the majority of the upcoming winter months in Florida.

Therefore, I resign as a member of the City of Sheboygan plan commission as of September 1 for I would miss to many meetings.

It has been both a privilege and a honor to have served on the plan commission.

Sincerely,

Steven R. Hemsing

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

MAYOR'S APPOINTMENTS

September 6, 2011

HONORABLE MEMBERS OF THE COMMON COUNCIL

I hereby submit the following appointment for your consideration:

Greg Ryan to be considered for appointment to the Sustainable Sheboygan Task Force to fill the unexpired position of Heather Cleveland whose term expires on 4/23/12.

ROBERT RYAN, MAYOR

Lies over under the rules.

PUBLIC FORUM

Pat Aaholm, 2602A Camelot Blvd; Pat Gillette, 915 North Ave.; John Boerner, 1919 Broadway and Mike Vandersteen, 320 Lincoln Ave. spoke at the Public Forum. On motion by Rindfleisch and second by Alderperson Dekker was passed to allow an extra minute to Pat Aaholm, all Alderpersons voting "Aye."

MAYOR'S ANNOUNCEMENTS

September 6, 2011

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

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 16.

Nays: None.

HEARINGS

Hearing No. 3 - 11 - 12. September 6, 2011.

Pursuant to a notice published and personal notices sent by the City Clerk, there is a hearing scheduled for this evening for the proposed assessments for water lateral replacement in Broadway from S. 13th St. to S. 14th St.

All interested persons will now be heard.

No persons appeared regarding this hearing and on motion by Alderperson Rindfleisch and second by Alderperson Dekker, the foregoing hearing was closed, all Alderpersons voting "Aye".

Hearing No. 4 - 11 - 12. September 6, 2011.

Pursuant to a notice published and personal notices sent by the City Clerk, there is a hearing scheduled for this evening for the proposed assessments for water lateral replacement in S. 13th St. from south of Indiana Ave. to Broadway.

All interested persons will now be heard.

No persons appeared regarding this hearing and on motion by Alderperson Rindfleisch and second by Alderperson Dekker, the foregoing hearing was closed, all Alderpersons voting "Aye".

Hearing No. 5 - 11 - 12. September 6, 2011.

Pursuant to a notice published and personal notices sent by the City Clerk, there is a hearing scheduled for this evening for the proposed assessments for water main installation in Eisner Ave., 150' east of Huberts Circle to Lake Shore Rd.

All interested persons will now be heard.

No persons appeared regarding this hearing and on motion by Alderperson Rindfleisch and second by Alderperson Dekker, the foregoing hearing was closed, all Alderpersons voting "Aye".

REPORTS OF OFFICERS

***R. O. No. 159 - 11 - 12. By BOARD OF PARKS AND FORESTRY. September 6, 2011.**

Your Commission who met and discussed R. O. No. 97-11-12 by the City Clerk submitting a communication from Danny Schulz stating that he is upset that he can't walk his dog on the beach and is requesting that signage is installed to inform the public of the ordinance and suggest that the Council look into a dog friendly north point; recommends that the Report of Officer be accepted and placed on file and to have the staff notify Mr. Schulz of the outcome.

***R. O. No. 160 - 11 - 12. By CITY CLERK. September 6, 2011.**

Submitting various license applications.

TEMPORARY CLASS "B" LICENSE

<u>No.</u>	<u>Name</u>	<u>Address</u>
1377	St Dominics Church	2133 N. 22 nd St. on 9/18/11 at the PAC Hall

CARNIVAL/CIRCUS LICENSE

2855	Harbor Center South pier BID	Carnival to be held at South Pier for 3 day event 9-15-11 thru 9-18-11
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***R. O. No. 161 - 11 - 12. By CITY CLERK. September 6, 2011.**

Submitting, as a matter of record, a communication from Daniel Bateman, Co-Director of Rockets for Schools, announcing the 2012 event dates at Blue Harbor for Rockets for Schools:

Thursday, May 10th

Friday, May 11th

Saturday, May 12th

***R. O. No. 162 - 11 - 12. By CITY CLERK. September 6, 2011.**

Submitting, as a matter of record, a communication from Scott Lewandoske being his statement that would have said at the August 15th Council's Public Forum but became ill and was unable to speak.

***R. O. No. 163 - 11 - 12. By CITY CLERK. September 6, 2011.**

Submitting, as a matter of record, the election results from the August 16, 2011 Schuchardt Annexation referendum election as hand delivered by Cathy Conrad, Town of Sheboygan Clerk.

***R. O. No. 164 - 11 - 12. By DEVELOPMENT MANAGER. September 6, 2011.**

Per Sec. 50-698 of the Municipal Code, Sheboygan County Chamber of Commerce Tourism Department is respectfully requesting permission to have a fireworks display in conjunction with the Nations Cup Week activities planned for the week of September 13-18, 2011.

R. O. No. 165 - 11 - 12. By CITY CLERK. September 6, 2011.

Submitting a communication from the students of Oostburg Christian School requesting the honor of the Council members presence at their Honor Assembly of political representatives on Monday, September 26th at 2:00 p.m.

On motion by Alderperson Rindfleisch and second by Alderperson Dekker, the Report of Officer was accepted and placed on file, all Alderpersons voting "Aye."

R. O. No. 165A - 11 - 12. By CITY CLERK. September 6, 2011.

Submitting a communication from Rev. Scheblein of Immanuel Lutheran Church stating that they will be gathering in Deland Park on September 11, 2011 at 1:30 p.m. for remembrance and recognizing the military, the Police and Fire Department as well as EMS personnel.

On motion by Alderperson Rindfleisch and second by Alderperson Dekker, the Report of Officer was accepted and placed on file, all Alderpersons voting "Aye."

R. O. No. 166 - 11 - 12. By CITY CLERK. September 6, 2011.

Submitting a citizen complaint from Patrick Gillette regarding the conduct of the Mayor during the August 15, 2011 Council meeting.

Lies over under the rules.

R. O. No. 167- 11 - 12. By CITY CLERK. September 6, 2011.

Submitting various license applications for the period ending June 30, 2012 and June 30, 2013.

Was referred to the Committee on Law and Licensing.

R. O. No. 168 - 11 - 12. By DEPUTY FINANCE DIRECTOR/TREASURER. September 6, 2011.

Submitting the Harbor Centre Marina Balance Sheet from Operations dated June 30, 2011, as submitted by Skipper Marine.

Was referred to the Marina and Harbor Committee.

R. O. No. 169 - 11 - 12. By DEPUTY FINANCE DIRECTOR/TREASURER. September 6, 2011.

Submitting the Harbor Centre Marina Balance Sheet from Operations dated July 31, 2011, as submitted by Skipper Marine.

Was referred to the Marina and Harbor Committee.

R. O. No. 170 - 11 - 12. By BUILDING INSPECTION. September 6, 2011.

Submitting a report of the Building Inspection Department for the month of June 2011.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 171 - 11 - 12. By BUILDING INSPECTION. September 6, 2011.

Submitting a report of the Building Inspection Department for the month of July 2011.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 172 - 11 - 12. By CITY CLERK. September 6, 2011.

Submitting a communication from Wydell Vaughn requesting a waiver of the Sex Offender Residency restrictions in order to live at 2720 Superior Ave.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 173 - 11 - 12. By CITY CLERK. September 6, 2011.

Submitting a communication from Neng Moua requesting a waiver of the Sex Offender Residency restrictions and to notify his children when, where and what time the meeting is, and stating that he wishes to live at 2812 Michigan Ave.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 174 - 11 - 12. By CITY CLERK. September 6, 2011.

Submitting a communication from various neighbors near S. 18th St. and Camelot Blvd. requesting that stop signs be placed at the junction of S. 18th and Camelot Blvd. for safety reasons:

Gerald Damkot, 1746 Camelot Blvd.

Darlene Nardi, 1747 Camelot Blvd.
Barb Wessler, 1755 Camelot Blvd.
Ryan Linder, 3972 S. 18th St.
Tom Jensen, 1754 Camelot Blvd.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 175 - 11 - 12. By CITY CLERK. September 6, 2011.

Submitting a communication from Andrew Sarber requesting a waiver to the Sex Offender Residency restrictions in order to live at 1322 N. 12th St.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 176 - 11 - 12. By CITY CLERK. September 6, 2011.

Submitting a communication from Benjamin Walker requesting a waiver from the Sex Offender Residency restrictions in order to move to 6 Seneca Trail.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 177 - 11 - 12. By CITY CLERK. September 6, 2011.

Submitting a communication from Dale Bieringer requesting a waiver from the Sex Offender Residency restrictions in order to live at 2517 Camelot Blvd.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 178 - 11 - 12. By CITY CLERK. September 6, 2011.

Submitting a communication from Jon Holcomb, Race Director – FATKATS – requesting the use of Evergreen and Quarryview Parks for the 17th Annual Wigwam Mountain Bike Challenge on October 9, 2011.

Was referred to the Committee on Public Works.

R. O. No. 179 - 11 - 12. By CITY CLERK. September 6, 2011.

Submitting a communication from Alderperson Bohren being an article from the Milwaukee Journal/Sentinel titled, "Brookfield Chiefs Cut Own Pay."

Was referred to the Committee on Salaries and Grievances and Strategic Fiscal Planning Committee.

R. O. No. 180 - 11 - 12. By CITY CLERK. September 6, 2011.

Submitting a claim from Denise Justinger for alleged damages to her vehicle when she went over the yellow paint that was being painted on the street with no warning signs of wet paint.

Was referred to the Special Committee on Risk Management.

R. O. No. 181 - 11 - 12. By CITY CLERK. September 6, 2011.

Submitting a claim from Artisan and Trucker Casualty Co. ASO Matthew Holler for alleged damages to their vehicle when a City garbage truck struck their parked car.

Was referred to the Special Committee on Risk Management.

R. O. No. 182 - 11 - 12. By CITY CLERK. September 6, 2011.

Submitting a claim from Todd Randall for alleged damages to his vehicle when a loose tire on Hwy. 42 during the road work near the bridge came up from the vehicle in front of him – the vehicle in front ran over it and sent it up into Mr. Randall's car.

Was referred to the Special Committee on Risk Management.

R. O. No. 183 - 11 - 12. By CITY CLERK. September 6, 2011.

Submitting a Summons and Complaint in the matter of JFM1, LLC vs. City of Sheboygan.

Was referred to the Special Committee on Risk Management.

R. O. No. 184 - 11 - 12. By CITY CLERK. September 6, 2011.

Submitting a Summons and Complaint in the matter of Walgreen Co. vs. City of Sheboygan.

Was referred to the Special Committee on Risk Management.

R. O. No. 185 - 11 - 12. By CITY CLERK. September 6, 2011.

Submitting a Summons and Complaint in the matter of Claremont New Frontier Resort LLC vs. City of Sheboygan et al.

Was referred to the Special Committee on Risk Management.

R. O. No. 186 - 11 - 12. By CITY CLERK. September 6, 2011.

Submitting a Summons and Complaint in the matter of American Family Mutual Insurance Co. vs. City of Sheboygan et al.

Was referred to the Special Committee on Risk Management.

R. O. No. 187 - 11 - 12. By CITY CLERK. September 6, 2011.

Submitting a claim from Max Martinez for alleged damages to his home when a City tree fell on top of the roof, broke part of the roof, window and siding and part of the fence.

Was referred to the Special Committee on Risk Management.

R. O. No. 188 - 11 - 12. By CITY CLERK. September 6, 2011.

Submitting a communication from Jeffrey Hermann being an article from the La Crosse Tribune titled, "City Review Supports Fire Department Staffing Levels, Saying Cuts Would Affect Service."

Was referred to the Strategic Fiscal Planning Committee.

R. O. No. 189 - 11 - 12. By CITY CLERK. September 6, 2011.

Submitting a communication from Mike and Diane Warner stating that they believe that the correct action for the Common Council regarding the Mayor is to allow the recall effort to continue and live by the results of that effort, which will be the will of the people.

Was referred to the Committee of the Whole.

R. O. No. 190 - 11 - 12. By CITY CLERK. September 6, 2011.

Submitting a communication from Richard W. Suscha stating his upset with the press conference that attracted all the news media.

Was referred to the Committee of the Whole.

R. O. No. 191 - 11 - 12. By CITY CLERK. September 6, 2011.

Submitting a communication from 14 past Alderpersons and 1 past Mayor stating that the current Common Council should make the hiring of a full-time City Administrator a priority.

Was referred to the Committee of the Whole.

RESOLUTIONS INTRODUCED

***Res. No. 64 - 11 - 12. By Alderpersons Boeldt and Dekker. September 6, 2011.**

A RESOLUTION confirming the exercise of police power in making an assessment for those benefited properties against which assessments are proposed for the water lateral replacement in S. 13th St. from south of Indiana Ave. to Broadway.

RESOLVED: That the assessments and schedule of the proposed assessments prepared by the Board of Water Commissioners for the proposed water lateral replacement in S. 13th St. from south of Indiana Ave. to Broadway are hereby confirmed, and the City Clerk is authorized and directed to publish the notices required by law.

BE IT FURTHER RESOLVED: That the Board of Water Commissioners is hereby authorized and directed to carry out the work in accordance with the report, as finally approved, and that payment thereof be made as therein provided.

***Res. No. 65 - 11 - 12. By Alderpersons Boeldt and Dekker. September 6, 2011.**

A RESOLUTION confirming the exercise of police power in making an assessment for those benefited properties against which assessments are proposed for the water lateral replacement in Broadway from S. 13th St. to S. 14th St.

RESOLVED: That the assessments and schedule of the proposed assessments prepared by the Board of Water Commissioners for the proposed water lateral replacement in Broadway from S. 13th St. to S. 14th St. are hereby confirmed, and the City Clerk is authorized and directed to publish the notices required by law.

BE IT FURTHER RESOLVED: That the Board of Water Commissioners is hereby authorized and directed to carry out the work in accordance with the report, as finally approved, and that payment thereof be made as therein provided.

***Res. No. 66 - 11 - 12. By Alderpersons Roeseler and Versey. September 6, 2011.**

A RESOLUTION confirming the exercise of police power in making an assessment for those benefited properties against which assessments are proposed for the water main installation in Eisner Ave., 150' east of Huberts Circle to Lake Shore Rd.

September 6, 2011

RESOLVED: That the assessments and schedule of the proposed assessments prepared by the Board of Water Commissioners for the proposed water main installation in Eisner, 150' east of Huberts Circle to Lake Shore Rd. are hereby confirmed, and the City Clerk is authorized and directed to publish the notices required by law.

BE IT FURTHER RESOLVED: That the Board of Water Commissioners is hereby authorized and directed to carry out the work in accordance with the report, as finally approved, and that payment thereof be made as therein provided.

Res. No. 67 - 11 - 12. By Alderperson Hammond. September 6, 2011.

A RESOLUTION authorizing retaining outside legal counsel to represent the City in several real property assessment appeals and authorizing payment for said services.

RESOLVED: That the appropriate City officials are hereby authorized to retain the services of Attorney Amie B. Trupke of Stafford Rosenbaum LLP to represent the City in the defense of the following lawsuits alleging their 2010 real property assessments for their properties are excessive: Walgreen Co. v. City of Sheboygan, Case No. 11CV0817 (regarding the three Walgreens stores), JFM1, LLC v. City of Sheboygan, Case No. 11CV0818 (regarding the Memorial Mall), and Claremont New Frontier Resort, LLC v. City of Sheboygan and Board of Review, Case No. 11CV0907 (regarding Blue Harbor).

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 Hammond and second by Alderperson Rindfleisch to suspend the rules of the Common Council was passed by unanimous consent.

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

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 15.

Nays: None.

Abstain: Hammen-1.

Res. No. 68 - 11 - 12. By Alderperson Hammond. September 6, 2011.

A RESOLUTION authorizing entering into an Intergovernmental Cooperation Agreement with the City of Plymouth for IT services.

RESOLVED: That the appropriate City officials are hereby authorized to execute the Intergovernmental Cooperation Agreement for Technical Support Services Between the City of Sheboygan and the City of Plymouth, a copy of which is attached hereto.

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

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

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 16.

Nays: None.

Res. No. 69 - 11 - 12. By Alderperson Hammond. September 6, 2011.

A RESOLUTION authorizing retaining outside legal counsel to represent the City in the matter of American Family Mutual Insurance Company against the City and authorizing payment for said services.

RESOLVED: That the Common Council hereby authorizes the hiring of Olsen, Kloet, Gunderson & Conway as outside legal counsel to represent the City of Sheboygan in the matter of American Family Mutual Insurance Company v. City of Sheboygan, et al., Sheboygan County Circuit Court Case No. 11CV0873.

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 Hammond and second by Alderperson Rindfleisch to suspend the rules of the Common Council was passed by unanimous consent.

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

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Van Akkeren, VanderWeele, Versey - 15.

Nays: None.

Abstain: Sampson

Res. No. 70 - 11 - 12. By Alderperson VanderWeele. September 6, 2011.

September 6, 2011

A RESOLUTION authorizing the appropriate City officials to submit a records retention/disposition schedule to the State Public Records and Forms Board for approval.

RESOLVED: That the City Attorney is authorized to submit the City of Sheboygan Records Retention/Disposition Schedule, a copy of which is attached, to the State of Wisconsin Public Records and Forms Board for approval.

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

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

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 16.

Nays: None.

Res. No. 71 - 11 - 12. By Alderperson Hammond. September 6, 2011.

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$670,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2011A.

WHEREAS, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City of Sheboygan, Sheboygan County, Wisconsin (the "City") to raise funds for public purposes, including paying the cost of acquiring equipment (the "Project"), and there are insufficient funds on hand to pay said cost;

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), Wisconsin Statutes;

WHEREAS, cities are authorized by the provisions of Section 67.12(12), Wisconsin Statutes, to borrow money and issue general obligation promissory notes for such public purposes;

WHEREAS, the City has directed its financial advisor, Ehlers & Associates, Inc., Brookfield, Wisconsin ("Ehlers") to take the steps necessary to sell the general obligation promissory notes designated "General Obligation Promissory Notes, Series 2011" (the "Notes") to pay the cost of the Project;

WHEREAS, the City Clerk (in consultation with Ehlers) caused a form of notice of the sale to be distributed to potential bidders offering the Notes for public sale on September 6, 2011;

WHEREAS, the City has duly received bids for the Notes as described on the Bid Tabulation attached hereto as Exhibit A and incorporated herein by this reference (the "Bid Tabulation"); and

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation is deemed to be the most advantageous to the City. Ehlers has recommended that the City accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit B and incorporated herein by this reference.

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

Section 1A. Ratification of Offering Materials. All actions taken by officers of the City and Ehlers in connection with the preparation and distribution of the offering materials are hereby ratified and approved in all respects.

Section 1B. Authorization and Award of the Notes. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(12), Wisconsin Statutes, the principal sum of SIX HUNDRED SEVENTY THOUSAND DOLLARS (\$670,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal of the Purchaser offering to purchase the Notes for the sum set forth on the Proposal, plus accrued interest to the date of delivery, resulting in a true interest cost as set forth on the Proposal is hereby accepted. The Mayor and City Clerk or other appropriate officers of the City are authorized and directed to execute an acceptance of the Proposal on behalf of the City. The Notes bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes, Series 2011A"; shall be issued in the aggregate principal amount of \$670,000; shall be dated September 29, 2011; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on October 1 of each year, in the years and principal amounts as set forth on the Proposal. Interest is payable semi-annually on April 1 and October 1 of each year commencing on April 1, 2012. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Notes is set forth on the Debt Service Schedule attached hereto as Exhibit C and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Notes shall not be subject to optional redemption.

Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit D and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2011 through 2015 for the payments due in the years 2012 through 2016 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Notes remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for \$670,000 General Obligation Promissory Notes, Series 2011A, dated September 29, 2011" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. The City Treasurer shall deposit in the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the City above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Notes; Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the City and disbursed solely for the purposes for which borrowed or for the payment of the principal of and the interest on the Notes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purposes shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Notes and the ownership, management and use of the projects will not cause the Notes to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or

permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Designation as Qualified Tax-Exempt Obligations. The Notes are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 11. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 12. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by the City Clerk or City Treasurer (the "Fiscal Agent").

Section 13. Persons Treated as Owners; Transfer of Notes. The City shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 14. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the City at the close of business on the Record Date.

Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the City and on file in the City Clerk's office.

Section 16. Payment of Issuance Expenses. The City authorizes the Purchaser to forward the amount of the proceeds of the Notes allocable to the payment of issuance expenses to KleinBank, Chaska, Minnesota at Closing for further distribution as directed by Ehlers.

Section 17. Offering Statement. The Common Council hereby approves the Preliminary Offering Statement with respect to the Notes and deems the Preliminary Offering Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Preliminary Offering

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Statement and any addenda to it or Final Offering Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Offering Statement and any addenda or Final Offering Statement. The City Clerk shall cause copies of the Preliminary Offering Statement and any addenda or Final Offering Statement to be distributed to the Purchaser.

Section 18. Undertaking to Provide Continuing Disclosure. The continuing disclosure requirements of the Rule are not applicable to the Notes because the Notes are a primary offering of less than \$1,000,000.

Section 19. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 20. Bond Insurance. If the Purchaser of the Notes determines to obtain municipal bond insurance with respect to the Notes, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the

Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 21. 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.

EXHIBIT A
Bid Tabulation

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

EXHIBIT B
Winning Bid

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.
(See Attached)

EXHIBIT C
Debt Service Schedule and Irrepealable Tax Levies

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

EXHIBIT D
(Form of Note)

UNITED STATES OF AMERICA		
REGISTERED	STATE OF WISCONSIN	DOLLARS
SHEBOYGAN COUNTY		
NO. R-____	CITY OF SHEBOYGAN	\$_____
GENERAL OBLIGATION PROMISSORY NOTE, SERIES 2011A		
MATURITY DATE:	ORIGINAL DATE OF ISSUE:	INTEREST RATE: CUSIP:
October 1, _____	September 29, 2011	_____% _____

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: _____ THOUSAND DOLLARS (\$_____)

FOR VALUE RECEIVED, the City of Sheboygan, Sheboygan County, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest is payable semi-annually on April 1 and October 1 of each year commencing on April 1, 2012 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Note are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Note is registered on the Bond Register maintained by the City Clerk or City Treasurer (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding the semi-annual interest payment date (the "Record Date"). This Note is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

For the prompt payment of this Note together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the City are hereby irrevocably pledged.

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This Note is one of an issue of Notes aggregating the principal amount of \$670,000, all of which are of like tenor, except as to denomination, interest rate and maturity date, issued by the City pursuant to the provisions of Section 67.12(12), Wisconsin Statutes, for public purposes including paying the cost of acquiring equipment, all as authorized by a resolution of the Common Council duly adopted by said governing body at a meeting held on September 6, 2011. Said resolution is recorded in the official minutes of the Common Council for said date.

This Note is not subject to optional redemption.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Note have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the City, including this Note and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrevocable tax has been levied sufficient to pay this Note, together with the interest thereon, when and as payable.

This Note has been designated by the Common Council as a "qualified tax-exempt obligation" pursuant to the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

This Note is transferable only upon the books of the City kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Notes, and the City appoints another depository, upon surrender of the Note to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, upon surrender of this Note together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Note in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the City for any tax, fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Notes after the Record Date. The Fiscal Agent and City may treat and consider the Depository in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Notes are issuable solely as negotiable, fully-registered Notes without coupons in the denomination of \$5,000 or any integral multiple thereof.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, the City of Sheboygan, Sheboygan County, Wisconsin, by its governing body, has caused this Note to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Mayor and City Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

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

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

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 16.

Nays: None.

Res. No. 72 - 11 - 12. By Alderpersons Hammond and Roeseler. September 6, 2011.

A RESOLUTION establishing the position of Chief Administrative Officer for the City of Sheboygan.

WHEREAS, the Mayor and the Common Council should focus their efforts on the long-term vision and future direction of our great city along with developing future economic development opportunities,

WHEREAS, implementing a Chief Administrative Officer to manage the day-to-day functions of the City, provides the Mayor and Common Council the opportunity to focus on the long-term vision and future direction of the City without the distraction of day-to-day management;

WHEREAS, having such management provides continuity in the day-to-day operations of the city to include supervision and coordination of municipal service departments,

WHEREAS, by making minor changes to the existing table of organization, the position of Chief Administrative Officer would be at minimal additional cost to the taxpayers of the City,

WHEREAS, experience has shown that an effective Chief Administrative Officer can provide cost savings through efficiencies and operational changes, and

WHEREAS, in 2009 and 2010, the Government Structure Committee, after careful review and evaluation of multiple options, recommended the hiring of a Chief Administrative Officer.

NOW, THEREFORE, BE IT RESOLVED: That the position of Chief Administrative Officer shall be created and appropriate actions be taken to establish the position effective October 1, 2011.

A motion by Alderperson Hammond and second by Alderperson Roeseler was made to pass the Resolution.

Before action was taken thereon, a motion by Alderperson Sampson and second by Alderperson Boeldt was made to refer the Resolution to the Committee of the Whole failed on call of the roll:

Ayes: Boeldt, Dekker, Sampson, Van Akkeren □ 4.

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Nays: Bohren, Carlson, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, VanderWelle, Versey □ 12.

A motion by Alderperson Bohren and second by Alderperson Versey was made to amend to add to all "Chief Administrative Officer"; "Chief Administrative Officer/City Administrator" was passed, all Alderpersons voting "Aye".

A motion by Alderperson Hammond and second by Alderperson Roeseler was made to call the question of the referral to the Committee of the Whole passed, all Alderpersons voting "Aye".

A motion by Alderperson Van Akkeren and second by Alderperson Kath was made to call the question on passing the Resolution, as amended, passed, all Alderpersons voting "Aye".

On motion by Alderperson Hammond and second by Alderperson Roeseler, the Resolution as amended, passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Van Akkeren, VanderWeele, Versey - 15.

Nays: Sampson □ 1.

Res. No. 73 - 11 - 12. By Alderpersons Hammond and Roeseler. September 6, 2011.

A RESOLUTION terminating the removal proceedings by the Common Council against Mayor Bob Ryan.

WHEREAS, the past several weeks have been extremely difficult for many citizens of our proud and great city,

WHEREAS, Mayor Ryan's actions were indefensible and have, by his own admission, brought great embarrassment to the City, his family and himself,

WHEREAS, an investigation and subsequent hearing would bring additional embarrassment to the City and potentially harm Sheboygan's economic development efforts,

WHEREAS, such investigation and hearing would also continue to be a tremendous distraction to the good work of our city employees and the Council,

WHEREAS, Mayor Ryan has agreed to monitoring of his progress and random alcohol testing through a mutually agreed upon medical professional,

WHEREAS, Mayor Ryan has indicated, verbally and in writing, absolute sobriety and that he will resign without hesitation should any lapse in his sobriety occur,

WHEREAS, this resolution shall not be construed as minimizing the Mayor's conduct or endorsing Mayor Ryan's actions as acceptable by an elected representative of our City.

NOW, THEREFORE, BE IT RESOLVED: That the Common Council will terminate the removal process effective today.

On motion by Alderperson Hammond and second by Alderperson Roeseler, the Resolution lost on call of the roll:

Ayes: Carlson, Hammen, Hammond, Matichek, Rindsfleisch, Roeseler, VanderWeele □ 7.

Nays: Boeldt, Bohren, Dekker, Heidemann, Kath, Kittelson, Sampson, Van Akkeren, Versey □ 9.

Res. No. 74 - 11 - 12. By Alderpersons Rindfleisch, Bohren, Matichek and Van Akkeren. September 6, 2011.

A RESOLUTION to authorize a transfer of appropriations in the 2011 Budget.

RESOLVED: That the Finance Director be and is hereby authorized and directed to make the following transfers of appropriations in the 2011 Budget for the purposes of:

Lies over under the rules.

Res. No. 75 - 11 - 12. By Alderperson Hammond. September 6, 2011.

A RESOLUTION setting the rates for the provision of dedicated fire and medical services stand-bys provided to the public by the Sheboygan Fire Department.

Was referred to the Committee on Finance and to the Committee on Public Protection and Safety.

Res. No. 76 - 11 - 12. By Alderperson Hammond. September 6, 2011.

A RESOLUTION amending Res. No. 189-10-11 authorizing entering into an agreement with Vandewalle & Associates to provide planning services to implement the key recommendations and economic initiatives of the Indiana Avenue District Redevelopment Plan.

Was referred to the Committee on Finance.

Res. No. 77 - 11 - 12. By Alderperson Rindfleisch. September 6, 2011.

A RESOLUTION authorizing the Common Council to engage the services of special outside legal counsel to represent the Council with regard to a quasi-judicial hearing and authorizing payment for said services.

A motion by Alderperson Rindfleisch and second by Alderperson Versey was made to pass the Resolution.

Before action was taken thereon, a motion by Alderperson Hammond and second by Alderperson Carlson was made to hold the Resolution over to the next Common Council meeting passed on call of the roll:

Ayes: Carlson, Hammen, Hammond, Heidemann, Kittelson, Matichek, Rindfleisch, Roeseler, VanderWeele □ 9.

Nays: Boeldt, Bohren, Dekker, Kath, Sampson, Van Akkeren, Versey □ 7.

A motion by Alderperson Rindfleisch and second by Alderperson Heidemann to reconsider the vote passed, all Alderpersons voting "Aye".

A motion by Alderperson Rindfleisch and second by Alderperson Heidemann, to refer the Resolution to the Committee of the Whole, passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 16.

Nays: None.

Res. No. 78 - 11 - 12. By Alderperson Rindfleisch. September 6, 2011.

A RESOLUTION authorizing the Common Council to engage the services of special outside legal counsel to represent the City of Sheboygan in the role of special prosecutor with regard to a quasi-judicial hearing.

A motion by Alderperson Rindfleisch and second by Alderperson Versey was made to pass the Resolution.

Before action was taken thereon, a motion by Alderperson Hammond and second by Alderperson Carlson was made to hold the Resolution over to the next September Common Council meeting, passed on call of the roll:

Ayes: Carlson, Hammen, Hammond, Heidemann, Kittelson, Matichek, Rindfleisch, Roeseler, VanderWeele □ 9.

Nays: Boeldt, Bohren, Dekker, Kath, Sampson, Van Akkeren, Versey □ 7.

A motion by Alderperson Rindfleisch and second by Alderperson Heidemann was made to reconsider the vote passed, all Alderpersons voting "Aye".

A motion by Alderperson Rindfleisch and second by Alderperson Heidemann was made to refer the Resolution to the Committee of the Whole, passed on call of the roll:

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 16.

Nays: None.

REPORTS OF COMMITTEES

R. C. No. 148 - 11 - 12. By FINANCE. September 6, 2011.

Your Committee to whom was referred the following:

1. R. O. No. 36-11-12 by the Library Director conveying the Mead Public Library Board Annual Report for 2010; and
2. R. O. No. 144-11-12 by the Board of Water Commissioners submitting the preliminary 2012 Water Utility budget figures;

recommends that the documents be placed on file.

On motion by Alderperson Hammond and second by Alderperson Rindfleisch, the Report of Committee was accepted and adopted, all Alderpersons voting "aye".

R. C. No. 149 - 11 - 12. By LAW AND LICENSING. September 6, 2011.

Your Committee to whom was referred R. O. No. 108-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that the following licenses be granted:

BEVERAGE OPERATOR'S LICENSE-NEW (June 30, 2013)

No.	Name
6174	Schemrich, Matthew D.
8335	VerVelde, Spencer E.

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

On motion by Alderperson VanderWeele and second by Alderperson Kath, the Report of Committee was accepted and adopted, all Alderpersons voting "Aye".

R. C. No. 150 - 11 - 12. By FINANCE. September 6, 2011.

Your Committee to whom was referred R. O. No. 145-11-12 by the City Clerk submitting a communication from the Office of the Sheboygan County Sheriff along with a final draft of an addendum to the Intergovernmental Cooperative Agreement (ICA) for the allocation of costs for ongoing Spillman CAD/RMS maintenance; recommends that the Addendum to the Intergovernmental Cooperative Agreement be approved.

On motion by Alderperson Hammond and second by Alderperson Rindfleisch, the Report of Committee was accepted and adopted, the majority of Alderpersons voting "Aye" and Alderperson Van Akkeren abstained.

R. C. No. 151 - 11 - 12. By PUBLIC PROTECTION AND SAFETY. September 6, 2011.

Your Committee to whom was referred a copy of R. O. No. 145-11-12 by the City Clerk submitting a communication from the Office of the Sheboygan County Sheriff along with a final draft of an addendum to the

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Intergovernmental Cooperative Agreement (ICA) for the allocation of costs for ongoing Spillman CAD/RMS maintenance; recommends approval of the recommendation.

On motion by Alderperson Kittelson and second by Alderperson Dekker, the Report of Committee was accepted and adopted, the majority of Alderpersons voting "Aye" and Alderperson Van Akkeren abstained.

R. C. No. 152 - 11 - 12. By PUBLIC PROTECTION AND SAFETY. September 6, 2011.

Your Committee to whom was referred the following:

1. R. O. No. 147-11-12 by the City Clerk submitting a communication from the Town of Wilson Chairperson stating that the Town of Wilson encourages the City to be cautious in changing their structure for fire coverage;
2. R. O. No. 151-11-12 by the Development Manager submitting the Building Inspection Housing Inspection Activity Report for year ending 2010; and
3. R. O. No. 152-11-12 by the Development Manager submitting the Building Inspection Housing Inspection Activity Report for year to date, 2011;

recommends that the documents be accepted and placed on file.

On motion by Alderperson Kittelson and second by Alderperson Dekker, the Report of Committee was accepted and adopted, all Alderpersons voting "Aye".

R. C. No. 153 - 11 - 12. By PUBLIC WORKS. September 6, 2011.

Your Committee to whom was referred R. O. No. 155-11-12 by the City Clerk submitting a communication from the President of the Sheboygan Great Lakes Sports Fishermen's Club stating that since the water level has dropped dramatically, the emergency ladders are no longer accessible to anyone that may accidentally fall into the harbor and need a means of getting out of the water; recommends that the document be accepted and placed on file.

On motion by Alderperson Heidemann and second by Alderperson Kath, the Report of Committee was accepted and adopted, the majority of Alderperson voting "Aye" and Alderperson Van Akkeren voting "Nay".

R. C. No. 154 - 11 - 12. By LAW AND LICENSING. September 6, 2011.

Your Committee who met on August 18, 2011 and discussed the proposed City of Sheboygan Records Retention/Disposition Schedule; recommends that the records retention schedule be approved.

On motion by Alderperson VanderWeele and second by Alderperson Kath, the Report of Committee was accepted and adopted, all Alderpersons voting "Aye".

R. C. No. 155 - 11 - 12. By LAW AND LICENSING. September 6, 2011.

Your Committee to whom was referred R. C. No. 117-11-12 by Law and Licensing and pursuant to R. O. No. 86-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that Pawnbroker License application #2832 (Patriot Pawn and Loan) be denied based upon concerns regarding issues of public safety and protection and the criminal background of Krisandra Guell's business partners.

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

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 16.

Nays: None.

R. C. No. 156 - 11 - 12. By LAW AND LICENSING. September 6, 2011.

Your Committee to whom was referred, pursuant to R. O. No. 108-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that Beverage Operator's License application #8390 be denied based upon her failure to accurately reveal all relevant convictions on her application, her record of violations related to the licensed activity, and her failure to cooperate with the Committee.

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

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 16.

Nays: None.

R. C. No. 157 - 11 - 12. By LAW AND LICENSING. September 6, 2011.

Your Committee to whom was referred, pursuant to R. O. No. 108-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that Beverage Operator's License application #9204 be denied based upon record of violations related to the licensed activity, including additional violation information provided by Police at the Law and Licensing meeting.

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

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 16.

Nays: None.

R. C. No. 158 - 11 - 12. By LAW AND LICENSING. September 6, 2011.

Your Committee to whom was referred, pursuant to R. O. No. 118-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that the following licenses be granted:

BEVERAGE OPERATOR'S LICENSE (June 30, 2013)

No.	Name
5874	Tadych, Emily J.
9249	Tilton, Shawn M.

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

On motion by Alderperson VanderWeele and second by Alderperson Kath, the Report of Committee was accepted and adopted, all Alderpersons voting "Aye".

R. C. No. 159 - 11 - 12. By LAW AND LICENSING. September 6, 2011.

Your Committee to whom was referred, pursuant to R. O. No. 146-11-12 by the City Clerk, submitting license applications for the period ending June 30, 2012 and June 30, 2013; recommends that the following licenses be granted:

CHANGE OF AGENT

Robert Scheibl is taking the place of Toby Watson as agent for Shevegas effective immediately.

CHANGE OF PREMISE

No.	Name	Address
1083	Vibez	2513 S 8 th St – for a one day event 9/11/11 to include grassy area east side of building

BEVERAGE OPERATOR'S LICENSE (June 30, 2013)

No.	Name
9265	Berenz, Dustin J.
9279	Bohn, Sarah M.
9261	Bubb, Tyler S.
9271	Deiler, Ryan C.
9276	Hernandez, Sandra R.
9272	Hietpas, Daniel M.
9263	Little, Ashley A.
9260	Lorge, Becky A.
8169	Marks, Andrew P.
5596	McGlade, Leah M
6996	Peterson, Michelle L.
9273	Pittner, Brian J.
7070	Potter, Jennifer A.
9270	Saeger, Christina A.
4517	Schueller, Kimberly A.
2944	Smith, Donna M.
6325	Thompson, Susan R.
7603	Wagner, Michael C.

TAXICAB DRIVER LICENSE APPLICATION (June 30, 2012)

No.	Name
9280	Alvarez, Juan M.
9268	Pratt, Scott A.

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

On motion by Alderperson VanderWeele and second by Alderperson Kath, the Report of Committee was accepted and adopted, the majority of Alderpersons voting "Aye" and Alderperson Versey abstaining.

R. C. No. 160 - 11 - 12. By PUBLIC WORKS. September 6, 2011.

Your Committee to whom was referred the following:

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1. R. O. No. 126-11-12 by the Director of Public Works submitting a resume of bids for the 2011 Bituminous Resurfacing Program II; and
2. Res. No. 51-11-12 by Alderperson Bohren authorizing entering into a contract for the 2011 Bituminous Resurfacing Program II;

recommends that the documents be placed on file and to rebid the project next year.

On motion by Alderperson Heidemann and second by Alderperson Kath, the Report of Committee was accepted and adopted, all Alderpersons voting "Aye".

R. C. No. 161 - 11 - 12. By FINANCE. September 6, 2011.

Your Committee to whom was referred Res. No. 60-11-12 by Alderperson Hammond authorizing entering into an Intergovernmental Cooperation Agreement with the Village of Kohler for IT services; recommends that the Resolution be passed.

Was accepted and adopted.

RESOLUTIONS ON SECOND READING

Res. No. 60 - 11 - 12. By Alderperson Hammond. August 15, 2011.

A RESOLUTION authorizing entering into an Intergovernmental Cooperation Agreement with the Village of Kohler for IT services.

RESOLVED: That the appropriate City officials are hereby authorized to execute the Intergovernmental Cooperation Agreement for Technical Support Services Between the City of Sheboygan and the Village of Kohler, a copy of which is attached hereto.

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

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 16.

Nays: None.

ORDINANCES INTRODUCED

Gen. Ord. No. 23 - 11 - 12. By Alderpersons VanderWeele, Kath and Rindfleisch. September 6, 2011.

AN ORDINANCE amending various sections of Section 94-131 of the Municipal Code so as to make changes to reporting, documentation, and other requirements of pawn shops in the City of Sheboygan.

Lies over under the rules.

Gen. Ord. No. 24 - 11 - 12. By Alderpersons Hammond and Roeseler. September 6, 2011.

AN ORDINANCE creating Division 5 of Article III of Chapter 2 of the Municipal Code relating to the position of Chief Administrative Officer.

Was referred to the Committee of the Whole and to the Committee on Salaries and Grievances.

Gen. Ord. No. 25 - 11 - 12. By Alderpersons Hammond and Roeseler. September 6, 2011.

AN ORDINANCE amending Section 29-75 of the 1975 Sheboygan Municipal Code so as to add/delete positions in the Mayor's Office and the Finance Department Table of Organization.

Was referred to the Committee of the Whole and to the Committee on Salaries and Grievances.

MATTERS LAID OVER

R. O. No. 141 - 11 - 12. By CITY PLAN COMMISSION. August 15, 2011.

Your Commission to whom was referred Gen. Ord. No. 18-11-12 relative to establishing the Use District Classification of PPUD Pre-Planned Unit Development on recently annexed property located west of Taylor Drive and north of Indiana Avenue; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, August 9, 2011, and after due consideration, recommends approval of the Ordinance.

R. O. No. 142 - 11 - 12. By CITY PLAN COMMISSION. August 15, 2011.

Your Commission to whom was referred Gen. Ord. No. 19-11-12 relative to establishing the Use District Classification of SR-5 Suburban Residential-5 on recently annexed property located south of Erie Avenue and west of North 28th Street; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, August 9, 2011, and after due consideration, recommends approval of the Ordinance.

On motion by Alderperson Sampson and second by Alderperson Versey, the two foregoing Reports of Officer were filed, all Alderpersons voting "Aye".

Res. No. 59 - 11 - 12. By Alderpersons Roeseler, Kittelson, Dekker and Sampson. August 15, 2011.

A RESOLUTION lifting the hiring freeze in order to hire a Manager of Human Resources in the Human Resources Department.

WHEREAS, the City of Sheboygan passed Resolution 28-10-11 that extended the hiring freeze to December 31, 2011;

WHEREAS, the hiring freeze allows for emergency exceptions upon approval of the Mayor and Council;

WHEREAS, the Mayor recently approved the Hiring Audit form to authorize hiring a Manager of Human Resources.

NOW, THEREFORE, BE IT RESOLVED: That the Common Council hereby authorizes, as an emergency exception to the hiring freeze, the hiring of a Manager of Human Resources in the Human Resources Department.

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

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 16.

Nays: None.

Gen. Ord. No. 22 - 11 - 12. By Alderpersons Roeseler, Kittelson, Dekker and Sampson. August 15, 2011.

AN ORDINANCE amending Section 29-75 of the 1975 Sheboygan Municipal Code so as to delete the current Director of Human Resources & Labor Relations and create the job description of Manager of Human Resources in the Human Resources Department for the City of Sheboygan.

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

Section 1. Section 29-75 of the 1975 Sheboygan Municipal Code entitled, "List of Classes and Class Specifications," is hereby amended in Section 7. Human Resources Department as follows:

- A. CITY HALL DEPARTMENTS
- 7. HUMAN RESOURCES

DELETE:

	Job Code	Class Grade	NO. of Employees
Director of Human Resources & Labor Relations	A02001D	13	1.0

ADD:

Manager of Human Resources	A02001D	13	1.0
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Section 2. The new job description for the Manager of Human Resources in the Human Resources Department is attached, and copies of which shall be on file in the offices of the City Clerk, City Finance Director/Treasurer and Human Resources Department.

Section 3. 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 and attached job descriptions shall be in effect from and after its passage and publication.

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

Ayes: Boeldt, Bohren, Carlson, Dekker, Hammen, Hammond, Heidemann, Kath, Kittelson, Matichek, Rindfleisch, Roeseler, Sampson, Van Akkeren, VanderWeele, Versey - 16.

Nays: None.

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

Mayor

City Clerk