

COMMON COUNCIL

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

EIGHTEENTH REGULAR MEETING

The Council met: Monday, December 20, 2010.

Mayor Bob Ryan in the Chair:

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

Bohren, Bouck, Bowers, Dekker, Hammond, Hanna, Heidemann, Kath, Montemayor, Rindfleisch, Roeseler, Sampson, VanderWeele, Versey, Wangemann – 15.

Excused – Kittelson – 1.

On motion by Alderperson Rindfleisch and second by Alderperson Montemayor, the reading of the minutes of the Seventeenth Regular Meeting held December 6, 2010, and the minutes of the Second Special Meeting held November 24, 2010 and the Third Special Meeting held December 9, 2010 were approved as entered on the record, all Alderpersons present voting "Aye".

RESIGNATION

December 17, 2010

Mayor Bob Ryan

Edward Wackowski, Jr

Resignation

This is to inform you of my resignation from the Mead Library Board of Trustee effective December 31, 2010.

It has been a pleasure to serve the citizens of Sheboygan on this board for the last 4 years.

Best to you and have a very happy holiday.

Sincerely,

Edward Wackowski, Jr

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

MAYOR'S APPOINTMENTS

December 20, 2010

HONORABLE MEMBERS OF THE COMMON COUNCIL:

I hereby submit the following appointment for your consideration:

Herb Binkowsky to be considered for appointment to the City/County Shared Services Committee to fill the unexpired term of Greg Weggeman whose term expires 4/25/11.

MAYOR BOB RYAN

Lies over under the rules.

December 20, 2010

I hereby submit the following appointment for your consideration:

Lee E. Grosenick to be appointed as City Assessor for a five year term contingent upon successful completion of the six month probationary period, commencing December 21, 2010 and expiring December 20, 2015.

Bob Ryan, Mayor

On motion by Alderperson Montemayor and second by Alderperson Hammond, the foregoing appointment was referred to the Committee on Salaries and Grievances, all Alderpersons present voting "Aye".

PUBLIC FORUM

Dolyce Johnson, 1306 N. 3rd St. spoke.

MAYOR'S ANNOUNCEMENTS

HEARINGS

Hearing 8 - 10 - 11. December 20, 2010.

Pursuant to a notice published by the City Clerk, there is a hearing this evening regarding Just Kids Dental, S.C. Project Midwestern Disaster Area Revenue Bonds, Series 2010.

All interested persons will now be heard.

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

Hearing 9 - 10 - 11. December 20, 2010.

Pursuant to a notice published by the City Clerk, there is a hearing this evening regarding Industrial Development Revenue Bond Financing to benefit Torginal, Inc. Project.

All interested persons will now be heard.

On motion by Alderperson Rindfleisch and second by Alderperson Montemayor, the foregoing hearing was closed, all Alderpersons present voting "Aye".

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

Ayes: Bohren, Bouck, Bowers, Dekker, Hammond, Hanna, Heidemann, Kath, Montemayor, Rindfleisch, Roeseler, Sampson, VanderWeele, Versey, Wangemann – 15.

Nays: None.

COMMUNICATIONS AND PETITIONS

Com. No. 52 - 10 - 11. December 20, 2010.

Submitting a communication from Ald. James Bohren making various requests regarding the transition to the new billing service for the SFD Ambulance Service.

Was referred to the Committee on Finance.

Com. No. 53 - 10 - 11. December 20, 2010.

Submitting a communication from James Kroscher requesting removal of stop signs at three locations in the city.

Was referred to the Committee on Public Protection and Safety.

Com. No. 54 - 10 - 11. December 20, 2010.

Submitting a communication from Richard Hartmann regarding the ruling for the type of plastic bags to be used for the disposal of garbage.

Was referred to the Committee on Public Works.

Com. No. 55 - 10 - 11. Alderperson Dekker. December 20, 2010.

Submitting a communication from Roberta Sommers, regarding a complaint from Ronald Knier that a snowplow on his street was going too fast and threw snow and ice chunks that hit his neighbor and himself, luckily not causing any injuries.

Was referred to the Committee on Public Works.

REPORTS OF OFFICERS

***R. O. No. 330 - 10 - 11. By CITY CLERK. December 20, 2010.**

Submitting various license applications.

COMMERCIAL OPERATOR'S LICENSE (December 31, 2010)

No.	Name
2787	CG Services LLC
2138	Juniors Tree Service
1951	Scotty Landscape Supply LLC
2473	Stump Eliminators, LLC

MASSAGE ESTABLISHMENT LICENSE (December 31, 2010)

No.	Name
2258	Curative Therapies LLC
1901	Lighthouse Therapy Services
2586	Nellise Schmitt
2523	Nouvelle Salon and Day Spa
2463	Professional Massave Therapy
1701	Salon Sase

SECONDHAND ARTICLE LICENSE (December 31, 2010)

No.	Name
1741	BJ's Shooters Supply

***R. O. No. 331 - 10 - 11. By CITY PLAN COMMISSION. December 20, 2010.**

Your Commission discussed Offers to Purchase from Sheboygan County to purchase a portion of City owned property needed for the CTH "OK" and CTH "EE" roundabout; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, December 14, 2010, and after due consideration, recommends proper documents

December 20, 2010

be drawn and passed accepting the Offers to Purchase in the amount of \$1,180.40 for Parcel #4 and \$28,193.40 for Parcel #7 as shown on the attached map.

***R. O. No. 332 – 10 - 11. By CITY PLAN COMMISSION. December 20, 2010.**

Your Commission to whom was referred R. O. No. 313-10-11 relative to submitting a communication from James Kennedy requesting that the City vacate the street that is immediately south of his property at 532 S. Water St.; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, December 14, 2010, and after due consideration, recommends the Report of Officer be placed on file.

***R. O. No. 333 – 10 - 11. By CITY PLAN COMMISSION. December 20, 2010.**

Your Commission to whom was referred Res. No. 156-10-11 relative to authorizing the purchase of 712 S. Water Street for the purpose of razing the property for future redevelopment; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, December 14, 2010, and after due consideration, recommends the Resolution be passed.

***R. O. No. 334 – 10 - 11. By CITY PLAN COMMISSION. December 20, 2010.**

Your Commission to whom was referred Res. No. 157-10-11 relative to authorizing the sale of Lots 23 and 29, North Field Meadows Subdivision; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, December 14, 2010, and after due consideration, recommends the Resolution be passed.

***R. O. No. 335 – 10 - 11. By CITY PLAN COMMISSION. December 20, 2010.**

Your Commission to whom was referred Res. No. 158-10-11 relative to authorizing the purchase of 1026, 1028, 1028A Erie Avenue for the purpose of razing the property for new private investment in the neighborhood as part of the Neighborhood Revitalization Strategy Area activities; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, December 14, 2010, and after due consideration, recommends the Resolution be passed.

***R. O. No. 336 – 10 - 11. By CITY PLAN COMMISSION. December 20, 2010.**

Your Commission to whom was referred Res. No. 159-10-11 relative to authorizing the sale of City-owned property at 1309 Center Avenue; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, December 14, 2010, and after due consideration, recommends the Resolution be passed.

R. O. No. 337 - 10 - 11. By SENIOR ACTIVITY CENTER COMMISSION. December 20, 2010.

The Senior Activity Center Commission hereby requests that the Common Council amend Sections 2-726, 2-727 and 2-730 of the Sheboygan Municipal Code relating to, respectively, the composition of the membership of the SACC, the appointment of members of the SACC, and an addition to the functions and duties of the SACC as follows:

Lies over under the rules.

R. O. No. 338 - 10 - 11. By CITY CLERK. December 20, 2010.

Submitting, as a matter of record, a communication from Eastern Shores Library System informing Maeve Quinn, President of Mead Public Library Board, that the Library is not in compliance with the library system membership requirements for municipal public libraries per the State Statutes.

Was referred to the Committee on Finance.

R. O. No. 339 - 10 - 11. By CITY CLERK. December 20, 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. 340 - 10 - 11. By CITY CLERK. December 20, 2010.

Submitting a communication from Susie Runaas, Community Education Lead Specialist, requesting permission to host their annual St. Nicholas Hospital Freedom Run on Monday July 4, 2011.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 341 - 10 - 11. By CITY CLERK. December 20, 2010.

Submitting a communications from Kristine Krenz, Service Committee Chairperson, requesting permission to post signage at the Indiana Ave./8th St. rotary planting area.

Was referred to the Committee on Public Protection and Safety.

R. O. No. 342 - 10 - 11. By CITY CLERK. December 20, 2010.

December 20, 2010

Submitting a communication from Fritz Grunewald, Event Chairman of the Kettle Moraine Corvette Club requesting permission to hold their annual Custom Car Show at the cul de sac at the end of South Pier Dr, Sunday, August 28, 2011.

Was referred to the Committee on Public Works.

R. O. No. 343 - 10 - 11. By PURCHASING AGENT. December 10,2010

Submitting the State of WI contract Pricing for the purchase of police duty vehicles for the Sheboygan Police Department.

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

R. O. No. 344 - 10 - 11. By CITY CLERK. December 20, 2010.

Submitting a communication from Richard Hartmann regarding the possible cost for a name change and re-painting of the cities buses.

Was referred to the Sheboygan Transit Commission.

RESOLUTIONS INTRODUCED

***Res. No. 169 – 10 – 11. Alderperson Bohren. December 20, 2010.**

A RESOLUTION repealing Res. No. 19-10-11 declaring intent to exercise police power to levy special assessments for the reconstruction of S. 18th Street from Washington Ave. to the south line of Fox Hill Rd.

RESOLVED: Res. 19-10-11 declaring intent to exercise police power to levy special assessments for the reconstruction of S. 18th Street from Washington Ave. to the south line of Fox Hill Rd. adopted on June 7, 2010 is hereby repealed.

***Res. No. 170 – 10 - 11. By Alderperson Bohren. December 20, 2010.**

A PRELIMINARY RESOLUTION declaring intent to exercise the police power to levy special assessments for the reconstruction of S. 18th St. from Washington Ave. to the south line of Fox Hill Rd.

RESOLVED: That the reconstruction of S. 18th St. from Washington Ave. to the south line of Fox Hill Rd. is hereby proposed at the expense of the property to be benefited thereby, and that no part of the estimated aggregate cost shall be paid in advance under §66.0709, Stats.

BE IT FURTHER RESOLVED: That the City of Sheboygan does herewith intend to exercise its municipal police powers for the aforesated municipal purpose.

BE IT FURTHER RESOLVED: That the Engineering Division is hereby authorized and directed to prepare a report in accordance with §66.0703(4) and §66.0703(5), Stats, and that such report shall contain the following information:

- a. Preliminary or final plans and specifications
- b. An estimate of the entire cost of the proposed work or improvement
- c. A schedule of the proposed assessments
- d. A statement that the work or improvement constitutes an exercise of the municipality's police power
- e. A statement that the property against which the assessments are proposed is benefited

BE IT FURTHER RESOLVED: That the expenses so incurred, if in excess of one hundred dollars (\$100.00) may be paid in five (5) annual installments, ten (10) annual installments if the expenses exceed five thousand dollars (\$5,000.00) for a single parcel of property, under §66.0715(3), Stats, with interest, rate thereon determined by the Finance Director/Treasurer at the beginning of each calendar year, commencing the first of the month after thirty (30) days following publication of the installment assessment notice.

BE IT FURTHER RESOLVED: That the Engineering Division is hereby authorized and directed to advertise for bids under the five percent (5%) alternative of §62.15(3) Stats, for the paving aforementioned according to the plans and specifications prepared by, or on behalf of, the City Engineer and submit a resume of bids received and accepted to the Common Council for further consideration.

BE IT FURTHER RESOLVED: That when the projects are completed, the City Clerk is authorized and directed to publish the installment assessment notice required by law.

***Res. No. 171 – 10 - 11. By Alderperson Bohren. December 20, 2010.**

A PRELIMINARY RESOLUTION declaring intent to exercise the police power to levy special assessments for resurfacing various streets.

RESOLVED: That the resurfacing of the following street:

1. North Ave. from N. 10th St. to N. 15th St.

is hereby proposed at the expense of the property to be benefited thereby, and that no part of the estimated aggregate cost shall be paid in advance under §66.0709, Stats.

BE IT FURTHER RESOLVED: That the City of Sheboygan does herewith intend to exercise its municipal police powers for the aforesated municipal purpose.

December 20, 2010

BE IT FURTHER RESOLVED: That the Engineering Division is hereby authorized and directed to prepare a report in accordance with §66.0703(4) and §66.0703(5), Stats, and that such report should contain the following information:

- a. Preliminary or final plans and specifications
- b. An estimate of the entire cost of the proposed work or improvement
- c. A schedule of the proposed assessments
- d. A statement that the work or improvement constitutes an exercise of the municipality's police power
- e. A statement that the property against which the assessments are proposed is benefited

BE IT FURTHER RESOLVED: That the expenses so incurred, if in excess of one hundred dollars (\$100.00) may be paid in five (5) annual installments, ten (10) annual installments if the expenses exceed five thousand dollars (\$5,000.00) for a single parcel of property, under §66.0715(3), Stats, with interest, rate thereon determined by the Finance Director/Treasurer at the beginning of each calendar year, commencing the first of the month after thirty (30) days following publication of the installment assessment notice.

BE IT FURTHER RESOLVED: That the Engineering Division is hereby authorized and directed to advertise for bids under the five percent (5%) alternative of §62.15(3) Stats, for the paving aforementioned according to the plans and specifications prepared by, or on behalf of, the City Engineer and submit a resume of bids received and accepted to the Common Council for further consideration.

BE IT FURTHER RESOLVED: That when the projects are completed, the City Clerk is authorized and directed to publish the installment assessment notice required by law.

***Res. No. 172 - 10 - 11. By Alderperson Bohren. December 20, 2010.**

A RESOLUTION authorizing the bituminous resurfacing of various streets.

RESOLVED: That the resurfacing of the following street:

1. Superior Avenue from N. 6th St. to N. 14th St.

is hereby proposed and will be financed through the City of Sheboygan and the U.S. Department of Housing and Urban Development's Community Development Block Grant funds.

RESOLVED: That the Engineering Division is hereby authorized and directed to advertise for bids under the five percent (5%) alternative of Section 62.15(3), Wisconsin Stats, for the reconstruction project aforementioned, according to the plans and specifications prepared by, or on behalf of, the City Engineer, and submit a resume of bids received and accepted to the Common Council for further consideration.

***Res. No. 173 - 10 - 11. By Alderperson Bohren. December 20, 2010.**

A RESOLUTION authorizing the reconstruction of various streets.

RESOLVED: That the reconstruction of the following streets:

1. Center Ave. from N. 7th St. to N. 6th St.
2. New York Ave. from N. 7th St. to N. 6th St.
3. Wisconsin Ave. from N. 7th St. to N. 6th St.

Alternates:

1. N. 6th Street from Pennsylvania Ave. to Center Ave.
2. Washington Ct. from N. 6th St. to N. 5th St.
3. Wisconsin Ave. from N. 6th St. to N. 5th St.
4. N. 5th Street from Wisconsin Ave. to Washington Ct.

is hereby proposed and will be financed through the Wisconsin Department of Commerce Emergency Assistance Program and the U.S. Department of Housing and Urban Development's Community Development Block Grant funds.

RESOLVED: That the Engineering Division is hereby authorized and directed to advertise for bids under the five percent (5%) alternative of Section 62.15(3), Wisconsin Stats, for the reconstruction project aforementioned, according to the plans and specifications prepared by, or on behalf of, the City Engineer, and submit a resume of bids received and accepted to the Common Council for further consideration.

***Res. No. 174 - 10 - 11. By Alderperson Bohren. December 20, 2010.**

A RESOLUTION authorizing the bituminous resurfacing of various streets.

RESOLVED: That the resurfacing of the following street:

1. Huron Avenue from N. 10th St. to N. 14th St.

is hereby proposed and will be financed through the City of Sheboygan and the U.S. Department of Housing and Urban Development's Community Development Block Grant funds.

RESOLVED: That the Engineering Division is hereby authorized and directed to advertise for bids under the five percent (5%) alternative of Section 62.15(3), Wisconsin Stats, for the reconstruction project aforementioned, according to the plans and specifications prepared by, or on behalf of, the City Engineer, and submit a resume of bids received and accepted to the Common Council for further consideration.

***Res. No. 175 - 10 - 11. By Alderperson Montemayor. December 20, 2010.**

A RESOLUTION accepting the offers to purchase from Sheboygan County for two portions of City-owned property needed for the proposed roundabout at the intersection of CTH "OK" and CTH "EE."

RESOLVED: That the City of Sheboygan hereby accepts the Offers to Purchase from Sheboygan County dated December 10, 2010 for the following two portions of City-owned property, identified as Parcel Nos. 4 and 7 on the attached map entitled "Schedule of Lands and Interests Required" dated June 4, 2010, needed for the roundabout at the intersection of CTH "OK" and CTH "EE" as follows:

Parcel #4, 0.052 acres, in the amount of \$1,180.40

Parcel #7, 1.242 acres, in the amount of \$28,193.40

BE IT FURTHER RESOLVED: That the Mayor and City Clerk are hereby authorized to sign all necessary conveyance documents to effectuate the sale of said parcels to Sheboygan County.

Res. No. 176 – 10 – 11. By Alderperson Hammond, Bouck, Bohren, Rindfleisch and Roeseler. December 20, 2010.

A RESOLUTION authorizing the appropriate City officials to enter into contract to equip City Hall with wireless connectivity.

WHEREAS, the City of Sheboygan in an effort to support several green initiatives including the reduction of paper documents required for Common Council and Committee Meetings, has received quotes from two providers of these systems and Digi-Corp of Milwaukee submitted the lowest quote;

WHEREAS: Digi-Corp of Milwaukee has determined the installation will require up to 19 access point antennas to be installed throughout the building at a fee not to exceed \$21,926;

RESOLVED: That the appropriate City of Sheboygan official is hereby authorized to draw orders on the Information Systems Fund account no. 70717100-521900 for payment.

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

Ayes: Bohren, Bouck, Bowers, Dekker, Hammond, Hanna, Heidemann, Kath, Montemayor, Rindfleisch, Roeseler, Sampson, VanderWeele, Versey, Wangemann – 15.

Nays: None.

Res. No. 177 - 10 - 11. By Alderpersons Hanna, Kittelson, Roeseler, and Versey. December 20, 2010.

A RESOLUTION lifting the hiring freeze in order to hire two (2) full-time Telecommunicators in the Police Department.

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

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 two (2) full-time Telecommunicators.

NOW, THEREFORE, BE IT RESOLVED: That the Common Council hereby authorizes, as an emergency exception to the hiring freeze, the hiring of the two (2) full-time Telecommunicators in the Police Department.

Chief Domagalski spoke.

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

Ayes: Bohren, Bouck, Bowers, Dekker, Hammond, Hanna, Heidemann, Kath, Montemayor, Rindfleisch, Roeseler, Sampson, VanderWeele, Versey, Wangemann – 15.

Nays: None.

Res. No. 178 - 10 - 11. By Alderpersons Hanna, Kittelson, Roeseler, and Versey. December 20, 2010.

A RESOLUTION lifting the hiring freeze in order to hire three (3) Police Officers in the Police Department.

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

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 three (3) Police Officers.

NOW, THEREFORE, BE IT RESOLVED: That the Common Council hereby authorizes, as an emergency exception to the hiring freeze, the hiring of the three (3) Police Officers in the Police Department.

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

Ayes: Bohren, Bouck, Bowers, Dekker, Hammond, Hanna, Heidemann, Kath, Montemayor, Rindfleisch, Roeseler, Sampson, VanderWeele, Versey, Wangemann – 15.

Nays: None.

Res. No. 179 - 10 - 11. By Alderperson Kittelson. December 20, 2010.

A RESOLUTION officially recognizing the Gateway Neighborhood Association.

WHEREAS, the Mayor and Common Council of the City of Sheboygan, along with its staff and citizens, recognize the importance of developing and maintaining healthy neighborhoods throughout the community.

WHEREAS, the City of Sheboygan values citizen involvement and wishes to reach out to all segments of the community by supporting the formation of effective neighborhood associations.

WHEREAS, the Gateway Neighborhood Association has been organized by residents of the City of Sheboygan with a mission statement as follows:

“The Gateway Neighborhood Association is dedicated to fostering safety & long term value for its residents, businesses, investors and visitors. It accomplishes these goals by supporting family values, enhancing awareness through communication, and encouraging development. This promotes a sense of pride and ownership that will help keep our neighborhood clean and beautiful.”

WHEREAS, the Gateway Neighborhood Association will serve residents of the City of Sheboygan in the neighborhood bounded by Superior Avenue, North 9th Street, Ontario Avenue, and North 14th Street.

NOW, THEREFORE, BE IT RESOLVED that the City of Sheboygan, whose Mayor and Common Council are herein assembled, officially recognizes the Gateway Neighborhood Association.

BE IT FURTHER RESOLVED that the Mayor, Common Council and staff of the City of Sheboygan hereby pledge their support and cooperation in addressing the needs of the citizens of this neighborhood in particular and the community in general.

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

Res. No. 180 - 10 - 11. By Alderperson Hammond, Bouck, Bohren, Rindfleisch, and Roeseler. December 20, 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:

Lies over under the rules.

Res. No. 181 - 10 - 11. By Alderperson Montemayor. December 20, 2010

A RESOLUTION approving a project plan for a tax incremental district, describing the boundaries thereof and creating Tax Incremental District No. 14, City of Sheboygan.

Lies over under the rules.

Res. No. 182 - 10 - 11. By Alderperson Hammond. December 20, 2010.

A RESOLUTION authorizing the appropriate City officials to execute a Fixtures Disclaimer.

Was referred to the Committee on Finance.

Res. No. 183 - 10 - 11. By Alderperson Hammond. December 20, 2010

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

Was referred to the Committee on Finance.

Res. No. 184 - 10 - 11. By Alderperson Hammond. December 20, 2010.

A RESOLUTION to establish a service fee for payments that are made by credit or debit card to the City of Sheboygan.

Was referred to the Committee on Finance.

Res. No. 185 - 10 - 11. By Alderperson Kittelson December 20, 2010

A RESOLUTION authorizing the Purchasing Agent to enter into contract for the purchase of (6)Police Department patrol duty sedans, and (1)Police Department C.I.D duty sedan utilizing the State of WI Contract.

Was referred to the Committee on Public Protection and Safety.

Res. No. 186 - 10 - 11. By Alderpersons Heidemann, Bohren, Versey, Bouck and Bowers. December 20, 2010.

A RESOLUTION suggesting a vehicle by which individuals can provide additional financial support for city departments.

Was referred to the Committee of the Whole.

REPORTS OF COMMITTEES

***R. C. No. 311 - 10 - 11. By CITY CLERK. December 20, 2010.**

December 20, 2010

Your Committee to whom was referred pursuant to R. O. No. 302-10-11 and R. O. No. 314-10-11 by the City Clerk, various license applications for the period ending June 30, 2011 and June 30, 2012; recommends that the following licenses be granted.

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

<u>No.</u>	<u>Name</u>
2781	Playa Acapulco

BEVERAGE OPERATOR'S LICENSE (June 30, 2012)

<u>No.</u>	<u>Name</u>
5324	Dietz, Lori Ann
2406	Gates, Shelly M.
8915	Hoffmann, Vici L.
7527	Kropp, Denise F.
8916	Lukonen, Tina M.
8912	Peralta, Rafael
8910	Reimers, Jenny L.
8914	Sawatzki, Heather J.
6634	Schleusner, Michelle L.
4221	Shimkoski, Ryan L.
8911	Siever, Rachelle A.
2223	Teetzen, Deana L.
8907	Thies, Joey P.
6180	Vervelde, Kim M.
7454	Wery, Corbin J.
8909	Yang, Reda F.

TAXICAB BUSINESS LICENSE(June 30, 2011)

<u>No.</u>	<u>Name</u>
2778	Custom Express Courier

TAXICAB OPERATOR LICENSE(June 30, 2011)

<u>No.</u>	<u>Name</u>
8904	Hunter, Joshua N.
8913	Rhoads, Heather M.
2586	Rose, Jodi S.
8899	Sanstadt, Theodore T.

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. 312 - 10 - 11. By FINANCE. December 20, 2010.**

Your Committee to whom was referred Com. No. 47-10-11 by Ald. Bohren submitting an email with an article from the League of Municipalities titled, "Inflation Factor Set at 3% for Expenditure Restraint Program"; recommends that the Communication be filed.

***R. C. No. 313 - 10 - 11. By FINANCE. December 20, 2010.**

Your Committee to whom was referred a copy of Res. No. 157-10-11 by Ald. Montemayor authorizing the sale of property located in North Field Meadows Subdivision, Lots 23 and 39, to Mark H. Hinze, per the terms and conditions of the agreement; recommends that the Resolution be passed.

***R. C. No. 314 - 10 - 11. By FINANCE. December 20, 2010.**

Your Committee to whom was referred Res. No. 162-10-11 by Ald. Hammond amending Res. No. 228-97-98, relating to fees charged to the issuer of checks which are not honored upon presentation; recommends that the Resolution be passed.

***R. C. No. 315 - 10 - 11. By FINANCE. December 20, 2010.**

Your Committee to whom was referred Res. No. 163-10-11 by Ald. Hammond to enter into an agreement with Bartolotta Fireworks Company for the 2011 Independence Day fireworks display; recommends that the Resolution be passed.

***R. C. No. 316 - 10 - 11. By FINANCE. December 20, 2010.**

December 20, 2010

Your Committee to whom was referred Res. No. 164-10-11 by Ald. Hammond to enter into a development agreement with BV Sheboygan, LLC for the redevelopment of the former Wal-Mart property located at 609 S. Taylor Dr.; recommends that the Resolution be passed.

R. C. No. 317 - 10 - 11. By FINANCE. December 20, 2010.

Your Committee to whom was referred Res. No. 160-10-11 by Ald. Hammond being a Final Resolution regarding Industrial Development Revenue Bond Financing to Benefit Torginol, Inc. Project; recommends that the Resolution be passed.

Was accepted and adopted.

R. C. No. 318 - 10 - 11. By FINANCE. December 20, 2010.

Your Committee to whom was referred Res. No. 161-10-11 by Ald. Hammond authorizing a transfer of appropriation in the 2010 Budget (establishing estimated revenue and appropriation for the 2010 Police Department Alcohol Enforcement, Speed Enforcement and DDACTS Enforcement Grants; recommends that the Resolution be passed.

Was accepted and adopted.

***R. C. No. 319 - 10 - 11. By LAW AND LICENSING. December 20, 2010.**

Your Committee who met on December 14, 2010 and discussed the current Policy Statement on Issuance of Original "Class A" Intoxicating Liquor Licenses; recommends that the attached "revised" Policy Statement on Issuance of Original "Class A" Intoxicating Liquor Licenses be approved.

**POLICY STATEMENT ON ISSUANCE OF ORIGINAL
"CLASS A" INTOXICATING LIQUOR LICENSES**

A "Class A" license authorizes the retail sale of intoxicating liquor for consumption off the premises where sold and in original packages and containers.

Section 4-41(4) of the Sheboygan Municipal Code limits the number of "Class A" liquor license in force during any license year to a maximum of 12.

It shall be the policy of the Committee on Law & Licensing and the Common Council of the City of Sheboygan to require the following physical layout as a condition to the original issuance of "Class A" liquor license to applicants operating businesses other than stores exclusively selling liquor:

1. a separate, segregated interior space for the display of the intoxicating liquor providing limited access such that there is one entrance and exit from the liquor area;
2. a gate or other approved apparatus for securing/closing off the intoxicating liquor area between the hours of 9 p.m. and 8 a.m.;
3. a separate manned register/check-out for the intoxicating liquor area; and
4. such layout shall be required to comply with all applicable code requirements.

Notwithstanding the requirement for a separate manned register/check-out for the intoxicating liquor area, nothing in this policy will prevent a customer from purchasing intoxicating liquor at a register in another part of the store so long as all applicable statutes and ordinances regarding the sale are followed.

Additional conditions may be imposed by the Committee and/or Common Council upon its determination that these requirements are necessary to accomplish the intent and purpose of providing a space for the display and sale of intoxicating liquor, separate and segregated from other display/sales areas.

Notwithstanding the above, it shall further be the policy of the Committee on Law & Licensing and the Common Council not to issue "Class A" liquor licenses to convenience stores/mini-marts also selling gasoline or other motor fuels unless one of the following sets of conditions is met:

1. the license is being issued to the current or new owner of a currently operating "Class A" premises so long as there are no material changes to the premises or operation of the business from the previous license.
2. there is at least 3,000 square feet of publicly-accessible interior space within the convenience store/mini mart, there are separate checkouts in separate parts of the store for gasoline and alcohol beverages, no transactions are permitted that include both gasoline and alcohol beverages, and the business complies with all of the other conditions in this policy relating to places of business not selling exclusively liquor.

R. C. No. 320 - 10 - 11. By LAW AND LICENSING. December 20, 2010.

Your Committee to whom was referred pursuant to R. O. No. 302-10-11 by the City Clerk, submitting license applications for the period ending June 30, 2011 and June 30, 2012; recommends that Beverage Operator's License application #8898 be denied based upon her failure to include all relevant convictions on her beverage operator's license application, and her record of violations related to the licensed activity.

December 20, 2010

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

Ayes: Bohren, Bouck, Bowers, Dekker, Hammond, Hanna, Heidemann, Kath, Montemayor, Rindfleisch, Roeseler, Sampson, VanderWeele, Versey, Wangemann – 15.

Nays: None.

R. C. No. 321 - 10 - 11. By LAW AND LICENSING. December 20, 2010.

Your Committee to whom was referred pursuant to R. O. No. 302-10-11 by the City Clerk, submitting license applications for the period ending June 30, 2011 and June 30, 2012; recommends that Beverage Operator's License application #8169 be denied based upon his failure to include all relevant convictions on his beverage operator's license application, and his record of violations related to the licensed activity.

Mr. Marks spoke.

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

Ayes: Bohren, Bouck, Bowers, Dekker, Hammond, Hanna, Heidemann, Kath, Montemayor, Rindfleisch, Roeseler, Sampson, VanderWeele, Versey, Wangemann – 15.

Nays: None.

***R. C. No. 322 - 10 - 11. By PUBLIC WORKS. December 20, 2010.**

Your Committee to whom was referred Com. No. 49-10-11 by Alderperson Bohren regarding a request from Harold Biebel to renew the agreement to place and operate the popcorn wagon in Fountain Park for the summer of 2011; recommends the Report of Officer be accepted and placed on file and approve the request.

***R. C. No. 323 - 10 - 11. By PUBLIC PROTECTION AND SAFETY. December 20, 2010.**

Your Committee to whom was referred R. O. No. 316-10-11 by the Building Inspection department submitting their report for October 2010; recommends that the Report of Officer be accepted and placed on file.

***R. C. No. 324 - 10 - 11. By PUBLIC PROTECTION AND SAFETY. December 20, 2010.**

Your Committee to whom was referred R. O. No. 318-10-11 by the City Clerk submitting a memo from Chief Hermann regarding the recent Pierce Rescue pumper acquisition; recommends that the Report of Officer be accepted and placed on file.

***R. C. No. 325 - 10 - 11. By PUBLIC PROTECTION AND SAFETY. December 20, 2010.**

Your Committee to whom was referred R. O. No. 319-10-11 by the Fire Chief submitting the Third Quarter 2010 EMS Quality Assurance and Quality Improvement Report for July 1, 2010 – September 30, 2010; recommends that the Report of Officer be accepted and placed on file.

***R. C. No. 326 - 10 - 11. By PUBLIC PROTECTION AND SAFETY. December 20, 2010.**

Your Committee to whom was referred R. O. No. 320-10-11 by the Building Inspection department submitting their report for November 2010; recommends that the Report of Officer be accepted and placed on file.

***R. C. No. 327 - 10 - 11. By PUBLIC WORKS. December 20, 2010.**

Your Committee to whom was referred R. O. No. 321-10-11 by the City Clerk regarding a communication from Adriana Uribe requesting an extension of hours at the Kiwanis Fieldhouse for a family gathering on December 31, 2010; recommends the Report of Officer be accepted and placed on file and approve the request.

***R. C. No. 328 - 10 - 11. By PUBLIC WORKS. DECEMBER 20, 2010**

Your Committee to whom was referred R. O. No. 322-10-11 by the City Clerk submitting a communication from Van Der Vaart, Inc., stating that they will be sponsoring The Sheboygan Home Expo 2011 at Blue Line Ice Center and are requesting that they be allowed to put up two "ATTENTION GETTER" signs on city-owned property from Friday April 1, 2011 until Monday, April 4, 2011; recommends that the Report of Officer be accepted and filed and approve the request.

***R. C. No. 329 - 00 - 01. By PUBLIC WORKS. December 20, 2010.**

Your Committee to whom was referred R. O. No. 323-10-11 by the City Clerk relative to submitting a communication and formal request for a two year extension from hooking up to the mini-storm sewer adjacent to property at 3814 S. 17th St.; recommends the Report of Officer be accepted and filed and approve the 2 year extension.

RESOLUTIONS ON SECOND READING

***Res. No. 157 - 10 - 11. By Alderperson Montemayor. December 6, 2010.**

December 20, 2010

A RESOLUTION authorizing the sale of Lots 23 and 39, North Field Meadows Subdivision.

RESOLVED: That the proper City officials are authorized and directed to transfer merchantable title to Lots 23 and 39, North Field Meadows Subdivision, to Mark H. Hinze, per the terms and conditions of the agreement attached hereto.

Res. No. 160 – 10 – 11. By Alderperson Hammond. December 6, 2010.

A FINAL RESOLUTION REGARDING INDUSTRIAL DEVELOPMENT REVENUE BOND FINANCING TO BENEFIT TORGINOL, INC. PROJECT.

RESOLVED: By the Common Council of the City of Sheboygan, Sheboygan County, Wisconsin (the "Issuer"), as follows:

Recitals.

Under Wisconsin Statutes, Section 66.1103, as amended (the "Act"), the Issuer is authorized and empowered to issue revenue bonds to finance eligible costs of qualified "projects" (as defined in the Act), and to enter into "revenue agreements" (as defined in the Act) with "eligible participants" (as defined in the Act).

Pursuant to an Initial Resolution duly adopted on November 15, 2010, the Issuer expressed its intention to issue industrial development revenue bonds of the Issuer in an amount not to exceed \$2,750,000 (the "Bonds") to finance a project on behalf of Torginol, Inc. a Wisconsin corporation (the "Borrower"), consisting of financing the (i) acquisition of an approximately 100,000 square foot facility located in the City of Sheboygan Business Center (the "Facility") to be used by the Borrower to manufacture specialty coating and resinous flooring media, (ii) the acquisition and installation of equipment at the Facility, (iii) rehabilitation of the Facility and (iv) professional fees and costs (collectively, the "Project"). Notice of adoption of the Initial Resolution adopted on November 15, 2010 was published as provided in the Act, and no petition requesting a referendum upon the question of issuance of the revenue bonds has been filed.

Pursuant to the Act, the Issuer may finance a project which is located entirely within the geographic limits of the Issuer.

Drafts of the following documents have been submitted to this Common Council and are ordered filed in the office of the City Clerk:

a Bond Agreement (the "Bond Agreement"), proposed to be entered into among the Issuer, the Borrower, U.S. Bank National Association, as trustee (the "Trustee") and U.S. Bank National Association, as original purchaser (the "Original Purchaser");

a Promissory Note from the Borrower to the Issuer, and assigned to the Trustee; and
a No Arbitrage Certificate.

1.05 Pursuant to Wisconsin Statutes, Section 66.1103(2)(k)1, the Issuer may finance projects for assembling, fabricating, manufacturing, mixing or processing facilities for any products of agriculture, forestry, mining or manufacture, even though the product may require further treatment before delivery to the ultimate consumer.

Findings and Determinations.

It is hereby found and determined that:

based on the Borrower's representations that it manufactures specialty coatings and resinous flooring media, the Project constitutes a "project" authorized by the Act;

a public hearing has been duly held on November 15, 2010 in accordance with the provisions of Section 147(f) of the Internal Revenue Code of 1986, as amended, at which residents of the City of Sheboygan, Wisconsin were given an opportunity to be heard in regard to the proposed issuance of the Bonds and the nature and location of the proposed Project;

the purpose of the Issuer's financing costs of the Project is and the effect thereof will be to promote the public purposes set forth in the Act;

it is desirable that a series of revenue bonds in the aggregate principal amount not to exceed \$2,750,000 be issued by the Issuer upon the terms set forth in the Bond Agreement, under the provisions of which the Issuer's interest in the Bond Agreement (except for certain rights as provided therein) and the loan repayments will be assigned to the Trustee as security for the payment of principal of and interest on and premium, if any, on all the Bonds outstanding under the Bond Agreement;

the loan payments provided for in the Bond Agreement, and the formula set out for revising those payments under the Bond Agreement as required under the Act, are sufficient to produce income and revenue to provide for the prompt payment of principal of and interest on and premium, if any, on Bonds issued under the Bond Agreement when due; the amount necessary in each year to pay the principal of and interest on the Bonds is the sum of the principal and interest on the Bonds due in such year, whether on a stated payment date, a redemption date, or otherwise; and the Bond Agreement provides that the Borrower shall provide for the maintenance of the Project in good repair, keeping it properly insured; and

under the provisions of the Act, the Bonds shall be special, limited obligations of the Issuer and the Bonds do not constitute an indebtedness of the Issuer, the State of Wisconsin or any political subdivision thereof, within the meaning of any state constitutional provision or statutory limitation, and do not constitute

nor give rise to a charge against the general credit or taxing powers or a pecuniary liability of the Issuer, the State of Wisconsin or any political subdivision thereof.

Approvals and Authorizations; Parameters Resolution; Authentication of Transcript.

This resolution shall constitute the approval of the Bonds within the meaning of Section 147 (f) of the Internal Revenue Code of 1986, as amended, and the Bonds are hereby approved. There is hereby approved the issuance by the Issuer of its Industrial Development Revenue Bonds (specifically, the Bonds) in an aggregate principal amount not to exceed \$2,750,000, for the purpose of financing the Project.

The Issuer shall proceed to issue its Industrial Development Revenue Bonds, Series 2010 (Torginol, Inc. Project), in the aggregate principal amount not to exceed \$2,750,000, in the form and upon the terms set forth in the Bond Agreement, which terms, including without limitation, interest rates, redemption provisions and maturity, are for this purpose incorporated in this resolution and made a part hereof. The terms are hereby approved without further action by the Issuer, subject to the following parameters:

- (a) the initial interest rate shall not exceed 8%;
- (b) the sale and funding of the Bonds shall occur prior to December 31, 2010;
- (c) the final maturity date of the Bonds shall be no later than 30 years after the date of issuance; and
- (d) the maximum Bond Amount shall not exceed \$2,750,000.

If the Bonds are sold and issued in conformity with the parameters set forth herein, no further authorization by the Issuer is required, and the Mayor and the City Clerk of the Issuer are authorized and directed to execute, attest and deliver the documents listed in Section 1.04 herein which are hereby approved, together with such subsequent changes as may be requested and approved by bond counsel and the Issuer's attorney, and such other documents, agreements, instruments or certificates as are deemed necessary or desirable by the Issuer's attorney and bond counsel, including an Internal Revenue Service Form 8038.

In the event that the Bonds cannot be sold and issued in conformity with the parameters set forth above, no Bonds may be issued without approval of the Issuer pursuant to a subsequent resolution approving the terms of the Bonds.

Subject to the parameters set forth above, the Mayor and the City Clerk of the Issuer are authorized and directed to execute, attest and seal the Bonds as prescribed in the Bond Agreement and to deliver them to the Trustee (together with a certified copy of this resolution and any other documents required by the Bond Agreement) for authentication and delivery to the original purchaser; *provided, however*, that the Bonds will not be issued, nor will the Original Purchaser approve requisitions of Bond Proceeds, unless and until the Issuer and the Borrower have resolved all land use and special use issues with respect to the affected property and the Project, and the Project is approved by appropriate action on behalf of the Issuer and any private property associations which may have jurisdiction over the affected property.

The publication in the official newspaper of the Issuer of the notice for the public hearing referred to in Section 2(b) of this resolution, and such notice of public hearing as so published, are hereby ratified.

The Mayor, City Clerk and other officers of the Issuer are authorized to prepare and furnish to the Trustee and bond counsel certified copies of all proceedings and records of the Issuer relating to the Bonds, and such other affidavits and certificates as may be required by the Trustee and bond counsel to show the facts relating to the legality and marketability of the Bonds as such facts appear from the books and records in the officers' custody and control or as otherwise known to them.

The approval hereby given to the various documents referred to in this resolution includes the approval of such additional details therein as may be necessary and appropriate for their completion and such modifications thereto, deletions therefrom and additions thereto as may be approved by the Issuer's attorney and bond counsel. The execution of any document by the appropriate officer or officers of the Issuer herein authorized shall be conclusive evidence of the approval by the Issuer of such document in accordance with the terms hereof.

U.S. Bank National Association shall initially assume and perform the duties of Trustee.

3.07 Notice of sale of the Bonds, in the form attached hereto as Exhibit A, shall be published in the official newspaper of the Issuer as a class 1 notice under Chapter 985 of the Wisconsin Statutes.

3.08 The Bonds shall be limited obligations of the Issuer payable by it solely from revenues and income derived by or for the account of the Issuer from or for the account of the Borrower pursuant to the Bond Agreement. As security for the payment of the principal of, premium, if any, and interest on the Bonds, the Issuer shall pledge and assign to the Trustee all of its right, title and interest in and to the trust estate described in the Bond Agreement.

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

Ayes: Bohren, Bouck, Bowers, Dekker, Hammond, Hanna, Heidemann, Kath, Montemayor, Rindfleisch, Roeseler, Sampson, VanderWeele, Versey, Wangemann – 15.

Nays: None.

Res. No. 161 - 10 - 11. By Alderperson Hammond. December 6, 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 estimated revenue and appropriation for the 2010 Police Department Alcohol Enforcement, Speed Enforcement and DDACTS Enforcement Grants:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
General Fund	General Fund	
Police Department	Police Department	
State of WI Grants	Patrol Overtime	
10121100-434211	10121120-510111	\$75,000

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

***Res. No. 162 - 10 - 11. By Alderperson Hammond. December 6, 2010.**

A RESOLUTION amending Res. No. 228-97-98, relating to fees charged to the issuer of checks which are not honored upon presentation.

WHEREAS, by Res. No. 228-97-98, dated November 17, 1997, the Common Council authorized the City to impose a charge of \$15.00 and any applicable collection or processing charge imposed upon the City by the financial institutions on anyone who issues a check to the City of Sheboygan that is not honored upon presentment because the drawer does not have an account with the drawee or because the drawee does not have sufficient funds in his or her account, and

WHEREAS: the processing charges for checks which are not honored upon presentation have been increased,

NOW, THEREFORE, BE IT RESOLVED: That Res. No. 228-97-98 is hereby amended to read as follows:

“That the City of Sheboygan shall impose a charge of \$30.00 and any applicable collection or processing charge imposed upon the City by financial institutions or anyone who issues a check to the City of Sheboygan that is not honored upon presentment because the drawer does not have an account with the drawee or because the drawee does not have sufficient funds in his or her account.”

***Res. No. 163 - 10 - 11. By Alderperson Hammond. December 6, 2010.**

A RESOLUTION authorizing entering into agreement with Bartolotta Fireworks Company for 2011 Independence Day fireworks display.

WHEREAS: The Sheboygan County Chamber of Commerce is under contract with the City of Sheboygan to provide tourism and promotion activities including the Independence Day celebration;

WHEREAS: In order to receive a discount on the total cost to provide fireworks, a down payment is required prior to January 1, 2011;

WHEREAS: The City of Sheboygan agrees to make the down payment of \$20,000 by January 1, 2011, and will deduct the \$20,000 expense from the room tax revenues collected during the first quarter of 2011 as allocated to the Sheboygan County Chamber of Commerce;

WHEREAS: The remaining balance due on the 2011 fireworks contract shall be provided by the Sheboygan County Chamber of Commerce;

BE IT FURTHER RESOLVED: That the Finance Director/Treasurer is authorized to execute the contract with Bartolotta Fireworks Company, Inc. and draw from account number 260-155070 prepaid expense in payment thereof:

***Res. No. 164 - 10 - 11. By Alderperson Hammond. December 6, 2010.**

A RESOLUTION authorizing entering into a development agreement with BV Sheboygan, LLC for the redevelopment of the former Wal-Mart property located at 609 S. Taylor Drive.

RESOLVED: That the Mayor and City Clerk are hereby authorized to execute the Development Agreement between BV Sheboygan, LLC and the City of Sheboygan, for the redevelopment of the former Wal-Mart property located at 609 S. Taylor Drive, in form substantially similar to the agreement attached hereto and incorporated herein.

ORDINANCES INTRODUCED

Gen. Ord. No. 45 - 10 - 11. By Alderpersons Kath and Montemayor. December 20, 2010.

AN ORDINANCE repealing and recreating Sections 2-726 and 2-727 and amending Section 2-730 of the Municipal Code relating to, respectively, the composition of the membership of the Senior Activity Center Commission, the appointment of members of the Senior Activity Center Commission and an addition to the functions and duties of the Commission.

Lies over under the rules.

Gen. Ord. No. 46 - 10 - 11. By Alderpersons Montemayor, Sampson, and Versey. December 20, 2010.

December 20, 2010

AN ORDINANCE creating Section 18-47 of the Municipal Code so as to place restrictions on dangerous and vicious dogs, amending Section 18-3 of the Municipal Code so as to establish and increase certain penalties for violations of animal ordinances in the City, and repealing and recreating Section 18-46 so as to modify the city's "Leash Law." command by such person physically present, or upon an appropriate chain or tie no longer than 15 feet in length, or in an enclosed yard, either walled or fenced, or in any other appropriate restraining enclosure. The dog or cat may be off the premises if it is restrained by a substantial leash or chain not exceeding six feet in length, in the hands of such person and directly controlling the movement of the animal, or if it is being trained or shown in an area or at an event approved for such purposes by the superintendent of parks. This section shall not apply to police dogs.

Was referred to the Committee on Public Protection and Safety.

MATTERS LAID OVER

Res. No. 168 - 10 - 11. By Alderperson Hammond. December 9, 2010.

A RESOLUTION authorizing the appropriate City officials to execute a Project Agreement between the U.S. Environmental Protection Agency, the Wisconsin Department of Natural Resources, Sheboygan County and the City of Sheboygan.

RESOLVED: That the Mayor is hereby authorized to execute the Project Agreement between the U.S. Environmental Protection Agency, the Wisconsin Department of Natural Resources, the City of Sheboygan and Sheboygan County to do a focused feasibility study and the Remedial Design of a betterment project within the Sheboygan River Area of Concern, a copy of which is attached hereto.

BE IT FURTHER RESOLVED: That the Finance Director/Treasurer is hereby authorized to draw on Account No. 61137110-521900, Boat Facilities Contracted Services, in the amount of \$100,000 as the City's contribution to the Project, per the Project Agreement.

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

Ayes: Bohren, Bouck, Bowers, Dekker, Hammond, Hanna, Heidemann, Kath, Montemayor, Rindfleisch, Roeseler, Sampson, VanderWeele, Versey, Wangemann – 15.

Nays: None.

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

Mayor

City Clerk