

**\*\*\*ATTACHMENTS\*\*\***

I

Hearing No.       - 14 - 15. September 15, 2014.

There is a hearing this evening regarding special assessments for water main replacements in Weeden Creek Rd. from S. Taylor Dr. to the RR (railroad) approximately 1600' westerly.

All interested persons will now be heard.

II

Publish - September 5, 2014. (classified)

OFFICIAL NOTICE

NOTICE IS HEREBY GIVEN that the Board of Water Commissioners of the City of Sheboygan filed with me a report of special assessments for water main replacements in the following streets:

Weeden Creek Rd. from S. Taylor Dr. to the RR (railroad) approximately 1600' westerly.

PUBLIC NOTICE is hereby given, that special assessments have been made according to law, and the same will be open for review and correction by the said Board of Water Commissioners at their office of the Water Utility, N. 1st St. and Park Ave., from September 6, 2014 through September 15, 2014, between the hours of 8:00 A.M. and 4:00 P.M. on each day except Saturdays, Sundays, and Holidays.

FURTHER NOTICE is hereby given that the Common Council of the aforesaid City will, at a regular meeting to be held on the 15<sup>th</sup> day of September, 2014, at 6:00 P.M., consider the said reports and hear all objections which may be made thereto, and will determine what portion of the cost of the improvement, if any, shall be paid by the City.

SUSAN RICHARDS  
City Clerk



Sept. 2, 2014

Susan Richards  
City Clerk  
City of Sheboygan  
Sheboygan, WI 53081

Dear Susan,

*Pending passage of the preliminary resolution at tonight's Council meeting and your assigning a Res. #, the Sheboygan Water Utility hereby requests that you cause notice to be published no later than Saturday September 6, 2014, schedule public hearing(s), and introduce final resolution(s) requesting confirmation of **WATER MAIN** special assessments, in conjunction with the Common Council's **Sept. 15, 2014** meeting, *for the following water main installation project(s):**

<u>Location</u>	<u>Prel.Res.#</u>
Weeden Creek Rd. - from S. Taylor Dr. to the RR approx. 1600' westerly.	<u>60</u> -14-15

Open review period: **Sept. 6, 2014 through Sept. 15, 2014**, 7:30 AM to 4:00 PM daily, excluding Saturdays, Sundays & holidays, at the Water Utility office, 72 Park Ave. Contact phone numbers: 459-3839 or 459-3806.

*Sue, if you have any questions or concerns, please inform us as soon as possible, so that we can coordinate the **processing of notices** to property owners for the above listed project(s). Nancy is being given the info and is planning to run the notices within a few days.*

Sincerely,

SHEBOYGAN WATER UTILITY

Michael S. Short  
Utility Engineer

# Preliminary Estimate of Water Main Special Assessments

**Project/Street Name:** Prop. Water Main Extension in Weeden Creek Rd. - from S. Taylor Dr. to Railroad approx. 1600' westerly

**Prelim. Res. #:** 60-14-15      **Date Passed:** 9/2/2014      **Publish By:** 9/6/2014      **Requested Hearing Date:** 9/15/2014

**Water Main Size:** 16"      **Assessment Rate per Front Foot:** \$25.00

Remarks	Address	County's Assessment Number	Lot # Blk #	Normal Frontage Less Corner Deduct (ft)	Non Assessable Frontage (ft)	Outside City Frontage (ft) future conn. chg.	Total Normal (In City) Assessment	Total Outside City Amount*
<b>North Side Frontage:</b>								
Corner credit applied	4530 S. Taylor Dr.	59281479047	Lot ~7A	160.93		0	\$ 4,023.25	\$ -
Access to billboards	Weeden Creek Rd.	59281471030	Outlot?	100		0	\$ 2,500.00	\$ -
R/W not accessible	I-43 in Sec. 4	59030452771	UNPL	0	140	0	\$ -	\$ -
R/W not accessible	I-43 in Sec. 5	59030453240	UNPL	0	140	0	\$ -	\$ -
Assess to City	Prop. development	59030453120†	Parcel 2	727.85		0	\$ 18,196.25	\$ -
W. of prop. devel.	Wagner Excav. LLC	59030453220	UNPL	0		150	\$ -	\$ 3,750.00
<b>South Side Frontage:</b>								
Corner credit applied	4606 etc S. Taylor Dr.	59281479051	Lot 3 CSM	230.42		0	\$ 5,760.50	\$ -
R/W not accessible	I-43 in Sec. 9	59030454611	UNPL	0	145	0	\$ -	\$ -
R/W not accessible	I-43 & Frt Rd Sec. 8	59030454320	UNPL	0	340	0	\$ -	\$ -
Commercial prop.	4632 Frontage Rd.	59030453986	UNPL	0		296.48	\$ -	\$ 7,412.00
Commercial prop.	4121 Weeden Creek Rd	59030453980	UNPL	0		339.7	\$ -	\$ 8,492.50
Undeveloped Lot	Weeden Creek Rd.	59030453960	UNPL	0		75	\$ -	\$ 1,875.00
<b>TOTALS:</b>				<b>1219.20</b>		<b>861.18</b>	<b>\$ 30,480.00</b>	<b>\$ 21,529.50</b>

\* To be paid by City's General Fund, with City to be reimbursed at time equivalent is received, as per PSC Rules Schedule X-2, par. "B"

† Assessment to be billed to City (seller), per terms of development agreement. This parcel number precedes the recent annexation and pending sale of the easterly portion of entire parcel.

<b>Estimated Initial Water Main Installation Costs (Utility to pay contractor initially):</b>	\$ 202,387.00
Initial Normal Assessments (Utility would receive assessment payments as they are made)	\$ 30,480.00
Corner lot credits (2 at 120' ea. x \$25/ft.)	\$ 6,000.00
<b>Estimate of City's portion of Construction Cost (WM Installation Cost - normal Assessments &amp; corner lot credits)</b>	<b>\$ 165,907.00</b>
<b>Estimate of City's portion of Construction Cost</b>	<b>\$ 165,907.00</b>
Total Potential Future Receipts (collected by the City after annexation & connection to wm, and kept by the City)	\$ 21,529.50
<b>Estimated Eventual Cost to City (City's portion of Construction Cost - normal Assessments &amp; corner lot credits)</b>	<b>\$ 144,377.50</b>

<b>Estimated Initial Installation Costs (to Utility):</b>	\$202,387
<b>Minus Above Total Reimbursements:</b>	\$196,387
<b>Net Expected Cost to Utility:</b>	<u>\$6,000</u>

II

R. O. No. \_\_\_\_ - 14 - 15. By CITY CLERK. September 15, 2014.

Submitting various license applications.

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City Clerk

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TEMPORARY CLASS "B" LICENSE

<u>No.</u>	<u>Name</u>	<u>Address</u>
2923	Bookworm Gardens	1415 Campus Dr. - one-day event to be held 10/23/14 at 1415 Campus Dr.

Consent

III

# III

Res. No. \_\_\_\_\_ - 14 - 15. By Alderpersons Hammond and Lessard.  
September 15, 2014.

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 replacements in Weeden Creek Rd. from S. Taylor Dr. to the RR (railroad) approximately 1600' westerly.

RESOLVED: That the assessments and schedule of the proposed assessments prepared by the Board of Water Commissioners for the proposed water main replacements in Weeden Creek Rd. from S. Taylor Dr. to the RR (railroad) approximately 1600' westerly 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.

*Consent*

\_\_\_\_\_  
\_\_\_\_\_

I HEREBY CERTIFY that the foregoing Resolution was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Dated \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, City Clerk

Approved \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, Mayor

III

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**VI**

R. C. No.     - 14 - 15. By LAW AND LICENSING. September 15, 2014.

Your Committee to whom was referred to R. O. No. 111-14-15 by the City Clerk, submitting license application for the period ending June 30, 2015 and June 30, 2016; recommends that the following license be granted:

CHANGE OF PREMISE

<u>No.</u>	<u>Name</u>	<u>Address</u>
	1226 Meyer's Lakeview Pub	550 Wilson Ave. - this will be taking place after a funeral with a tent set up in the parking area north of the building for patrons to eat. There will be a 5 day advance notice for this event.

*Consent*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Committee.

I HEREBY CERTIFY that the foregoing Committee Report was duly accepted and adopted by the Common Council of the City of Sheboygan, Wisconsin, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Dated \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, City Clerk

Approved \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, Mayor

IV

III

R. O. No. III - 14 - 15. By CITY CLERK. August 18, 2014.

Submitting various license applications for the period ending June 30, 2015 and June 30, 2016.

*Law & Lic.  
9/2/14 - grant all lic.  
except Wood Meyer's  
9/15/14 - approve  
Meyer's.*

*Susan Richards*  
\_\_\_\_\_  
City Clerk

CHANGE OF PREMISE

<u>No.</u>	<u>Name</u>	<u>Address</u>
1226	Meyer's Lakeview Pub	550 Wilson Ave. - this will be taking place after a funeral with a tent set up in the parking area north of the building for patrons to eat. There will be a 5 day advance notice for this event.

"CLASS B" LIQUOR LICENSE (June 30, 2015)

<u>No.</u>	<u>Name</u>	<u>Address</u>
3086	Las Brisas	1129 S. 8 <sup>th</sup> St.

FERMENTED MALT BEVERAGE LICENSE (June 30, 2015)

<u>No.</u>	<u>Name</u>	<u>Address</u>
3085	Pho Thanh Vietnamese Rest.	920 Michigan Ave.

CLASS "C" WINE LICENSE (June 30, 2015)

<u>No.</u>	<u>Name</u>	<u>Address</u>
3085	Pho Thanh Vietnamese Rest.	920 Michigan Ave.

BEVERAGE OPERATOR'S LICENSE (June 30, 2016)

<u>No.</u>	<u>Name</u>	<u>Address</u>
0526	Badura, Thomas J.	4718 Winship Circle
0522	Beaumont, Jake M.	2217B Park Place

18

III

Handwritten text, possibly a signature or name, written in cursive.

0521 Dimas, Danielle D.	1538 N. 16 <sup>th</sup> St.
0527 Doolittle, Jared J.	732 Erie Ave.
0520 Finstad, Kyle S.	1105 Stonebridge Dr., Howards Grove
5962 Grunwald, John E.	1635A Michigan Ave.
1450 Halverson Jr., Richard W.	1511 N. 8 <sup>th</sup> St.
9757 Kluck, Victoria C.	2730 N. 11 <sup>th</sup> St.
0525 Kratz, Robert D.	1702 Cedar Grove Dr., 2A, Manitowoc
2620 Krueger, Janet L.	2126 S. 14 <sup>th</sup> St.
0523 McCoy, Joan	2123 N. 18 <sup>th</sup> St.
0529 Miller, Joshua J.	1518 S. 9 <sup>th</sup> St.
0515 Post, Taylor J.	1401 N. 7 <sup>th</sup> St.
9508 Rossey, Amanda L.	975 Green Acre Dr., Sheb. Falls
0530 Spoden, Todd A.	2007 Cooper Ave.
0531 Toth, Michael A.	3924 North Field Dr.
7784 Udovich, Ronda L.	1226 Main Ave.
0518 Van De Loo, Cory J.	1122 North Ave.
8588 Vandersande, Jenna L.	2627 N. 10 <sup>th</sup> St.
9942 Vang, Pavoua	3118 S. 17 <sup>th</sup> St.
5113 Wilson, Rachel L.	603 Leavens Ave., Sheb. Falls
0532 Yonan, Trevor	516 Ontario Ave.

TAXICAB DRIVER LICENSE (December 31, 2014)

<u>No.</u>	<u>Name</u>	<u>Address</u>
8207	Benirschke, Hayley E.	1529 Maryland Ave.
0524	Fenske, Amber K.	1925 S. 19 <sup>th</sup> St.
0519	Levisen, Anthony J.	520 N. 6 <sup>th</sup> St.
0528	Staggs, Dawn M.	1522 N. 16 <sup>th</sup> St.

**VII**

R. C. No.     - 14 - 15. By LAW AND LICENSING. September 15, 2014.

Your Committee to whom was referred, pursuant to R. O. No. 119-14-15 by the City Clerk, submitting license application for the period ending June 30, 2015 and June 30, 2016; recommends that the following licenses be granted with various caveats:

CHANGE OF PREMISE

<u>No.</u>	<u>Name</u>	<u>Address</u>
*2376	Swovy's	1645 S. 12 <sup>th</sup> St. - two-day event to be Held 10/3/14 to 10/4/14 to include current premise, parking lot at 1151 Broadway and the street from 12 <sup>th</sup> street to Spruce Ave. (Applied for Street Festival Permit).

**\*grant subject to Swovy's successfully obtain the street festival permit: change of premise application for Alcohol Beverage License #2376**

"CLASS B" LIQUOR LICENSE (June 30, 2015)

<u>No.</u>	<u>Name</u>	<u>Address</u>
3087	Santanas Place	1019 Erie Ave.

BEVERAGE OPERATOR'S LICENSE (June 30, 2016)

<u>No.</u>	<u>Name</u>	<u>Address</u>
0533	Bawadi, Ghada M.	1012 Falls Park Dr., Sheb. Falls
0544	Derse, James A.	5353 Meggers Rd.
0548	Detrick, April M.	1432 Erie Ave.
*0537	Drews, Amanda M.	1719A Alabama Ave.

**\*grant contingent upon the application being granted, and with a warning to include all violations on future applications**

0534	Fang, Sheng	1501 S. 7 <sup>th</sup> St.
0543	Gehrke, Emily A.	1109A Aspen Ct., Kohler
9586	Krause, Aleah F.	2931 N. 26 <sup>th</sup> St.
5443	Leichtnam, Tammy A.	24 Ashwood Dr.
0550	Moe, Kevin A.	2611 S. 10 <sup>th</sup> St.
5878	Paepke, Williard W.	1823 N. 9 <sup>th</sup> St.
0147	Rosenberg, Melissa A.	1410 MacAruthur Ave., #7
0542	Samsin, Harminio P.	919 Wilson Ave.
0540	Sangthumchai, Godchamon	2537 N. 11 <sup>th</sup> St.
8896	Segovia, Andrew A.	914 St. James Ct.
6693	Sprecher, Kara D.	3715 Larkspur Ln.
0549	Sutrick, Daniel R.	428 Pennsylvania Ave.
7044	Thompson, Henry V.	1619 S. 12 <sup>th</sup> St.

*Consent*

IV



II

R. O. No.           - 14 - 15. By CHIEF ADMINISTRATIVE OFFICER.  
September 15, 2014.

As part of the budget process, the attached listing of the Estimated Unreserved Fund Balances at December 31, 2014 and outstanding debt as of December 31, 2014 is submitted for your review.

*Lies over*

\_\_\_\_\_  
Chief Administrative Officer

III

**2014 BUDGET/FUND BALANCE SUMMARY - ALL FUNDS**

	Fund Balance Jan. 1, 2014	Budgeted Revenue	Tax Levy	Budgeted Expenditures	Estimated Fund Balance Dec. 31, 2014
General Fund	\$ 14,852,144	\$ 19,546,539	\$ 15,972,916	\$ 35,519,455	\$ 14,852,144
Special Revenue	2,320,957	5,944,915	2,305,741	8,250,656	2,320,957
Debt Service	7,728,872	5,287,182	2,886,889	8,174,071	7,728,872
Capital Projects	3,793,893	2,011,599	-	2,011,599	3,793,893
Enterprise	9,617,646	12,784,422	511,547	13,295,969	9,617,646
Internal Service	13,378,333	12,001,222	-	12,001,222	13,378,333
Trust/Agency	<u>1,892,113</u>	<u>58,500</u>	<u>-</u>	<u>58,500</u>	<u>1,892,113</u>
<b>Total</b>	<b><u>\$ 53,583,958</u></b>	<b><u>\$ 57,634,379</u></b>	<b><u>\$ 21,677,093</u></b>	<b><u>\$ 79,311,472</u></b>	<b><u>\$ 53,583,958</u></b>

CITY OF SHEBOYGAN

	Date of Issue	Date of Maturity	Outstanding Jan. 1, 2014	Issued 2014	Payments 2014	Outstanding Dec. 31, 2014
<b><u>GENERAL OBLIGATION BONDED DEBT</u></b>						
G.O. Refunding Bonds - 2006C	7/1/2006	10/1/2022	3,400,000		425,000	2,975,000
G.O. Refunding Bonds - 2006D	7/1/2006	10/1/2022	6,250,000		650,000	5,600,000
G.O. Refunding Bonds - 2006E	7/1/2006	11/1/2018	3,700,000		660,000	3,040,000
G.O. Corporate Bonds - 2007B	9/1/2007	10/1/2026	7,500,000		100,000	7,400,000
G.O. Refunding Bonds - 2010B	6/7/2010	4/1/2027	6,680,000		595,000	6,085,000
G.O. Refunding Bonds - 2010C	10/18/2010	10/1/2010	815,000		135,000	680,000

Total General Obligation Bonded Debt \$ 28,345,000 \$ 2,565,000 \$ 25,780,000

<b><u>GENERAL OBLIGATION LONG TERM NOTES</u></b>						
DNR Seawall Loan	12/23/2002	12/15/2023	721,161		80,129	641,032
DNR Land Recycling Loan	4/14/2004	5/1/2023	398,224		39,822	358,402
State Trust Fund Loan	11/21/2005	3/15/2015	128,375		62,928	65,447
State Trust Fund Loan	7/5/2006	3/15/2016	74,392		23,832	50,560
G.O. Promissory Notes - 2006A	4/5/2006	10/1/2015	1,000,000		500,000	500,000
G.O. Promissory Notes - 2006B	4/5/2006	10/1/2015	450,000		225,000	225,000
G.O. Promissory Notes - 2007A	4/15/2007	10/1/2016	900,000		300,000	600,000
G.O. Promissory Notes - 2008	5/15/2008	10/1/2017	1,725,000		350,000	1,375,000
State Trust Fund Loan	11/1/2009	3/15/2014	211,912		211,912	-
G.O. Promissory Notes - 2010A	6/7/2010	4/1/2020	1,485,000		195,000	1,290,000
G.O. Promissory Notes - 2011A	9/29/2011	10/1/2016	405,000		135,000	270,000
G O Promissory Notes - 2012A	5/10/2012	4/1/2022	4,250,000	-	440,000	3,810,000

Total General Obligation Notes \$ 11,749,064 \$ - \$ 2,563,623 \$ 9,185,441

<b><u>MORTGAGE NOTES</u></b>						
SDC Mortgage Notes	1/16/1995	Unknown	225,000		-	225,000
<b>TOTAL DEBT OUTSTANDING</b>			<b>\$ 40,319,064</b>	<b>\$ -</b>	<b>\$ 5,128,623</b>	<b>\$ 35,190,441</b>

II

R. O. No.           - 14 - 15. By CITY CLERK. September 15, 2014.

Submitting a communication from State Farm Insurance on behalf of their client Vincent Xiong with regards to an accident involving their insured and one of the City's police vehicles.

*Finance*

*Susan Richards*  
\_\_\_\_\_  
City Clerk



September 10, 2014

City Of Sheboygan  
Attention: City Clerk  
828 Center Ave  
Sheboygan WI 53081-4442

State Farm Claims  
PO Box 52273  
Phoenix AZ 85072-2273

RE: Claim Number: 49-396L-299  
Date of Loss: January 17, 2014  
Our Insured: Vincent Xiong

City Clerk:

I am sending this letter with regards to an accident involving our insured and one of your police vehicles. We have resolved this matter with Tom Mann at the Cities & Villages Mutual Insurance Company at 70% versus our insured and 30% versus the police officer. Mr. Mann advised us we would need to send our request for contribution of a liability claim to you as they only handle the auto physical damage coverage under their policy.

During this accident, there was damage to a traffic signal pole owned by the City of Sheboygan and the damage to this pole totaled \$2,803.71. We paid this in full. At this time, we are requesting contribution of 30% towards this damage; or \$841.11. I have included the supporting documents for this payment.

Should you have any questions with regards to this request, please contact me at the number listed below. Your anticipated cooperation would be greatly appreciated. Thank you.

You can enjoy the benefits of online registration. Benefits include checking the status of your claim online and staying connected to State Farm®. Just go to [statefarm.com](http://statefarm.com)® and select Check the Status of a Claim to get registered. All you need to complete the process is your State Farm claim number, your email address, and about five minutes. If you are already registered, thank you!

Sincerely,

*Kristin M Vaughan / JQ*

Kristin M Vaughan  
Claim Representative  
(313) 610-3924 Ext. 2627986261  
Fax: (888) 577-4670

State Farm Fire and Casualty Company

Enclosure(s): Repair invoice and proof of payment



**City of Sheboygan**  
 828 Center Ave, Suite 205  
 Sheboygan, WI 53081  
 Telephone No. 920-458-3371

# INVOICE

Invoice Date	Invoice No.
03/25/2014	3715
Customer Number	
1100	
Invoice Total Due	
\$2,803.71	
Payment Terms	
NET 30 DAYS	

XIONG, VINCENT  
 N6230 WOODLAND MEADOWS DR  
 SHEBOYGAN, WI 53083

Description	Original Bill	Adjustment	Paid	Amount Due
WORK ORDER 95311 - SALARIES	\$802.84	\$0.00	\$0.00	\$802.84
FRINGES	\$259.49	\$0.00	\$0.00	\$259.49
EQUIPMENT RENTAL	\$467.14	\$0.00	\$0.00	\$467.14
TOOLS & EQUIPMENT	\$1,274.24	\$0.00	\$0.00	\$1,274.24
TRAFFIC SIGNAL DAMAGED SE CORNER TAYLOR & WASHINGTON AVE 1/17/14				
Please put Invoice Number on your check. Make Checks Payable to: City of Sheboygan			Invoice Total	\$2,803.71

Financial Log Search | Search Results | View Payment



Payment Number: 105265512J

Issued Date: 08/15/2014

Payment Status: Paid on 08/26/2014

Total Paid Amount: 2,803.71

Authorized By: Kristin Vaughan (C8V6)

Entered By: Kristin Vaughan (C8V6)

Remarks: N/E

Payable To

Ⓢ CITY OF SHEBOYGAN

Address: 828 CENTER AVE, SHEBOYGAN, WI 53081-4442 USA

SSN/TIN:

Payment Detail Lines

Participant/COL	Pay COL	Pay Cd	Paid Amount	Rsn Cd
CITY OF SHEBOYGAN / 200	200	1	2,803.71	



II

R. O. No. \_\_\_\_\_ - 14 - 15. By PURCHASING AGENT. September 15, 2014.

Submitting a tabulation of bids for the direct purchase of a chiller assembly for Mead Public Library. The installation of this equipment and removal of the existing equipment will be performed under a separate contract.

Bidder	City	Unit Proposed and Quantity	Total Bid
Glacier Group	Milwaukee	(3) ClimaCool Model UC70 modules	\$ 139,900.00
Trane US Inc	Milwaukee	(3) Trane PWCCMV0600D3-MM modules	\$125,604.00
Masters Building Solutions	West Allis	(3) Multistack MS70X modules	\$ 105,115.00 Add \$2,700 for optional panels

A review of the equipment proposed by the Engineering Firm retained by the Mead Public Library has determined that the low bid with optional panels by Masters Building Solutions of West Allis WI meets or exceeds all stated specifications.

*Finance*

Respectfully submitted,

Bernard R. Rammer



III

R. O. No.            - 14 - 15. By CITY CLERK. September 15, 2014.

Submitting a claim from Jenny Tershner for alleged damages to her basement when the sewer backed up and came into her home.

*Invoice*

*Susan Richards*  
\_\_\_\_\_  
City Clerk

III

Robertson



10. Give a description of the injury, property damage or loss, so far as is known at this time. (If there were no injuries, state "NO INJURIES").

Items lost in addition to Alday/Hornold mechanical, Inc  
include dehumidifier, multiple shelving units, elliptical machine

11. Name and address of any other person injured: \_\_\_\_\_

12. Damage estimate: (You are not bound by the amounts provided here.)

Auto: \$ \_\_\_\_\_

Property: \$ \_\_\_\_\_

Personal injury: \$ \_\_\_\_\_

Other: (Specify below

\$ 759.33 plumber fees since they

**TOTAL**

759.33 could not unclog the main in  
the streets.

Damaged vehicle (if applicable)

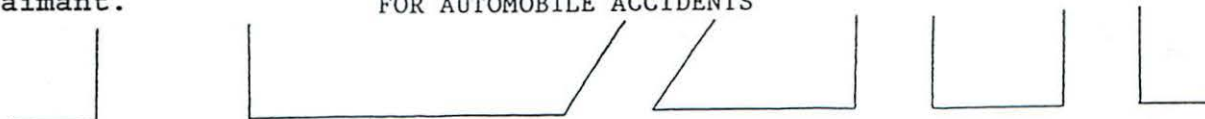
Make: \_\_\_\_\_ Model: \_\_\_\_\_ Year: \_\_\_\_\_ Mileage: \_\_\_\_\_

Names and addresses of witnesses, doctors and hospitals: \_\_\_\_\_

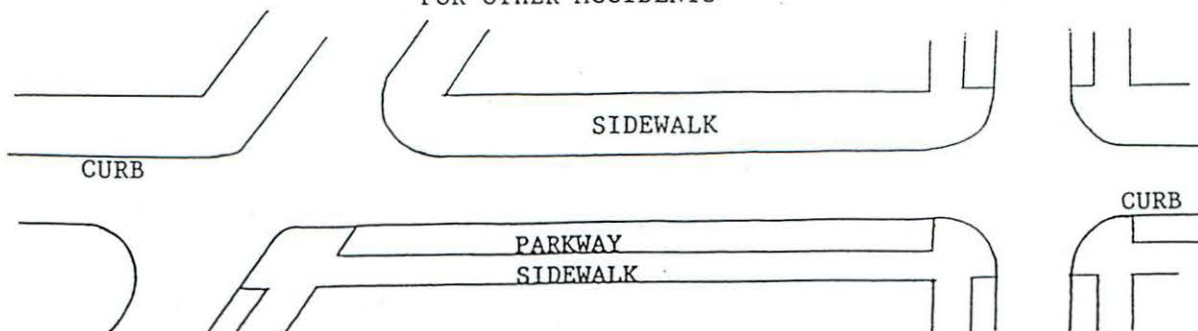
FOR ALL ACCIDENT NOTICES, COMPLETE THE FOLLOWING DIAGRAM IN DETAIL. BE SURE TO INCLUDE NAMES OF ALL STREETS, HOUSE NUMBERS, LOCATION OF VEHICLES, INDICATING WHICH IS CITY VEHICLE (IF APPLICABLE), WHICH IS CLAIMANT'S VEHICLE, LOCATION OF INDIVIDUALS, ETC.

NOTE: If diagrams below do not fit the situation, attach hereto a proper diagram signed by the Claimant.

FOR AUTOMOBILE ACCIDENTS



FOR OTHER ACCIDENTS



SIGNATURE OF CLAIMANT:

Danny J. [Signature]

Date:

9/8/14

DATE RECEIVED 9-8-14

RECEIVED BY JCS

CLAIM NO. 13-14

CLAIM

Claimant's Name: \_\_\_\_\_  
Claimant's Address: \_\_\_\_\_  
Claimant's Phone No. \_\_\_\_\_

Auto \$ \_\_\_\_\_  
Property \$ \_\_\_\_\_  
Personal Injury \$ \_\_\_\_\_  
Other (Specify below) \$ \_\_\_\_\_

TOTAL \$759.33

PLEASE INCLUDE COPIES OF ALL BILLS, INVOICES, ESTIMATES, ETC.

*Spoke to sewer department who advised me to submit the bill to the city.*  
WARNING: IT IS A CRIMINAL OFFENSE TO FILE A FALSE CLAIM.  
(WISCONSIN STATUTES 943.395)

The undersigned hereby makes a claim against the City of Sheboygan arising out of the circumstances described in the Notice of Damage or Injury. The claim is for relief in the form of money damages in the total amount of \$ 759.33.

SIGNED: Dorey Terskaur

DATE: 9/8/14

ADDRESS: 1324 W. 6th Street  
Sheboygan, WI 53081

# Aldag/Honold Mechanical, Inc.



www.aldaghonold.com  
 3509 S. Business Dr.: P O Box 1265  
 Sheboygan, WI 53082-1265  
 Phone: (920) 458-5558 Fax: (920) 458-3750

# Invoice

Invoice Number: 183198  
 Invoice Date: 8/31/2014  
 Page: 1 of 1

Bill To: 468222  
 JENNY A TERSHNER  
 1324 N 6TH ST  
 SHEBOYGAN, WI 53081

Service 012502  
 Location: JENNY A TERSHNER  
 1324 N 6TH ST  
 SHEBOYGAN, WI 53081

Work Order ID	Complete Date	PO Number	Terms	Called In By
183198	08 /12/2014		NET 30-1.5%/MONTH	JENNY

## Description of Work

8/06 After hour sewer stoppage  
 8/12 Remove toilet from basement and cap off

8/6 Used the large sewer machine in an attempt to clear the main sewer stoppage. I was unable to clear the stoppage. Called Harpers pumping to come in and jet the sewer. Found a house trap which was clogged.

8/12 Removed toilet, capped off with 4" gripper plug.

Qty	Item ID	Description	Unit Price	Amount
<b>Equipment</b>				
1		SEWER MACHINE	25.00	25.00
			SubTotal	25.00
<b>Parts</b>				
1.00		4" GRIPPER PLUG	16.51	16.51
			SubTotal	16.51
<b>Labor</b>				
1:00	PFJO	1429S Labor	129.25	129.25
1:30	PFJO	6177S Labor	99.45	149.18
			SubTotal	278.43
<b>Other Charges</b>				
		HARPERS PUMPING	403.23	403.23
			SubTotal	403.23

Invoice Subtotal	723.17
Sales Tax	36.16
Invoice Total	759.33
Payment Received	0.00
Balance Due	<u><u>\$759.33</u></u>

III

R. O. No.           - 14 - 15. By CITY CLERK. September 15, 2014.

Submitting a communication from Scott R. Goines Jr. requesting a waiver from the Sex Offender Residency restrictions in order to live at 919 N 5<sup>th</sup> St., Apt. 19.

pp+5.

*Lisa Richards*

---

City Clerk

III

James H. Smith

SEP 4'14 PM 2:56

Date 9/3/2014

My name is Scott R. Goines Jr.

I am requesting a waiver to the Sexual Residency Requirements so I may live at 919 N 5<sup>th</sup> St.

Apt. 19 Sheboygan, WI

Signature Scott R. Goines Jr.

Phone No 920-889-4884

Any applications for a waiver from the Sex Offender Residency restrictions received by Noon on the Thursday prior to the following Monday's Council meeting will be submitted to that Council for referral to Public Protection and Safety. Anything after Noon on Thursday will not go to Council until the next Council meeting. I know your agents are the ones that need to know this as they bring in the applications to the Clerk's Office. This timeline will also apply to people who just come into our office to drop off their own applications.

This will allow the Police Department to complete the necessary work they do to prepare for the Public Protection and Safety meeting.

Thanks for all your cooperation in this matter.....

II

R. O. No.           - 14 - 15. By CITY CLERK. September 15, 2014.

Submitting a communication from Patrick M. Miech requesting a waiver from the Sex Offender Residency restrictions in order to live at 3010 S. 19<sup>th</sup> St.

PP+S

*Susan Richards*

---

City Clerk

II

James H. ...

August 28th 2014

Mr. Patrick M. Miech #509597  
RCI Kenosha/East  
Po Box 900  
Sturtevant, WI 53177

SEP 3'14PM12:49

City of Sheboygan  
City Clerk & PP&S Committee  
Sheboygan, WI 53081

Dear PP&S Committee:

My name is Patrick M. Miech before going to Prison I was liveing in the City of Sheboygan for ten years, Also my Daughter lives in Sheboygan and my Exwife has lived in sheboygan her hole life. When i get released I would like to return to Sheboygan so i can go back to School for Culinary Arts At Lakeshore techinal College. well i am going to school i would like to try and start my own Lawn Care Compeny so i can suporrt my Daughter who will be almost 4 years old when i get out

Also you will need to contact my Exwife to see if she will still let me stay with her and my Dayghter because i am going by when we frist got divorced she had said that i could stay with her until i had gotten back on my feet and gotten my own place to live Also she would like our daughter to know her father .

I know what i did was wrong and the fact that there never was a 13 year old girl(that it was the milwaukee police all the time). And the fact that I allready lived in the City of Sheboygan for 8 years when this Sexual offender residency restrictions got passed . yes it is true that need to register for 20 years but I am not a Special Bulletin Notification sex offender. for these resons I feel that I should be granted a waiver and be allowed to live at 3010 S. 19th Street and by chance that my exwife says no I can't stay with her and my daughter please let me know in writeing. Thank you for your time in this mater.

Sincerely,



Patrick M. Miech

\* to live at  
3010 S. 19th St  
S. Richards

Enclosure Application:



III

Res. No.           - 14 - 15          . By Alderperson Hammond. September 9, 2014.

A RESOLUTION authorizing the appropriate City Officials to enter into a contract for the purchase of three (3) Multi-stack Chiller Modules for Mead Public Library.

WHEREAS, The air conditioning chiller at Mead Public Library is original to the building and is in need of replacement due to both it being obsolete and having poor energy efficiency and;

WHEREAS, Mead Public Library has elected to bid the equipment purchase separate from the installation as owner purchased materials, thus saving an additional 5% in sales tax and has received bids from three suppliers, and;

WHEREAS, a review of the bids by the City, Library and the Engineering firm retained by the Library has determined that the low bid meets all stated specifications.

RESOLVED: That appropriate city officials are hereby authorized to enter into a contract with Masters Building Solutions of Milwaukee WI. for the purchase of (3) Multi-Stack Brand chiller modules and optional panels in the amount of \$107,815.00. Removal of the existing unit and complete installation of the new equipment will be accomplished under a separate contract.

BE IT FURTHER RESOLVED, that the appropriate City officials are draw funding in the amount of \$ 75,000 from Account # 47351100-641600 and the balance from the Mead Public Library Reserve Account as determined by the City Treasurer in payment of same.

*Finance*

\_\_\_\_\_

I HEREBY CERTIFY that the foregoing Resolution was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Dated \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, City Clerk

Approved \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, Mayor

III

**III**

Res. No. \_\_\_\_\_ - 14 - 15. By Alderperson Hammond. September 15, 2014.

A RESOLUTION to authorize a transfer of appropriations in the 2014 Budget.

RESOLVED: That the Finance Director be and is hereby authorized and directed to make the following transfers of appropriations in the 2014 Budget for the purposes of:

Establishing appropriation for engineering services to Mead Library chiller project:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Mead Library Fund Unreserved Fund Balance 255-253000	Mead Library Fund Mechanical Equipment 25551150-641600	\$32,815

Establishing estimated revenue and appropriation for Fire Department respiratory make annual maintenance:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
General Fund Fire Department Respiratory Mask 10122100-442641	General Fund Fire Department Safety Equipment 10122100-530256	\$3,570

*Finance*

\_\_\_\_\_

I HEREBY CERTIFY that the foregoing Resolution was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Dated \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, City Clerk

Approved \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, Mayor

III

III

Res. No.     - 14 - 15. By Alderperson Carlson. September 15, 2014.

A RESOLUTION authorizing the filing of an application with the United States of America Department of Transportation and authorizing the executing of the contract pertaining to grants for calendar year 2015, under former Section 9 (USC 5307) of the Federal Transit Act of 1964, as amended.

WHEREAS, the Secretary of Transportation is authorized to make grants for a mass transportation program of projects; and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of the projects costs in the program; and

WHEREAS, it is required by the United States Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964 that in connection with the filing of an application for assistance under the Federal Transit Act of 1964, as amended, the applicant gives an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the United States Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the applicant that disadvantaged business enterprises be utilized to the fullest extent possible in connection with these projects, and definite procedures shall be established and administered to ensure that disadvantaged businesses shall have the opportunity to participate in construction contracts, supplies, equipment contracts, or consultants and other services.

NOW, THEREFORE, BE IT RESOLVED: That the Director of Parking and Transit is authorized to execute and file an application on behalf of the City of Sheboygan with the United States Department of Transportation to aid in financing of capital and operating assistance projects for calendar year 2015, pursuant to former Section 9 (USC 5307) of the Federal Transit Act of 1964, as amended.

BE IT FURTHER RESOLVED: That the Director of Parking and Transit of the City of Sheboygan is authorized to execute the contract pertaining to the City of Sheboygan's application for 2015 operating and capital assistance grants under former Section 9 (USC 5307) of the Federal Transit Act of 1964, as amended.

BE IT FURTHER RESOLVED: That the Director of Parking and Transit is authorized to execute and file with such applications all assurances or any other documents required by the United States Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964 and other legally mandated requirements of the United States Department of Transportation.

*Transit*

III

BE IT FURTHER RESOLVED: That the Director of Parking and Transit is authorized to furnish such additional information as the United States Department of Transportation may require in connection with the application for the program of projects.

BE IT FURTHER RESOLVED: That the Director of Parking and Transit is authorized to execute grant agreements on behalf of the City of Sheboygan with the United States Department of Transportation for aid in the financing of the capital and operating assistance program of projects.

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I HEREBY CERTIFY that the foregoing Resolution was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Dated \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, City Clerk

Approved \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, Mayor

**VI**

R. C. No.           - 14 - 15. By LAW AND LICENSING. September 15, 2014.

Your Committee to whom was referred to R. O. No. 103-14-15 by the City Clerk, submitting license application for the period ending June 30, 2015 and June 30, 2016; recommends that Beverage Operator's License application #0506 be denied based upon his failure to accurately reveal all relevant convictions on his application, his record of violations related to the licensed activity, his record as a repeat law violator, and his failure to cooperate with the Committee.

*reg.*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Committee.

I HEREBY CERTIFY that the foregoing Committee Report was duly accepted and adopted by the Common Council of the City of Sheboygan, Wisconsin, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Dated \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, City Clerk

Approved \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, Mayor

IV

**II**

R. O. No. 103 - 14 - 15. By CITY CLERK. August 4, 2014.

Submitting various license applications for the period ending June 30, 2015 and June 30, 2016.

*Law & Ric*  
*8/14/14 - grant all licenses except hold Munro, 8th St. Ale Haus, grant Seefeldt & (check)*  
*9/2/14 - approve chg premise for 8th St Ale Haus & hold Munro*  
*9/15/14 - deny Munro*

Susan Richards  
 City Clerk

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CHANGE OF PREMISE

<u>No.</u>	<u>Name</u>	<u>Address</u>
2742	8 <sup>th</sup> Street Ale Haus	1132 N. 8 <sup>th</sup> St. - two-day event to be Held 9/19/14 to 9/20/14 to include option A or option B. (See Attached Diagram).

BEVERAGE OPERATOR'S LICENSE (June 30, 2016)

<u>No.</u>	<u>Name</u>	<u>Address</u>
0493	Agard, Tyler A.	428 Ridge Court, Kohler
0490	Berg, Quincy P.	10554 W Fountain Ave., Milwaukee
0504	Bogenschuetz, David J.	W1397 Cty Rd. FF
8962	Brauer, Jean M.	2328 Sunflower Ave.
0491	Burke, Jesse E.	1619 S. 12 <sup>th</sup> St.
0507	Caelwaerts, Caitlyn A.	2601 N. 9 <sup>th</sup> St.
9903	Charles, Steven A.	619 Huron Ave., #2
0513	Ciha, Jordan R.	620 St. Clair Ave.
0497	Geier, Joan K.	2721 N. 11 <sup>th</sup> St.
0508	Hamik, Madaline R.	W6342 Burkshire Ln., Plymouth
0503	Konop, Robin S.	3637 N. 20 <sup>th</sup> Pl.
0505	Kuehlmann, Alexandra L.	525 Clement Ave.
2709	McKenzie, Daniel J.	7093 Hwy 67, Plymouth
4769	Meifert, Lisa M.	1336 North Ave.
0506	Munro, Ian E.	1338 Main Ave.
1789	Nielson, Lori M.	1833 N. 24 <sup>th</sup> St.
0494	Seefeldt, Tara M.	1520A John Ct.

9.9

III

831

Handwritten text, possibly a signature or name, located in the upper middle section of the page.

0510	Sharma, Shobha	1441 Park View Ter., #37
9754	Skirvin, Amber Nicole	N6745 Hwy 32., Sheb. Falls
0512	Steinpreis, Peter N.	1819 N. 19 <sup>th</sup> St.
0511	Tenhaken, Alan J.	1223 S. 21 <sup>st</sup> St.
0492	Thompson, Sarah J.	1127 N. 12 <sup>th</sup> St.
0502	Vitale, Vincenzo A.	1128 N. 29 <sup>th</sup> St.
0509	Wadzinski, Shannon P.	1470 N. 7 <sup>th</sup> St., Manitowoc

TAXICAB DRIVER LICENSE (December 31, 2014)

<u>No.</u>	<u>Name</u>	<u>Address</u>
7143	Shelton, Mellissa L.	603 S. 14 <sup>th</sup> St.

**IV**

R. C. No. \_\_\_\_\_ - 14 - 15. By SALARIES AND GRIEVANCES. September 15, 2014.

Your Committee to whom was referred Gen. Ord. No. 27-14-15 by Alderperson Donohue repealing Chapter 29 of the 1975 Municipal Code and repealing and recreating Chapter 82 of the Sheboygan Municipal Code relating to personnel regulations and benefits; recommends that the attached Substitute Ordinance be passed.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Committee

I HEREBY CERTIFY that the foregoing Committee Report was duly accepted and adopted by the Common Council of the City of Sheboygan, Wisconsin, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Dated \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, City Clerk

Approved \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, Mayor

XI



Subs. of Gen. Ord. No. 27 - 14 - 15.

By Alderpersons Donohue, Dassler and Bohren. September 15, 2014.

AN ORDINANCE repealing Chapter 29 of the 1975 Municipal Code and repealing and recreating Chapter 82 of the Sheboygan Municipal Code relating to personnel regulations and benefits.

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

Section 1. Chapter 29 of the 1975 Municipal Code is hereby repealed in its entirety.

Section 2. Chapter 82 of the Sheboygan Municipal Code entitled "Personnel regulations and benefits" is hereby repealed and recreated to read as follows:

"Chapter 82 - PERSONNEL REGULATIONS AND BENEFITS

ARTICLE I. IN GENERAL

Sec. 82-1. *Responsibility for maintenance of plans.*

- (a) The common council shall be responsible for the maintenance of the classification and compensation plans, including but not limited to the allocation of new or changed positions and determination of proper compensation rates within the provisions of this chapter.
- (b) The common council delegates administrative and clerical work involved in the foregoing to the director of human resources and labor relations.
- (c) Whenever a significant change is made in the duties and responsibilities of a position involving either the addition of new assignments or the taking away or modification of existing assignments, such changes shall be reported to the director of human resources and labor relations by the department head concerned. The director of human resources and labor relations shall investigate such changes; if they are to be permanent and warrant reclassification, he/she shall submit the recommendations to the common council.

Sec. 82-2. *Medical insurance.*

- (a) *Election of retirees to participate.* Eligible employees who retire may participate in the city's medical insurance family or single plan for retirees, subject to the limitations and conditions listed under subsection (c). Such election shall be made on or before the

date of retirement. Employees who do not elect coverage at the time of retirement are deemed to have waived their right to participate.

(b) *Payment of premiums.* Such employees shall pay monthly, via direct deposit, the entire rate for medical plan coverage, as established from time to time by the city or its insurance carrier to the finance director/treasurer on or before the fifteenth day of the month preceding coverage, and will not benefit by any city contributions except where otherwise provided for in ordinances, resolutions or labor agreements. Upon failure to pay by the fifteenth, or if the direct deposit rejects, a late payment fee of fifty (\$50.00) dollars shall be added to the established premium. Failure to pay the premium and late payment fee by the last day of the month shall result in termination from the plan effective the first day of the following month, absent extraordinary circumstances totally beyond the control of such employee as determined by the common council upon recommendation of the salaries and grievances committee.

(c) *Limitations and conditions.* Non-represented employees fall into three (3) tiers for consideration of post-employment retirement elections:

(1) *Tier 1.*

Employees hired prior to December 31, 2011 who would have otherwise been eligible for the retiree benefits then in effect (vested in WRS eligibility) were grandfathered in this benefit category. To qualify as a Tier 1 employee, the employee must have been a non-represented employee on December 31, 2011, have been eligible for retirement under WRS (retirement age) as of December 31, 2011 with a minimum of 15 years of service of which at least the last five (5) years of service had been served as a non-represented employee on or before December 31, 2011. Upon retirement (the term "retirement" as used herein shall mean the employee must be retired under the Wisconsin Retirement System and receiving monthly annuity payments), Tier 1 employees will be eligible to continue on the health insurance plan with the City paying 100% of the premium cost for single coverage and 60% of the premium cost for the family plan with the following stipulations: Exempt employees are eligible for ten (10) years maximum benefit; Non-exempt employees are eligible for five (5) years maximum benefit. Health insurance benefits discontinue upon Medicare eligibility, the retiree becoming eligible for other group health insurance as a result of other

employment, the retiree turning age 65, or the retiree's death.

(2) *Tier 2.*

Employees that were non-represented employees as of December 31, 2011, but did not meet the eligibility requirements to qualify as a Tier 1 employee for retirement (that is, was not eligible for retirement under WRS (retirement age) with a minimum of 15 years of service of which at least the last five (5) years of service served as a non-represented employee on or before December 31, 2011). On or after January 1, 2012, upon reaching 15 years of service, with at least five (5) years as a non-represented employee at the time of retirement, the retiree will be eligible to continue on the health insurance plan and will pay 50% of the premium contribution for single or family coverage with the following stipulations: Exempt employees are eligible for five (5) years maximum benefit; Non-exempt employees are eligible for 2½ years maximum benefit. Health insurance benefits discontinue upon Medicare eligibility, the retiree becoming eligible for other group health insurance as a result of other employment, the retiree turning age 65, or the retiree's death.

(3) *Tier 3.*

Newly hired non-represented employees or employees that were new to the "non-represented" employee status as of January 1, 2012 (employees who were previously part of a bargaining group). Upon a qualifying retirement event, these employees will be eligible for COBRA continuation of benefits.

(d) *Surviving spouse.* A surviving spouse of an active, disabled or a retired employee may elect to participate in the City of Sheboygan medical benefit plan at his/her own expense, subject to the limitations and conditions listed below, excepting as otherwise set forth in any labor agreements passed by the common council. Said surviving spouse shall not be eligible for dental coverage under the City of Sheboygan plan except as required by applicable law.

(1) The employee, or retired employee, must have fifteen (15) years or more of continuous City Service and be enrolled in the City of Sheboygan medical benefit plan at the time of his/her death.

- (2) Said election shall be irrevocable and shall be made within thirty (30) days after the date of death of the employee or retired employee and said spouse may remain in the aforementioned plan indefinitely, subject to the other provisions herein.
- (3) Said surviving spouse shall pay, monthly, via direct deposit, the entire rate for medical plan coverage, as established from time to time by the city or its insurance carrier to the finance director/treasurer on or before the fifteenth day of the month preceding coverage. Said payments shall not be reduced by any contractual city contribution for medical plan rates for which the deceased employee or retired employee may have been eligible. Upon failure to pay by the fifteenth, or if the direct deposit rejects, a late payment fee of fifty (\$50.00) dollars shall be added to the established premium. Failure to pay the premium and late payment fee by the last day of the month shall result in termination from the plan effective the first day of the following month, absent extraordinary circumstances totally beyond the control of such surviving spouse as determined by the common council upon recommendation of the salaries and grievances committee.
- (4) Coverage under the above plan shall be limited to the surviving spouse and the deceased's legally dependent children, inclusive of unborn, as of the date of the employee's or retired employee's death. Said coverage for the surviving spouse and deceased's legally dependent children shall terminate upon a change in the marital status of the surviving spouse.
- (5) The surviving spouse must sign an affidavit of eligibility upon initial enrollment and may not be eligible for any type of medical plan coverage as a result of being employed elsewhere. Said affidavit must be completed and signed on an annual basis. Lack of response or failure to include factual information in the affidavit will result in the surviving spouse being terminated from the City of Sheboygan medical benefit plan.
- (6) When the surviving spouse becomes eligible for any government-sponsored insurance program, the coverage shall be changed to a non-duplicating plan.
- (7) The terms "dependent" and "disabled" as used herein are as defined in the City's medical benefit plan summary.

- (8) The surviving spouse of employees with less than 15 years of service will be offered coverage as required under applicable law and will be ineligible for further City coverage when the coverage required by law expires.

Sec. 82-3. *Residency requirement.*

- (a) All members of boards or commissions shall be residents of the city and maintain residency in the city while under the employment or service of the city. In the event that any such member of a board or commission does not meet the foregoing requirement, his office or position shall be automatically forthwith vacated and such vacancy shall be filled in the manner prescribed by law or ordinance.
- (b) Notwithstanding subsection (a), the residency requirement shall not apply:
  - (1) To members of a business improvement district board who own or occupy real property in the business improvement district.
  - (2) To nonvoting members of advisory committees to the common council.
  - (3) To the Sheboygan County Board representative to the Board of Marina, Parks & Forestry, so long as the County maintains a financial investment in the city's Harbor Centre Marina.
  - (4) To licensed members of the board of electrical and heating examiners, provided that they hold a current active license for their membership classification and maintain their principal business office or place of employment in the city.
  - (5) To members of the Mayor's Special International Committee residing within the boundaries of the Sheboygan Area School District.
  - (6) To one member of the Board of Waterworks Commissioners who owns real property within and owns or operates a business within the City of Sheboygan.

Sec. 82-4. *False statements, reports.*

No persons shall make any false statement or report with regard to any test, certification or appointment made under any provisions of this chapter or in any manner commit or attempt to commit any fraud preventing the impartial execution of this chapter and policies.

Sec. 82-5. *Bribery.*

No person shall directly or indirectly give, render, pay, offer, solicit or accept any money, service or valuable consideration for any appointment, proposed appointment, promotion or proposed promotion to, or any advantage in, a position in the city service.

Sec. 82-6. *Political activities.*

- (a) Nothing hereinafter contained shall affect the right of the city employee to hold membership in and support a political party, to vote as he or she chooses, to express privately his or her opinions on all political subjects and candidates, to maintain political neutrality and to attend political meetings.
- (b) No employee shall engage in political activities during regular work hours, nor shall any employee wear his or her uniform, badge or other indicia of office/employment while engaging in political activities.
- (c) No employee shall erect, construct or post political posters on city property or buildings. Political posters shall not be displayed or posted on the private automobiles of employees when parked on city premises furnished to the employee by the city for the parking of such vehicle during regular work hours, except bumper strips on bumpers.
- (d) No person shall directly or indirectly solicit or receive subscriptions, assessments, contributions, or services or any partisan or nonpartisan political purpose from any employee in city service or use his or her influence to coerce the political action of any employee while such employee is on city premises during any regular working hours.
- (e) Unless otherwise prohibited, any city employee may be a candidate for political office and may actively campaign therefor without jeopardizing his or her employment with the city. (Note: No city employee elected to a city political office may serve in violation of the restrictions contained in Wisconsin Statutes 946.13 and 66.0501).
- (f) For the purposes of this section, political activity shall mean activity calculated to improve or favor the changes of any political party or any person seeking or attempting to hold political office; such definition of political activities shall include but not be limited to campaigning for candidates or

political parties, circulating nomination papers, registering voters, collecting contributions or selling fund-raising tickets, distributing campaign material, organizing political rallies or meetings.

Sec. 82-7. *Effect of violations.*

- (a) Any employee who is guilty of a violation of section 82-4 through 82-6 of this chapter shall be subject to disciplinary action which may include demotion, suspension and/or dismissal.
- (b) Elected officials, department heads or any person who is not an employee of the city who is guilty of a violation of section 82-4 through 82-6 of this chapter shall be subject to a forfeiture of not less than fifty dollars (\$50.00) nor more than two hundred fifty dollars (\$250.00), together with the costs of prosecution, and in default of payment thereof, to imprisonment in the county jail until such forfeiture and costs are paid, but not to exceed thirty (30) days.

Sec. 82-8. *Alleged or Apparent Strikers.*

- (a) Employees who may be deemed to be alleged or apparent strikers will not receive their regular pay, sick leave pay or be permitted plus time pay. All employees who are on an approved vacation which was prescheduled will receive the approved amount of vacation pay. All lost time by strikers shall be reported as absent without leave. All strikers and their agents will be subject to provisions of any appropriate law, applicable rules and regulations, ordinances and contracts covering the prohibition of strikes and absence without leave from assigned jobs and subject to replacement.
- (b) Employees are deemed to have refused to work during a strike in the following cases:
  - (1) Refusal to cross picket lines with equipment or to obtain equipment.
  - (2) Refusal to cross picket line to enter their place of work.
  - (3) Refusal to be transported to their place of work by city vehicle even if they are furnished such transportation outside the picket lines.
  - (4) Refusal to work because of being in sympathy with the strikers.

(5) Leaving jobs during the work day to attend union meeting.

The above are examples of reasons for refusal to work. Any unauthorized reason for refusal to work falls into this category even though not stated above. These employees will not receive their regular pay, call-in pay, sick leave pay or be permitted plus time pay. Employees in this category will only be paid for authorized time actually worked.

(c) Employees who are available and willing to work but cannot work for a variety of reasons, such as:

(1) Lack of equipment.

(2) Inability to proceed without workers on strike, upon whom they depend for completing their tasks.

(3) Inclement weather.

These employees whose contract allows for a two-hour call-in pay will be paid that amount, but no additional plus or minus hours will be issued.

The following guidelines are furnished to department heads of union groups with respect to employees in their department who present themselves in the regular way for regular employment during the strike or work stoppage. Any employee in the department who is able and willing to work and presents himself for work in the department at the usual and customary time and place shall be permitted to work conditioned upon the following:

(1) That the regular or customary work to which such employee is normally assigned is available and that such employee can discharge his normal duties.

(2) That the equipment which such employee normally uses is available and operating, if equipment is necessary for such employee normally in the discharge of his duties.

*Sec. 82-9. Application to employees of boards, commissions.*

The classification and compensation provisions of this chapter shall apply to employees of all boards and commissions after the governing bodies thereof so approve by resolution duly adopted.

Sec. 82-10. *"Employee" defined.*

The term "employee" whenever used in this chapter shall include all officers, supervisors, and department and division heads of the city except those excluded under section 82-23.

Secs. 82-11 - 82-20. Reserved.

## ARTICLE II. POSITION CLASSIFICATION

Sec. 82-21. *Division of offices.*

All offices in the public service in the city shall be divided into two (2) classes, namely, the classified and unclassified service.

(a) *Unclassified positions.*

- (1) All officials elected by the people.
- (2) Election officials appointed pursuant to Sec. 7.30, Wis. Stats.
- (3) All officers, members or employees of city boards, commissions, utilities or authorities.
- (4) All employees appointed by the mayor and/or common council, with the exception of the position of secretary to the mayor.
- (5) Other positions designated by the common council as unclassified.

All employees in the unclassified service except those excluded under section 82-23 shall be governed by this chapter and the same provisions relating to the classified service with respect to hours, paid time off ("PTO"), holidays, political activities, unlawful acts, all as provided in this chapter.

(b) *Classified positions.* All other offices and positions not designated otherwise shall be included in the classified service, with the exceptions of such employment or positions relating to temporary, seasonal or part-time work or work created for relief purposes.

Sec. 82-22. *Establishing classifications.*

All positions in the municipal service, except those listed in section 82-23, shall be grouped into classes and each class shall include those positions sufficiently similar in respect to their duties and responsibilities so that similar requirements as to training, experience, knowledge, skill, personal qualities, and the same rates of compensation are

applicable thereto. The civil service status of positions is not affected by their inclusion or exclusion from the provisions of this section.

Sec. 82-23. *Excluded positions.*

The provisions of this chapter (except sections 82-6 and 82-7) shall not apply to the following offices and positions:

- (a) Officers of the city government who are elected by the voters of the city, except that compensation as provided in section 82-61.
- (b) Members of city boards and commissions and members and employees of city utilities and authorities.
- (c) Officers and employees of the library board.
- (d) Harbor master.
- (e) Officers and employees subject to the jurisdiction of the municipal water utility department and paid from the funds of such department.

Sec. 82-24. *Allocating existing positions.*

The allocation of individual positions to standard classes and any reallocations which may be required subsequently shall be made by the common council.

Sec. 82-25. *Hiring of new employees generally.*

- (a) When any department head learns that a vacancy has occurred or is about to occur in any full-time position in the city service in his department, except those employees of city boards, utilities or authorities, he shall forward a written request, along with the chief administrative officer's recommendation, justifying the filling of the vacancy to the human resources department. If the position is already part of the department's table of organization and included in the budget, the human resources department may proceed with the hiring process and fill the position. If the position is not budgeted, approval needs to be granted by the salaries and grievances committee. Within thirty (30) days after receipt of such request, the salaries and grievances committee shall approve or reject the request in writing. If refused, the reason should be stated for such refusal. Any department head may appeal any decision made under this section to the common council. If approved by either the salaries and grievances committee or the common council, certification shall be made in accordance with the following procedure:

- (1) When filling a vacancy by selection of an eligible candidate from a list established on the basis of an open competitive

examination, the appointing authority, subject to the approval of the director of human resources and labor relations, may specify requirements of particular experience, education, skill and/or physical requirements necessary for successful performance. The director of human resources and labor relations shall certify the name or names of those persons categorized as best qualified to fill the vacancy in accordance with these requirements and civil service rules and regulations. The appointing authority shall make his appointment from those certified.

- (2) In promotional examinations, appropriate consideration shall be given to employee qualifications, record of performance and ability.
  - (3) For protective service vacancies, the selection shall be in accordance with police and fire commission regulations and any labor agreement.
  - (4) The appointing authority, subject to the approval of the director of human resources and labor relations, may make a provisional appointment from an eligible list in accordance with items (1) or (2) of subsection (a) even though the incumbent has not yet vacated the position provided approval has been received in accordance with subsection (a). The eligible person so appointed will be accorded all the benefits of a regular appointee and shall retain all rights of certification to the permanent appointment.
- (b) Nothing herein shall be construed as precluding the appointing authority from filling a position in the unclassified service in the manner in which positions in the classified service are filled. Upon request from the appointing authority, the director of human resources and labor relations shall certify the name or names of persons categorized as best qualified to fill an unclassified position. The appointing authority is authorized to make his appointment from those certified.
- (c) For part-time, temporary or seasonal help, the appointing authority shall follow the department budget regarding the amount of seasonal help needed. Temporary or seasonal employment shall not exceed six (6) months unless otherwise authorized by the common council.
- (d) All appointments and promotion in the city service shall be made without regard to sex, race, religion or political affiliation and shall be based on merit and ability to perform the essential functions of the position.

Sec. 82-26. *Abolition of positions generally.*

Whenever in the judgment of the common council it becomes necessary in the interest of economy, lack of work or funds, or other just causes to abolish any position in the classified service, the person filling such position shall cease to be employed. Where the number of employees in a class code is reduced, the appointing authority shall consider seniority, performance appraisals, conduct, skill and ability in determining the order of layoff, except where otherwise provided for in labor agreements entered into by the city. Qualifications, skill and ability, and work performance are given greater weight than seniority in the event of a reduction in force. If all things are equal, seniority will be the determining consideration. Regarding seniority, years of service as a full-time employee are calculated. Part-time service will be given prorated credit. For example, an employee who worked 20 hours per week average will be given credit for one-half (1/2) year of service.

Sec. 82-27. *Agreements authorized.*

- (a) The director of human resources and labor relations is authorized and empowered to enter into reciprocal agreement within the approved budgetary limitations for the use of equipment, materials, facilities and services with any agency or body for the benefit of the public personnel system.
- (b) The director of human resources and labor relations may enter into agreements with other governmental agencies charged with public personnel administration in conducting personnel tests, recruiting personnel, establishing eligibility lists, labor relations services and the interchange of personnel.

Sec. 82-28. *Class specifications - Purpose and effect.*

Each class specification shall outline the main characteristics and qualification requirements of positions in the class and give examples of specific duties which employees holding such positions may properly be required to perform. The class specification is descriptive and explanatory but not restrictive. The listing of particular examples of duties does not preclude the assignment of other tasks by the department head or designated supervisory personnel.

Sec. 82-29. *Class specifications - Amendments.*

Class specifications for newly created positions shall be approved by the common council. Any additions or deletions in the class specifications which change the class grade or any substantive changes in the minimum

requirements of existing positions shall also be approved by the common council. Other changes in the class specification shall be made by the salaries and grievances committee.

Sec. 82-30. *Class specifications - Statements of qualifications.*

The statement of qualifications in a class specification is intended to be used as a guide in selecting persons for examinations and employment, for preparing examinations and for use in determining the relative value of positions in a class with positions in other classes. In addition, the director of human resources and labor relations will establish minimum standards for all other factors as may be held to relate to the ability of the candidate to perform with reasonable efficiency.

Sec. 82-31. *Class specifications - Applying specifications to positions.*

In determining the class to which a position should be allocated, the specification of each class shall be considered in its entirety and in relation to the specifications of the classes in the classification plan.

Sec. 82-32. *Classification plan.*

The classification plan shall consist of the classes referred to in section 82-33, with such changes as may be approved by the council. All positions in each class shall be compensated in accordance with the class grade for each class as shown in section 82-33 and the rates for such class grades referred to in section 82-54.

Sec. 82-33. *List of classes and class specifications.*

The occupational list of classes (table of organization) and compensation grade schedules showing the class title, class grade, and compensation grades of the positions of employment in the city service to which the provisions of this section shall apply are set forth and numbered as section 82-33 in the supplement to this Code on file in the city clerk's office.

Secs. 82-34 - 82-50. Reserved.

ARTICLE III. COMPENSATION PLAN

Sec. 82-51. *Compensation limited.*

No provision of this article shall be construed as authorizing any increase in salary or wage during a fiscal year which would result in exceeding appropriations made for such purpose. No city employee shall retain any fees or compensation received by virtue of his employment with the

city other than authorized by the common council; such fees shall be paid into the city treasury.

Sec. 82-52. *General payroll procedure.*

The director of human resources and labor relations shall make such necessary changes in the payroll procedure, establish hourly rates based on the number of hours to be worked and the amount earned, and such other incidental changes not in conflict with this chapter.

Sec. 82-53. *Full-time earnings basis.*

The biweekly rates of pay are based on full-time employment at normal working hours for the respective classes of positions as referred to in section 82-33; provided, however, that the salaries of non-represented supervisory, professional and administrative positions listed as department and division heads in section 82-70 are fixed according to the responsibilities to be fulfilled and are not based on a fixed number of hours of work per week and shall not be adjusted with variations in work schedules, unless part-time employment is specifically provided.

Sec. 82-54. *Salary and wage schedules.*

Salary and wage schedules with hourly rates and straight-time yearly rates for a full-time employee (full-time for the calculation of a yearly rate is 40 hours per week, 2080 per year) for all salary grades in the city service to which this article shall be applicable are established and listed in the non-represented compensation program on file in the human resources department.

Sec. 82-55. *Base salary of police, fire personnel.*

The base salary of police and fire personnel shall include holiday pay and reporting time.

Sec. 82-56. *Biweekly payment of earnings.*

Except for employees covered under a valid collective bargaining agreement providing otherwise, all salaries and wages shall be paid biweekly for salaries and wages earned during the biweekly period preceding the most current biweekly period (i.e. two-week holdback).

Sec. 82-57. *Acting pay for non-represented employees.*

- (a) When a temporary vacancy occurs of more than two (2) calendar weeks but less than six (6) months, in a non-represented position, the director of human resources and labor relations, in consultation

with the affected department head, may recommend to chief administrative officer an appropriate subordinate non-represented employee to fill the position on an "acting" basis for the duration of the temporary vacancy. Positions in Transit, Police and Fire require the approval of the respective commissions. If the subordinate is in a lower salary grade, while serving in such an "acting" capacity, the subordinate shall receive additional compensation for the additional work assigned. When partial responsibilities are assigned, a 5% increase will be awarded (5% of the acting employee's current pay). For full duty assigned responsibilities, a 10% increase will be awarded. This amount will be issued until a full-time replacement has been named and starts. In no case shall the temporary increase in pay be greater than the salary of the person who left.

- (b) After one (1) year, the employee shall be reclassified to the position he/she is actually performing, his or her pay adjusted to the new position, and the employee's performance shall be reevaluated for pay purposes.

Sec. 82-58. *Worker's compensation.*

A full-time or permanent part-time city service employee, except those employees of the board of water commissioners, who sustains a compensable injury while performing within the scope of his or her employment as provided by Chapter 102, Wis. Stats. (Worker's Compensation Act), shall receive compensation in accordance with state statutes. The first three (3) days of a lost time injury will be unpaid, after which the employee will receive his/her eligible amount of compensation directly from the city's third party administrator for worker's compensation.

Sec. 82-59. *Temporary, seasonal employees.*

- (a) Temporary or seasonal employees shall be paid in accordance with the "Extra Help Schedule" and amendments thereto as passed by the common council and filed in the human resources department.
- (b) Temporary or seasonal employees who return to the same department and perform essentially the same duties, may be advanced in pay within the pay grade based upon satisfactory service and the recommendation of the department head. Returning seasonal employees will not be paid greater than the amount listed as top-pay for "Extra Help."

Sec. 82-60. *Car allowances.*

Officers or employees who are required to use their privately owned automobiles in the conduct of city business are entitled to reimbursement on a per mile basis equal to per mile basis approved by the Internal Revenue Service for income tax purposes. Official increases or decreases announced by the Internal Revenue Service will not be retroactive but shall be effective on the first of the month following the announced increase or decrease by the Internal Revenue Service. To be eligible for reimbursement, an employee must comply with the expense reimbursement policy.

Sec. 82-61. *Elected officials.*

The committee on salaries and grievances shall recommend for common council approval the initial salary for all full-time elective positions and any and all in-term increases for same at least thirteen (13) months prior to the election date for each office. The common council shall act on such recommendations and establish the salaries for full-time elective positions not later than the final meeting of the council year preceding the year of election.

Sec. 82-62. *Adjustment.*

The biweekly and hourly rates for different classes of positions which are prescribed in this article shall be changed only upon amendment by the common council.

Sec. 82-63. *Starting rates on initial employment.*

Original hires who have all the qualifications to any position shall be offered the minimum pay for that position. In the case where a potential employee has the majority of qualifications, that employee may be offered an amount less than minimum until the point that he/she achieves the qualification, at which time the employee will be brought to the minimum. In the case an employee is hired who already has advanced training and/or experience required for a position, the initial rate offered upon hire may be greater than minimum but will be within the range of a position. At any time a salary offer is identified that is greater than midpoint of a salary range, the director of human resources and labor relations must attain advance approval from the salaries and grievance committee. At no time will an employee receive greater than the top pay in a salary grade.

Sec. 82-64. *Starting rates on new position.*

Whenever an employee is assigned a duty in a position not previously held by him and such change is not in the nature of a promotion, he shall receive the entrance rate in the range established for such position or such

other rate within the applicable range as he may be entitled to by reason of crediting him in his new position with such prior service that is found to meet the following conditions: The character and nature of the duties of the position to which the employee was assigned are similar to those of the new position; and the service in the former position provided experience valuable to the performance of the new position.

*Sec. 82-65. Starting rates on promotion.*

In any case where an employee is promoted to a class with a higher pay range, the entrance rates shall be at no-less than the minimum base pay in the applicable range as he may be entitled to by reason of crediting him with prior experience that is directly related to the new position, except as otherwise provided for in any labor agreements approved and passed by the council.

*Sec. 82-66. Starting rates on demotion.*

Whenever an employee is demoted to a position for which he is qualified, be it voluntary or involuntary, he shall receive a decrease in pay of \$1.25 per hour, but not less than the minimum pay for the new position.

*Sec. 82-67. Increases in compensation.*

- (a) The director of human resources and labor relations has the authority to identify minor adjustments to position descriptions without approval from the salaries and grievance committee and/or council. However, major changes in position descriptions which subsequently modify the salary grades to city employees, including department heads and supervisory personnel, shall be approved by both the salaries and grievance committee and by the common council.
- (b) Department heads requesting consideration for modifying a salary grade must complete the appropriate reclassification request form to properly document the specific information requested for consideration and keep a record of the reasons for the justified change, if any.

*Sec. 82-68. Continuity of service.*

- (a) Service requirements for advancement within compensation ranges, and for other purposes as specified in this article, shall have the implication of continuous service, which means employment in the city service without break or interruption. Leaves of absence without pay of less than thirty (30) workdays and leaves with pay shall not interrupt continuous service nor be deducted therefrom.

- (b) Except as otherwise provided under federal or state law and regulations for covered absences for service in the armed forces of the United States, absences shall not be deducted in compiling total service, but shall not serve in the calculation of current benefits pursuant to continuous service. For example, vacation calculation is earned by actual time worked the previous year. Though the employee will receive his/her original hire date for the vacation scheduled (total number of years served will not be deducted while serving), only the actual time worked on the city job will be used in the prorating of earned vacation upon return from active duty.
- (c) Qualified family medical leave absences (FML) will not disrupt an employee's continuity of service. Any identified pay increase that would have occurred while the employee was out on FML would become effective upon the date of return from the leave, i.e. retroactive pay would not apply.

Sec. 82-69. *Overtime for non-represented employees.*

- (a) The normal work schedule for full-time, nonexempt employees is five eight-hour periods, totaling 40 hours per week. This schedule may be revised as necessary depending on customer and/or city requirements, as determined by management. Each employee needs to work with their supervisor to define the expected hours of work. Employees may need to flex their schedule to maintain a 40 hour work week. The time flexed must be approved in advance by management and be contained within a two-week, 80-hour payroll cycle. If an employee flexes their schedule during the 40-hour work week, time worked in excess of eight hours a day can only be taken on an hour-for-hour basis. In other words, if an employee works ten hours on Monday, the additional two hours flexed on Monday may be taken off later in the week at straight-time hours, not time-and-one-half. Employees may not save (bank) additional time off for use in another pay period. If customer and/or city requirements prevent an employee from utilizing their flexed time, the employee will be paid overtime for hours worked in excess of 40-hours in a week.
- (b) Exempt employees are full-time employees who normally work a minimum of 40 hours per week. Due to the executive, administrative or professional nature of these positions, exempt employees are paid a defined salary for their position rather than an hourly rate. Therefore, if the position requires additional hours (over 40) during the work week, those who hold exempt positions are expected to perform their duties as part of their work week. The

additional time worked is considered part of the position expectations and is exempt from overtime pay.

- (c) Overtime compensation for nonexempt salaried and hourly full-time, part-time seasonal and temporary employees will be paid for hours worked in excess of 40 hours per week in accordance with applicable laws.
- (d) Exempt employees under the fair labor standards act and elected officials will not receive overtime pay.

Sec. 82-70. *Non-represented, exempt employees.*

The following non-represented employees are exempt under the fair labor standards act:

Attorney Department  
City Attorney (elected)  
Assistant City Attorney

Police Department  
Chief of Police  
Admin Asst./Office Supervisor

Assessor Department  
City Assessor

Human Resources Department  
Director of Human Resources  
Benefits Analyst

Finance Department  
Chief Administrative Officer  
Finance Director  
Comptroller/Treasurer  
Auditor/Analyst  
Accountant

City Development  
Director of City Development  
Planning & Zoning Manager  
Community Development Specialist  
Neighborhood Development Planner

Public Works Department  
Director of Public Works  
City Engineer  
Supt.-WWTP  
Supt. of Streets  
Supt. of Parks  
Supt. of Buildings & Grounds  
Maintenance Supervisor-WWTP  
Vehicle & Equipment Supervisor  
Supervisor of Operations-Streets  
Environmental Engineer  
Chemist-WWTP  
Naturalist

Information Technology Department  
Information Technology Director  
Systems Analyst  
TV Programmer Director-WSCS  
TV Production Coordinator-WSCS

Parking & Transit Utility  
Director of Parking & Transit  
Transit Op. Supervisor/Dispatch

Senior Citizens Center  
Senior Activity Center Supervisor

Fire Department

Fire Chief

Assistant Fire Chief

Deputy Chief

Battalion Chief

Municipal Court

PT Municipal Court Judge (elected)

Mayor's Office

Mayor (elected)

City Clerk's Department

City Clerk (elected)

Sec. 82-71. *Hours of employment.*

- (a) Except as otherwise provided, the standard work week for regular, full-time employees of the city will be forty (40) hours, but this is not construed to mean a guarantee of minimum hours of work or a limitation of the number of hours which the city may require an employee to work.
- (b) The work week, except as otherwise provided, will commence at 12:01 a.m. Sunday morning and end at 11:59 p.m. Saturday night.
- (c) The work day, except as otherwise provided, shall be from 12:01 a.m. to 12:00 midnight.

Sec. 82-72. *Administration and records.*

- (a) In emergencies, a department head may prescribe reasonable periods of overtime work to meet operational needs. Such overtime shall be justified as required by the appointing authority concerned.
- (b) All non-exempt and hourly employees in the city service are required to enter their time worked daily in an electronic timekeeping system under their personal login codes, or complete a timecard and sign the card for authenticity. This may include requests for paid time off.

Sec. 82-73. *Computation generally.*

Overtime payment is based on the employee's regular rate of pay as defined in the fair labor standards act.

Secs. 82-74 - 82-90. Reserved.

ARTICLE IV. LEAVE PROGRAM

Sec. 82-91. *General rules applying to all leaves of absence in this article.*

(a) *Restrictions on granting.* Leaves of absence shall not be granted to any employee to accept another position or engage in a business venture or to practice a profession or occupation. A leave of absence which has been granted for any other reason shall automatically be terminated should it be found that the employee on such leave has accepted another position or has engaged in a full-time business venture, profession or occupation. These restrictions shall not apply, however, in any of the following situations:

(1) If the employee affected has been appointed or elected to a position in the service of the City of Sheboygan, County of Sheboygan, State of Wisconsin, or the United States.

(2) If the employee in question has been inducted into the Armed Forces of the United States.

(b) *Failure to return or revocation of leave.* Failure to report at the expiration of a leave of absence or if a leave has been disapproved or revoked shall be cause for separation from active employment (termination of employment) unless a justifiable reason is submitted within ten (10) days after said expiration, disapproval or revocation, which is acceptable to the granting authority concerned.

Sec. 82-92. *Leaves of absence without pay.*

The chief administrative officer may authorize special leaves of absence without pay and fringe benefits on the prescribed form for any period or periods not to exceed three (3) calendar months in any one (1) calendar year for purposes other than provided in this article that are deemed beneficial to the city service.

Sec. 82-93. *Training leave.*

(a) Leaves of absence with pay may be granted in accordance with subsection (b) for attendance at a college, business school, or training institute for the purpose of training in subjects directly related to the work of the employee and which will benefit the city service.

- (b) (1) For periods not to exceed three (3) calendar weeks in any one (1) calendar year, with the approval of the chief administrative officer.
- (2) For periods exceeding three (3) calendar weeks but not exceeding twelve (12) calendar weeks, upon the recommendation of the chief administrative officer, subject to the approval of the salaries and grievances committee.

Sec. 82-94. *Jury duty.*

Employees who are subpoenaed and serve on jury duty on an involuntary basis on any days which are scheduled workdays for them shall be excused for the time spent in jury service and shall receive their regular rate of pay for said time served on jury duty, not to exceed sixty (60) days per calendar year, subject to the following provisions:

- (a) The employee must present proof of jury duty service, stating the dates and hours per day served on jury duty.
- (b) The employee shall immediately endorse his/her check for such jury service over to the finance director/treasurer for deposit into the proper fund.
- (c) When the employee is excused from jury service, either temporarily or permanently, the employee shall report back to work within one hour to complete his/her shift.

Sec. 82-95. *Departmental leave.*

In addition to other leaves authorized by the provisions of this article, a department head may authorize an employee to be absent without pay for personal reasons for a period or periods not to exceed ten (10) working days in any calendar year.

Sec. 82-96. *Special leave.*

The council, upon the recommendation of the chief administrative officer, may grant leaves of absence with or without pay in excess of the provisions of this article for the purpose of attending extended courses of training at a recognized university or college and for other purposes that are deemed beneficial to the city service.

Sec. 82-97. *Unauthorized absence.*

An employee who is absent from duty shall report the reason therefor to his supervisor prior to the date of absence, when possible, and in no case

later than noon on the first day of absence (emergency situations aside). All unauthorized and unreported absences shall be considered absence without leave and deduction of pay shall be made for the period of absence unless the supervisor approves the absence. Unapproved absences may be made the grounds for disciplinary action, up to and including termination, even on the first offense."

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 shall be in effect from and after its passage and publication.

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I HEREBY CERTIFY that the foregoing Ordinance was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Dated \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, City Clerk

Approved \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, Mayor

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Other Matters

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Gen. Ord. No. 27 - 14 - 15. By Alderperson Donohue. August 18, 2014.

AN ORDINANCE repealing Chapter 29 of the 1975 Municipal Code and repealing and recreating Chapter 82 of the Sheboygan Municipal Code relating to personnel regulations and benefits.

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

Section 1. Chapter 29 of the 1975 Municipal Code is hereby repealed in its entirety.

Section 2. Chapter 82 of the Sheboygan Municipal Code entitled "Personnel regulations and benefits" is hereby repealed and recreated to read as follows:

"Chapter 82 - PERSONNEL REGULATIONS AND BENEFITS

ARTICLE I. IN GENERAL

Sec. 82-1. *Responsibility for maintenance of plans.*

- (a) The common council shall be responsible for the maintenance of the classification and compensation plans, including but not limited to the allocation of new or changed positions and determination of proper compensation rates within the provisions of this chapter.
- (b) The common council delegates administrative and clerical work involved in the foregoing to the director of human resources and labor relations.
- (c) Whenever a significant change is made in the duties and responsibilities of a position involving either the addition of new assignments or the taking away or modification of existing assignments, such changes shall be reported to the director of human resources and labor relations by the department head concerned. The director of human resources and labor relations shall investigate such changes; if they are to be permanent and warrant reclassification, he/she shall submit the recommendations to the common council.

Sec. 82-2. *Medical insurance.*

- (a) *Election of retirees to participate.* Eligible employees who retire after January 1, 1977, may participate in the city's medical insurance family or single plan for retirees, subject to the

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- limitations and conditions listed under subsection (c). Such election shall be made on or before the date of retirement. Employees who do not elect coverage at the time of retirement are deemed to have waived their right to participate.
- (b) *Payment of premiums.* Such employees shall pay monthly, via direct deposit, the entire rate for medical plan coverage, as established from time to time by the city or its insurance carrier to the finance director/treasurer on or before the fifteenth day of the month preceding coverage, and will not benefit by any city contributions except where otherwise provided for in ordinances, resolutions or labor agreements. Upon failure to pay by the fifteenth, or if the direct deposit rejects, a late payment fee of fifty (\$50.00) dollars shall be added to the established premium. Failure to pay the premium and late payment fee by the last day of the month shall result in termination from the plan effective the first day of the following month, absent extraordinary circumstances totally beyond the control of such employee as determined by the common council upon recommendation of the salaries and grievances committee.
- (c) *Limitations and conditions:*
- (1) The employee must have reached normal retirement age as determined for annuity computation purposes and must receive a monthly retirement annuity from the Wisconsin Retirement Fund.
  - (2) The employee is not eligible for any other group health insurance while employed elsewhere.
  - (3) When the employee or his spouse becomes eligible for any government-sponsored insurance programs, the coverage shall be changed to a non-duplicating plan.
- (d) *Surviving spouse.* A surviving spouse of an active, disabled or a retired employee may elect to participate in the City of Sheboygan medical benefit plan at his/her own expense, subject to the limitations and conditions listed below, excepting as otherwise set forth in any labor agreements passed by the common council. Said surviving spouse shall not be eligible for dental coverage under the City of Sheboygan plan except as required by applicable law.
- (1) The employee, or retired employee, must have fifteen (15) years or more of continuous City Service and be enrolled in the City of Sheboygan medical benefit plan at the time of his/her death.

- (2) Said election shall be irrevocable and shall be made within thirty (30) days after the date of death of the employee or retired employee and said spouse may remain in the aforementioned plan indefinitely, subject to the other provisions herein.
- (3) Said surviving spouse shall pay, monthly, via direct deposit, the entire rate for medical plan coverage, as established from time to time by the city or its insurance carrier to the finance director/treasurer on or before the fifteenth day of the month preceding coverage. Said payments shall not be reduced by any contractual city contribution for medical plan rates for which the deceased employee or retired employee may have been eligible. Upon failure to pay by the fifteenth, or if the direct deposit rejects, a late payment fee of fifty (\$50.00) dollars shall be added to the established premium. Failure to pay the premium and late payment fee by the last day of the month shall result in termination from the plan effective the first day of the following month, absent extraordinary circumstances totally beyond the control of such surviving spouse as determined by the common council upon recommendation of the salaries and grievances committee.
- (4) Coverage under the above plan shall be limited to the surviving spouse and the deceased's legally dependent children, inclusive of unborn, as of the date of the employee's or retired employee's death. Said coverage for the surviving spouse and deceased's legally dependent children shall terminate upon a change in the marital status of the surviving spouse.
- (5) The surviving spouse must sign an affidavit of eligibility upon initial enrollment and may not be eligible for any type of medical plan coverage as a result of being employed elsewhere. Said affidavit must be completed and signed on an annual basis. Lack of response or failure to include factual information in the affidavit will result in the surviving spouse being terminated from the City of Sheboygan medical benefit plan.
- (6) When the surviving spouse becomes eligible for any government-sponsored insurance program, the coverage shall be changed to a non-duplicating plan.
- (7) The terms "dependent" and "disabled" as used herein are as defined in the City's medical benefit plan summary.

- (8) The surviving spouse of employees with less than 15 years of service will be offered coverage as required under applicable law and will be ineligible for further City coverage when the coverage required by law expires.

Sec. 82-3. *Residency requirement.*

- (a) All members of boards or commissions shall be residents of the city and maintain residency in the city while under the employment or service of the city. In the event that any such member of a board or commission does not meet the foregoing requirement, his office or position shall be automatically forthwith vacated and such vacancy shall be filled in the manner prescribed by law or ordinance.
- (b) Notwithstanding subsection (a), the residency requirement shall not apply:
  - (1) To members of a business improvement district board who own or occupy real property in the business improvement district.
  - (2) To nonvoting members of advisory committees to the common council.
  - (3) To the Sheboygan County Board representative to the Board of Marina, Parks & Forestry, so long as the County maintains a financial investment in the city's Harbor Centre Marina.
  - (4) To licensed members of the board of electrical and heating examiners, provided that they hold a current active license for their membership classification and maintain their principal business office or place of employment in the city.
  - (5) To members of the Mayor's Special International Committee residing within the boundaries of the Sheboygan Area School District.
  - (6) To one member of the Board of Waterworks Commissioners who owns real property within and owns or operates a business within the City of Sheboygan.

Sec. 82-4. *False statements, reports.*

No persons shall make any false statement or report with regard to any test, certification or appointment made under any provisions of this chapter or in any manner commit or attempt to commit any fraud preventing the impartial execution of this chapter and policies.

Sec. 82-5. *Bribery.*

No person shall directly or indirectly give, render, pay, offer, solicit or accept any money, service or valuable consideration for any appointment, proposed appointment, promotion or proposed promotion to, or any advantage in, a position in the city service.

Sec. 82-6. *Political activities.*

- (a) Nothing hereinafter contained shall affect the right of the city employee to hold membership in and support a political party, to vote as he or she chooses, to express privately his or her opinions on all political subjects and candidates, to maintain political neutrality and to attend political meetings.
- (b) No employee shall engage in political activities during regular work hours, nor shall any employee wear his or her uniform, badge or other indicia of office/employment while engaging in political activities.
- (c) No employee shall erect, construct or post political posters on city property or buildings. Political posters shall not be displayed or posted on the private automobiles of employees when parked on city premises furnished to the employee by the city for the parking of such vehicle during regular work hours, except bumper strips on bumpers.
- (d) No person shall directly or indirectly solicit or receive subscriptions, assessments, contributions, or services or any partisan or nonpartisan political purpose from any employee in city service or use his or her influence to coerce the political action of any employee while such employee is on city premises during any regular working hours.
- (e) Unless otherwise prohibited, any city employee may be a candidate for political office and may actively campaign therefor without jeopardizing his or her employment with the city. (Note: No city employee elected to a city political office may serve in violation of the restrictions contained in Wisconsin Statutes 946.13 and 66.0501).
- (f) For the purposes of this section, political activity shall mean activity calculated to improve or favor the changes of any political party or any person seeking or attempting to hold political office; such definition of political activities shall include but not be limited to campaigning for candidates or

political parties, circulating nomination papers, registering voters, collecting contributions or selling fund-raising tickets, distributing campaign material, organizing political rallies or meetings.

Sec. 82-7. *Effect of violations.*

- (a) Any employee who is guilty of a violation of section 82-4 through 82-6 of this chapter shall be subject to disciplinary action which may include demotion, suspension and/or dismissal.
- (b) Elected officials, department heads or any person who is not an employee of the city who is guilty of a violation of section 82-4 through 82-6 of this chapter shall be subject to a forfeiture of not less than fifty dollars (\$50.00) nor more than two hundred fifty dollars (\$250.00), together with the costs of prosecution, and in default of payment thereof, to imprisonment in the county jail until such forfeiture and costs are paid, but not to exceed thirty (30) days.

Sec. 82-8. *Alleged or Apparent Strikers.*

- (a) Employees who may be deemed to be alleged or apparent strikers will not receive their regular pay, sick leave pay or be permitted plus time pay. All employees who are on an approved vacation which was prescheduled will receive the approved amount of vacation pay. All lost time by strikers shall be reported as absent without leave. All strikers and their agents will be subject to provisions of any appropriate law, applicable rules and regulations, ordinances and contracts covering the prohibition of strikes and absence without leave from assigned jobs and subject to replacement.
- (b) Employees are deemed to have refused to work during a strike in the following cases:
  - (1) Refusal to cross picket lines with equipment or to obtain equipment.
  - (2) Refusal to cross picket line to enter their place of work.
  - (3) Refusal to be transported to their place of work by city vehicle even if they are furnished such transportation outside the picket lines.
  - (4) Refusal to work because of being in sympathy with the strikers.

(5) Leaving jobs during the work day to attend union meeting.

The above are examples of reasons for refusal to work. Any unauthorized reason for refusal to work falls into this category even though not stated above. These employees will not receive their regular pay, call-in pay, sick leave pay or be permitted plus time pay. Employees in this category will only be paid for authorized time actually worked.

(c) Employees who are available and willing to work but cannot work for a variety of reasons, such as:

(1) Lack of equipment.

(2) Inability to proceed without workers on strike, upon whom they depend for completing their tasks.

(3) Inclement weather.

These employees whose contract allows for a two-hour call-in pay will be paid that amount, but no additional plus or minus hours will be issued.

The following guidelines are furnished to department heads of union groups with respect to employees in their department who present themselves in the regular way for regular employment during the strike or work stoppage. Any employee in the department who is able and willing to work and presents himself for work in the department at the usual and customary time and place shall be permitted to work conditioned upon the following:

(1) That the regular or customary work to which such employee is normally assigned is available and that such employee can discharge his normal duties.

(2) That the equipment which such employee normally uses is available and operating, if equipment is necessary for such employee normally in the discharge of his duties.

Sec. 82-9. *Application to employees of boards, commissions.*

The classification and compensation provisions of this chapter shall apply to employees of all boards and commissions after the governing bodies thereof so approve by resolution duly adopted.

Sec. 82-10. *"Employee" defined.*

The term "employee" whenever used in this chapter shall include all officers, supervisors, and department and division heads of the city except those excluded under section 82-23.

Secs. 82-11 - 82-20. Reserved.

## ARTICLE II. POSITION CLASSIFICATION

Sec. 82-21. *Division of offices.*

All offices in the public service in the city shall be divided into two (2) classes, namely, the classified and unclassified service.

(a) *Unclassified positions.*

- (1) All officials elected by the people.
- (2) Election officials appointed pursuant to Sec. 7.30, Wis. Stats.
- (3) All officers, members or employees of city boards, commissions, utilities or authorities.
- (4) All employees appointed by the mayor and/or common council, with the exception of the position of secretary to the mayor.
- (5) Other positions designated by the common council as unclassified.

All employees in the unclassified service except those excluded under section 82-23 shall be governed by this chapter and the same provisions relating to the classified service with respect to hours, paid time off ("PTO"), holidays, political activities, unlawful acts, all as provided in this chapter.

(b) *Classified positions.* All other offices and positions not designated otherwise shall be included in the classified service, with the exceptions of such employment or positions relating to temporary, seasonal or part-time work or work created for relief purposes.

Sec. 82-22. *Establishing classifications.*

All positions in the municipal service, except those listed in section 82-23, shall be grouped into classes and each class shall include those positions sufficiently similar in respect to their duties and responsibilities so that similar requirements as to training, experience, knowledge, skill, personal qualities, and the same rates of compensation are applicable thereto. The civil service status of positions is not affected by their inclusion or exclusion from the provisions of this section.

Sec. 82-23. *Excluded positions.*

The provisions of this chapter (except sections 82-6 and 82-7) shall not apply to the following offices and positions:

- (a) Officers of the city government who are elected by the voters of the city, except that compensation as provided in section 82-61.
- (b) Members of city boards and commissions and members and employees of city utilities and authorities.
- (c) Officers and employees of the library board.
- (d) Harbor master.
- (e) Officers and employees subject to the jurisdiction of the municipal water utility department and paid from the funds of such department.

Sec. 82-24. *Allocating existing positions.*

The allocation of individual positions to standard classes and any reallocations which may be required subsequently shall be made by the common council.

Sec. 82-25. *Hiring of new employees generally.*

- (a) When any department head learns that a vacancy has occurred or is about to occur in any full-time position in the city service in his department, except those employees of city boards, utilities or authorities, he shall forward a written request, along with the chief administrative officer's recommendation, justifying the filling of the vacancy to the human resources department. If the position is already part of the department's table of organization and included in the budget, the human resources department may proceed with the hiring process and fill the position. If the position is not budgeted, approval needs to be granted by the salaries and grievances committee. Within thirty (30) days after receipt of such request, the salaries and grievances committee shall approve or reject the request in writing. If refused, the reason should be stated for such refusal. Any department head may appeal any decision made under this section to the common council. If approved by either the salaries and grievances committee or the common council, certification shall be made in accordance with the following procedure:

- (1) When filling a vacancy by selection of an eligible candidate from a list established on the basis of an open competitive examination, the appointing authority, subject to the approval of the director of human resources and labor relations, may specify requirements of particular experience, education,

skill and/or physical requirements necessary for successful performance. The director of human resources and labor relations shall certify the name or names of those persons categorized as best qualified to fill the vacancy in accordance with these requirements and civil service rules and regulations. The appointing authority shall make his appointment from those certified.

- (2) In promotional examinations, appropriate consideration shall be given to employee qualifications, record of performance and ability.
  - (3) For protective service vacancies, the selection shall be in accordance with police and fire commission regulations and any labor agreement.
  - (4) The appointing authority, subject to the approval of the director of human resources and labor relations, may make a provisional appointment from an eligible list in accordance with items (1) or (2) of subsection (a) even though the incumbent has not yet vacated the position provided approval has been received in accordance with subsection (a). The eligible person so appointed will be accorded all the benefits of a regular appointee and shall retain all rights of certification to the permanent appointment.
- (b) Nothing herein shall be construed as precluding the appointing authority from filling a position in the unclassified service in the manner in which positions in the classified service are filled. Upon request from the appointing authority, the director of human resources and labor relations shall certify the name or names of persons categorized as best qualified to fill an unclassified position. The appointing authority is authorized to make his appointment from those certified.
  - (c) For part-time, temporary or seasonal help, the appointing authority shall follow the department budget regarding the amount of seasonal help needed. Temporary or seasonal employment shall not exceed six (6) months unless otherwise authorized by the common council.
  - (d) All appointments and promotion in the city service shall be made without regard to sex, race, religion or political affiliation and shall be based on merit and ability to perform the essential functions of the position.

Sec. 82-26. *Abolition of positions generally.*

Whenever in the judgment of the common council it becomes necessary in the interest of economy, lack of work or funds, or other just causes to abolish any position in the classified service, the person filling such position shall cease to be employed. Where the number of employees in a class code is reduced, the appointing authority shall consider seniority, performance appraisals, conduct, skill and ability in determining the order of layoff, except where otherwise provided for in labor agreements entered into by the city. Qualifications, skill and ability, and work performance are given greater weight than seniority in the event of a reduction in force. If all things are equal, seniority will be the determining consideration. Regarding seniority, years of service as a full-time employee are calculated. Part-time service will be given prorated credit. For example, an employee who worked 20 hours per week average will be given credit for one-half (1/2) year of service.

Sec. 82-27. *Agreements authorized.*

- (a) The director of human resources and labor relations is authorized and empowered to enter into reciprocal agreement within the approved budgetary limitations for the use of equipment, materials, facilities and services with any agency or body for the benefit of the public personnel system.
- (b) The director of human resources and labor relations may enter into agreements with other governmental agencies charged with public personnel administration in conducting personnel tests, recruiting personnel, establishing eligibility lists, labor relations services and the interchange of personnel.

Sec. 82-28. *Class specifications - Purpose and effect.*

Each class specification shall outline the main characteristics and qualification requirements of positions in the class and give examples of specific duties which employees holding such positions may properly be required to perform. The class specification is descriptive and explanatory but not restrictive. The listing of particular examples of duties does not preclude the assignment of other tasks by the department head or designated supervisory personnel.

Sec. 82-29. *Class specifications - Amendments.*

Class specifications for newly created positions shall be approved by the common council. Any additions or deletions in the class specifications which change the class grade or any substantive changes in the minimum requirements of existing positions shall also be approved by the common council. Other changes in the class specification shall be made by the salaries and grievances committee.

Sec. 82-30. *Class specifications - Statements of qualifications.*

The statement of qualifications in a class specification is intended to be used as a guide in selecting persons for examinations and employment, for preparing examinations and for use in determining the relative value of positions in a class with positions in other classes. In addition, the director of human resources and labor relations will establish minimum standards for all other factors as may be held to relate to the ability of the candidate to perform with reasonable efficiency.

Sec. 82-31. *Class specifications - Applying specifications to positions.*

In determining the class to which a position should be allocated, the specification of each class shall be considered in its entirety and in relation to the specifications of the classes in the classification plan.

Sec. 82-32. *Classification plan.*

The classification plan shall consist of the classes referred to in section 82-33, with such changes as may be approved by the council. All positions in each class shall be compensated in accordance with the class grade for each class as shown in section 82-33 and the rates for such class grades referred to in section 82-54.

Sec. 82-33. *List of classes and class specifications.*

The occupational list of classes (table of organization) and compensation grade schedules showing the class title, class grade, and compensation grades of the positions of employment in the city service to which the provisions of this section shall apply are set forth and numbered as section 82-33 in the supplement to this Code on file in the city clerk's office.

Secs. 82-34 - 82-50. Reserved.

ARTICLE III. COMPENSATION PLAN

Sec. 82-51. *Compensation limited.*

No provision of this article shall be construed as authorizing any increase in salary or wage during a fiscal year which would result in exceeding appropriations made for such purpose. No city employee shall retain any fees or compensation received by virtue of his employment with the city other than authorized by the common council; such fees shall be paid into the city treasury.

Sec. 82-52. *General payroll procedure.*

The director of human resources and labor relations shall make such necessary changes in the payroll procedure, establish hourly rates based on the number of hours to be worked and the amount earned, and such other incidental changes not in conflict with this chapter.

Sec. 82-53. *Full-time earnings basis.*

The biweekly rates of pay are based on full-time employment at normal working hours for the respective classes of positions as referred to in section 82-33; provided, however, that the salaries of non-represented supervisory, professional and administrative positions listed as department and division heads in section 82-70 are fixed according to the responsibilities to be fulfilled and are not based on a fixed number of hours of work per week and shall not be adjusted with variations in work schedules, unless part-time employment is specifically provided.

Sec. 82-54. *Salary and wage schedules.*

Salary and wage schedules with hourly rates and straight-time yearly rates for a full-time employee (full-time for the calculation of a yearly rate is 40 hours per week, 2080 per year) for all salary grades in the city service to which this article shall be applicable are established and listed in the non-represented compensation program on file in the human resources department.

Sec. 82-55. *Base salary of police, fire personnel.*

The base salary of police and fire personnel shall include holiday pay and reporting time.

Sec. 82-56. *Biweekly payment of earnings.*

Except for employees covered under a valid collective bargaining agreement providing otherwise, all salaries and wages shall be paid biweekly for salaries and wages earned during the biweekly period preceding the most current biweekly period (i.e. two-week holdback).

Sec. 82-57. *Acting pay for non-represented employees.*

- (a) When a temporary vacancy occurs of more than two (2) calendar weeks but less than six (6) months, in a non-represented position, the director of human resources and labor relations, in consultation with the affected department head, may recommend to chief administrative officer an appropriate subordinate non-represented employee to fill the position on an "acting" basis for the duration

of the temporary vacancy. Positions in Transit, Police and Fire require the approval of the respective commissions. If the subordinate is in a lower salary grade, while serving in such an "acting" capacity, the subordinate shall receive additional compensation for the additional work assigned. When partial responsibilities are assigned, a 5% increase will be awarded (5% of the acting employee's current pay). For full duty assigned responsibilities, a 10% increase will be awarded. This amount will be issued until a full-time replacement has been named and starts. In no case shall the temporary increase in pay be greater than the salary of the person who left.

- (b) After one (1) year, the employee shall be reclassified to the position he/she is actually performing, his or her pay adjusted to the new position, and the employee's performance shall be reevaluated for pay purposes.

Sec. 82-58. *Worker's compensation.*

A full-time or permanent part-time city service employee, except those employees of the board of water commissioners, who sustains a compensable injury while performing within the scope of his or her employment as provided by Chapter 102, Wis. Stats. (Worker's Compensation Act), shall receive compensation in accordance with state statutes. The first three (3) days of a lost time injury will be unpaid, after which the employee will receive his/her eligible amount of compensation directly from the city's third party administrator for worker's compensation.

Sec. 82-59. *Temporary, seasonal employees.*

- (a) Temporary or seasonal employees shall be paid in accordance with the "Extra Help Schedule" and amendments thereto as passed by the common council and filed in the human resources department.
- (b) Temporary or seasonal employees who return to the same department and perform essentially the same duties, may be advanced in pay within the pay grade based upon satisfactory service and the recommendation of the department head. Returning seasonal employees will not be paid greater than the amount listed as top-pay for "Extra Help."

Sec. 82-60. *Car allowances.*

Officers or employees who are required to use their privately owned automobiles in the conduct of city business are entitled to reimbursement on a per mile basis equal to per mile basis approved by the Internal Revenue Service for income tax purposes. Official increases or decreases announced

by the Internal Revenue Service will not be retroactive but shall be effective on the first of the month following the announced increase or decrease by the Internal Revenue Service. To be eligible for reimbursement, an employee must comply with the expense reimbursement policy.

Sec. 82-61. *Elected officials.*

The committee on salaries and grievances shall recommend for common council approval the initial salary for all full-time elective positions and any and all in-term increases for same at least thirteen (13) months prior to the election date for each office. The common council shall act on such recommendations and establish the salaries for full-time elective positions not later than the final meeting of the council year preceding the year of election.

Sec. 82-62. *Adjustment.*

The biweekly and hourly rates for different classes of positions which are prescribed in this article shall be changed only upon amendment by the common council.

Sec. 82-63. *Starting rates on initial employment.*

Original hires who have all the qualifications to any position shall be offered the minimum pay for that position. In the case where a potential employee has the majority of qualifications, that employee may be offered an amount less than minimum until the point that he/she achieves the qualification, at which time the employee will be brought to the minimum. In the case an employee is hired who already has advanced training and/or experience required for a position, the initial rate offered upon hire may be greater than minimum but will be within the range of a position. At any time a salary offer is identified that is greater than midpoint of a salary range, the director of human resources and labor relations must attain advance approval from the salaries and grievance committee. At no time will an employee receive greater than the top pay in a salary grade.

Sec. 82-64. *Starting rates on new position.*

Whenever an employee is assigned a duty in a position not previously held by him and such change is not in the nature of a promotion, he shall receive the entrance rate in the range established for such position or such other rate within the applicable range as he may be entitled to by reason of crediting him in his new position with such prior service that is found to meet the following conditions: The character and nature of the duties of the position to which the employee was assigned are similar to those of the new position; and the service in the former position provided experience valuable to the performance of the new position.

Sec. 82-65. *Starting rates on promotion.*

In any case where an employee is promoted to a class with a higher pay range, the entrance rates shall be at no-less than the minimum base pay in the applicable range as he may be entitled to by reason of crediting him with prior experience that is directly related to the new position, except as otherwise provided for in any labor agreements approved and passed by the council.

Sec. 82-66. *Starting rates on demotion.*

Whenever an employee is demoted to a position for which he is qualified, be it voluntary or involuntary, he shall receive a decrease in pay of \$1.25 per hour, but not less than the minimum pay for the new position.

Sec. 82-67. *Increases in compensation.*

- (a) The director of human resources and labor relations has the authority to identify minor adjustments to position descriptions without approval from the salaries and grievance committee and/or council. However, major changes in position descriptions which subsequently modify the salary grades to city employees, including department heads and supervisory personnel, shall be approved by both the salaries and grievance committee and by the common council.
- (b) Department heads requesting consideration for modifying a salary grade must complete the appropriate reclassification request form to properly document the specific information requested for consideration and keep a record of the reasons for the justified change, if any.

Sec. 82-68. *Continuity of service.*

- (a) Service requirements for advancement within compensation ranges, and for other purposes as specified in this article, shall have the implication of continuous service, which means employment in the city service without break or interruption. Leaves of absence without pay of less than thirty (30) workdays and leaves with pay shall not interrupt continuous service nor be deducted therefrom.
- (b) Except as otherwise provided under federal or state law and regulations for covered absences for service in the armed forces of the United States, absences shall not be deducted in compiling total service, but shall not serve in the calculation of current benefits pursuant to continuous service. For example, vacation

calculation is earned by actual time worked the previous year. Though the employee will receive his/her original hire date for the vacation scheduled (total number of years served will not be deducted while serving), only the actual time worked on the city job will be used in the prorating of earned vacation upon return from active duty.

- (c) Qualified family medical leave absences (FML) will not disrupt an employee's continuity of service. Any identified pay increase that would have occurred while the employee was out on FML would become effective upon the date of return from the leave, i.e. retroactive pay would not apply.

Sec. 82-69. *Overtime for non-represented employees.*

- (a) The normal work schedule for full-time, nonexempt employees is five eight-hour periods, totaling 40 hours per week. This schedule may be revised as necessary depending on customer and/or city requirements, as determined by management. Each employee needs to work with their supervisor to define the expected hours of work. Employees may need to flex their schedule to maintain a 40 hour work week. The time flexed must be approved in advance by management and be contained within a two-week, 80-hour payroll cycle. If an employee flexes their schedule during the 40-hour work week, time worked in excess of eight hours a day can only be taken on an hour-for-hour basis. In other words, if an employee works ten hours on Monday, the additional two hours flexed on Monday may be taken off later in the week at straight-time hours, not time-and-one-half. Employees may not save (bank) additional time off for use in another pay period. If customer and/or city requirements prevent an employee from utilizing their flexed time, the employee will be paid overtime for hours worked in excess of 40-hours in a week.
- (b) Exempt employees are full-time employees who normally work a minimum of 40 hours per week. Due to the executive, administrative or professional nature of these positions, exempt employees are paid a defined salary for their position rather than an hourly rate. Therefore, if the position requires additional hours (over 40) during the work week, those who hold exempt positions are expected to perform their duties as part of their work week. The additional time worked is considered part of the position expectations and is exempt from overtime pay.
- (c) Overtime compensation for nonexempt salaried and hourly full-time, part-time seasonal and temporary employees will be paid for hours worked in excess of 40 hours per week in accordance with applicable laws.

(d) Exempt employees under the fair labor standards act and elected officials will not receive overtime pay.

Sec. 82-70. *Non-represented, exempt employees.*

The following non-represented employees are exempt under the fair labor standards act:

Attorney Department  
City Attorney (elected)  
Assistant City Attorney

Police Department  
Chief of Police  
Admin Asst./Office Supervisor

Assessor Department  
City Assessor

Human Resources Department  
Director of Human Resources  
Benefits Analyst

Finance Department  
Chief Administrative Officer  
Finance Director  
Comptroller/Treasurer  
Auditor/Analyst  
Accountant

City Development  
Director of City Development  
Planning & Zoning Manager  
Community Development Specialist  
Neighborhood Development Planner

Public Works Department  
Director of Public Works  
City Engineer  
Supt.-WWTP  
Supt. of Streets  
Supt. of Parks  
Supt. of Buildings & Grounds  
Maintenance Supervisor-WWTP  
Vehicle & Equipment Supervisor  
Supervisor of Operations-Streets  
Environmental Engineer  
Chemist-WWTP  
Naturalist

Information Technology Department  
Information Technology Director  
Systems Analyst  
TV Programmer Director-WSCS  
TV Production Coordinator-WSCS

Parking & Transit Utility  
Director of Parking & Transit  
Transit Op. Supervisor/Dispatch

Senior Citizens Center  
Senior Activity Center Supervisor

Fire Department  
Fire Chief  
Assistant Fire Chief  
Deputy Chief  
Battalion Chief

Municipal Court  
PT Municipal Court Judge (elected)

Mayor's Office  
Mayor (elected)

City Clerk's Department  
City Clerk (elected)

Sec. 82-71. *Hours of employment.*

- (a) Except as otherwise provided, the standard work week for regular, full-time employees of the city will be forty (40) hours, but this is not construed to mean a guarantee of minimum hours of work or a limitation of the number of hours which the city may require an employee to work.
- (b) The work week, except as otherwise provided, will commence at 12:01 a.m. Sunday morning and end at 11:59 p.m. Saturday night.
- (c) The work day, except as otherwise provided, shall be from 12:01 a.m. to 12:00 midnight.

Sec. 82-72. *Administration and records.*

- (a) In emergencies, a department head may prescribe reasonable periods of overtime work to meet operational needs. Such overtime shall be justified as required by the appointing authority concerned.
- (b) All non-exempt and hourly employees in the city service are required to enter their time worked daily in an electronic timekeeping system under their personal login codes, or complete a timecard and sign the card for authenticity. This may include requests for paid time off.

Sec. 82-73. *Computation generally.*

Overtime payment is based on the employee's regular rate of pay as defined in the fair labor standards act.

Secs. 82-74 – 82-90. Reserved.

ARTICLE IV. LEAVE PROGRAM

Sec. 82-91. *General rules applying to all leaves of absence in this article.*

- (a) *Restrictions on granting.* Leaves of absence shall not be granted to any employee to accept another position or engage in a business venture or to practice a profession or occupation. A leave of absence which has been granted for any other reason shall automatically be terminated should it be found that the employee on such leave has accepted another position or has engaged in a full-time business venture, profession or occupation. These restrictions shall not apply, however, in any of the following situations:

- (1) If the employee affected has been appointed or elected to a position in the service of the City of Sheboygan, County of Sheboygan, State of Wisconsin, or the United States.
  - (2) If the employee in question has been inducted into the Armed Forces of the United States.
- (b) *Failure to return or revocation of leave.* Failure to report at the expiration of a leave of absence or if a leave has been disapproved or revoked shall be cause for separation from active employment (termination of employment) unless a justifiable reason is submitted within ten (10) days after said expiration, disapproval or revocation, which is acceptable to the granting authority concerned.

Sec. 82-92. *Leaves of absence without pay.*

The chief administrative officer may authorize special leaves of absence without pay and fringe benefits on the prescribed form for any period or periods not to exceed three (3) calendar months in any one (1) calendar year for purposes other than provided in this article that are deemed beneficial to the city service.

Sec. 82-93. *Training leave.*

- (a) Leaves of absence with pay may be granted in accordance with subsection (b) for attendance at a college, business school, or training institute for the purpose of training in subjects directly related to the work of the employee and which will benefit the city service.
- (b) (1) For periods not to exceed three (3) calendar weeks in any one (1) calendar year, with the approval of the chief administrative officer.
- (2) For periods exceeding three (3) calendar weeks but not exceeding twelve (12) calendar weeks, upon the recommendation of the chief administrative officer, subject to the approval of the salaries and grievances committee.

Sec. 82-94. *Jury duty.*

Employees who are subpoenaed and serve on jury duty on an involuntary basis on any days which are scheduled workdays for them shall be excused for the time spent in jury service. Employees may substitute earned and unused paid time off for their time of service; in the event the employee has no remaining paid time off, time served would be unpaid. In addition, the

employee benefit contribution amounts would continue as if the employee was actively working, not to exceed sixty (60) days per calendar year, subject to the following provisions:

- (a) The employee must present proof of jury duty service, stating the dates and hours per day served on jury duty.
- (b) When the employee is excused for jury service, the employee shall report back to work within one hour to complete his/her shift unless the employee chooses to utilize paid time off for the absence.

Sec. 82-95. *Departmental leave.*

In addition to other leaves authorized by the provisions of this article, a department head may authorize an employee to be absent without pay for personal reasons for a period or periods not to exceed ten (10) working days in any calendar year.

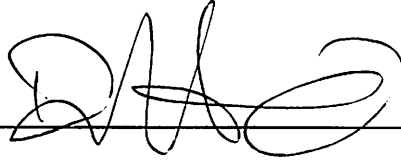
Sec. 82-96. *Special leave.*

The council, upon the recommendation of the chief administrative officer, may grant leaves of absence with or without pay in excess of the provisions of this article for the purpose of attending extended courses of training at a recognized university or college and for other purposes that are deemed beneficial to the city service.

Sec. 82-97. *Unauthorized absence.*

An employee who is absent from duty shall report the reason therefor to his supervisor prior to the date of absence, when possible, and in no case later than noon on the first day of absence (emergency situations aside). All unauthorized and unreported absences shall be considered absence without leave and deduction of pay shall be made for the period of absence unless the supervisor approves the absence. Unapproved absences may be made the grounds for disciplinary action, up to and including termination, even on the first offense."

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 shall be in effect from and after its passage and publication.



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I HEREBY CERTIFY that the foregoing Ordinance was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Dated \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, City Clerk

Approved \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, Mayor

II

Other Matters

7.1

R. O. No. \_\_\_\_\_ - 14 - 15. By CITY CLERK. September 15, 2014.

Submitting various license applications for the period ending December 31, 2014 and June 30, 2016.

*Law & Lic.*

*Susan Richards*  
\_\_\_\_\_  
City Clerk

CHANGE OF PREMISE

<u>No.</u>	<u>Name</u>	<u>Address</u>
2805	Blue Harbor Resort	725 Blue Harbor Dr. - one-day event to be held 10/18/14 to include current premise and east side of Latitude Restaurant bordering South Pier Roundabout at the end of South Pier Dr.

BEVERAGE OPERATOR'S LICENSE (June 30, 2016)

<u>No.</u>	<u>Name</u>	<u>Address</u>
0552	Anderson, Latoria N.	1206 N. 17 <sup>th</sup> St.
0556	Beckner, Amanda D.	N7308 Hickory Tree Rd., Plymouth
0553	Celso, Gina V.	N6176 Shady Brook Ln.
8384	Fischer, Cindy L.	826 N. Evans St.
0551	Fondrliak, Lori A.	830 N. Water St., #317
8330	Grobman, Tania M.	N7224 Rangeline Rd.
0554	Harrison, Mark A.	729 N. 8 <sup>th</sup> St., Oostburg
8027	Lamb, Holly A.	2403 W. Mark Dr.
0557	Miller, Laura M.	713A N. 25 <sup>th</sup> St.
8942	Peterson, Joyann	1510A S. 12 <sup>th</sup> St.
6733	Ramminger, Diana V.	2201 Erie Ave., #D203
2091	Schleinz, John T.	2236 Plymouth Ln.
0380	Schoen, Henry	1714 Hilltop Dr.
0559	Schultz, Todd	51 N. Hiawatha Cir.
9370	Van Antwerpen, Wendy J.	1718 N. 3 <sup>rd</sup> St.
4658	Wolowski, Carla L.	1813 N. 2 <sup>nd</sup> St.

1.7

III

Handwritten signature or name, possibly "Charles G. ..."

Faint, mostly illegible handwritten text, possibly bleed-through from the reverse side of the page.

TAXICAB DRIVER LICENSE (December 31, 2014)

<u>No.</u>	<u>Name</u>	<u>Address</u>
0558	McDaniel, Frederick A.	N8069 Cty Rd. E, Elkhart Lake
3968	Ramey, Paulette J.	3214 N. 26 <sup>th</sup> St.

III

Res. No. \_\_\_\_\_ - 14 - 15. By Alderperson Hammond. September 15, 2014.

A RESOLUTION extending the contract start date until March 1, 2015 for the property known as I-43/Weeden Creek parcel between the City of Sheboygan and Becknell Industrial.

RESOLVED: That the Common Council authorizes the Mayor and City Clerk to act on behalf of the City and sign all appropriate documents related to extension request to the City of Sheboygan.

reg

\_\_\_\_\_

I HEREBY CERTIFY that the foregoing Resolution was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Dated \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, City Clerk

Approved \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, Mayor



# BECKNELL

INDUSTRIAL

September 9<sup>th</sup>, 2014

Chad Pelishek  
Director of Planning & Dev.  
City of Sheboygan  
920.459.3383  
[Chad.Pelishek@sheboyganwi.gov](mailto:Chad.Pelishek@sheboyganwi.gov)  
[www.cityofsheboygan.info](http://www.cityofsheboygan.info)

Via email: [Chad.Pelishek@sheboyganwi.gov](mailto:Chad.Pelishek@sheboyganwi.gov)

Re: Land Purchase

Dear Chad,

Thanks for all of the time and energy you have spent with Becknell Industrial on this Build-to-Suit project to date.

As you learned on our conference call last week, our client has decided not to risk a rushed permitting process and potential Winter conditions for this project. This is a sizeable investment with several interior design elements that still need to be finalized.

As a result, they have decided to push the commitment/delivery date to next year.

The new milestones are:

March 1:	Commitment
July 1:	Construction Start
January 2016:	Delivery of the building/CO

We are seeking an extension of the contract start date until March 1, 2015, at which time we will be prepared to engage engineering, geotechnical, surveying and environmental in an effort to break ground in July. Anticipated closing would be in May/early June of 2015.

Please convey this request to the City Council of Sheboygan. Let me know if there is anything else you need from Becknell Industrial or the "Client" to facilitate this request.

**BECKNELL**  
INDUSTRIAL

Again- thank you for you time and energy. We are looking forward to delivering a successful project in Sheboygan that everyone can be proud of.

Regards,

A handwritten signature in black ink, appearing to read "Paul Thurston", followed by a horizontal flourish line.

Paul Thurston  
V.P.-Becknell Industrial  
Cell- 217-649-4459