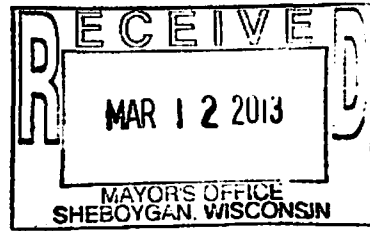


**\*\*\*ATTACHMENTS\*\*\***



March 12, 2013

Dear Mayor Van Akkeren:

It is my wish to resign, effective April 2, 2013, from the remaining time I have left on the city's Transit Commission and the Police and Fire Commission

It has been an honor and a privilege to serve the citizens of the City of Sheboygan on both of these commissions.

Thank you very much.

A handwritten signature in cursive script that reads "Jean Kittelson". The signature is fluid and extends across the width of the page.

Jean Kittelson



I

Hearing No.           - 12 - 13. March 18, 2013.

Pursuant to a notice published by the Deputy Finance Director/Treasurer, there is a hearing this evening to confirm special assessments for Parking District I.

All interested persons will be heard.

**PARKING ASSESSMENT DISTRICT**

**CITY OF SHEBOYGAN**

**In accordance with Section 66.079 and 66.60, Wis. Stats, the City of Sheboygan declares its intent to exercise its police power and levy special assessments for the calendar year 2012 against all benefited property in the Parking Districts for the assessment of the cost of operation and maintenance thereof.**

**Parking Assessment District I is that area of the City generally bounded by N. 7<sup>th</sup> St. on the east, N. 9<sup>th</sup> St. on the west, Ontario Ave. on the north and Center Ave. on the south.**

**Parking Assessment District II is that area of the City generally bounded by a line north of Maryland Avenue at the southwest corner of Virginia Ave. and Riverfront Dr. and the Sheboygan River.**

**Parking Assessment District IV is that area of the City generally bounded by a line along South 12<sup>th</sup> St., south of Clara Ave. and north of Broadway between the north-south alleys on either side of South 12<sup>th</sup> St.**

**Parking Assessment District V is that area of the City including Lots 1 through 9 and Lot 11, South Pier Subdivision.**

**PUBLIC NOTICE IS HEREBY GIVEN, that a Special Assessment has been proposed according to law and that a preliminary report compiled in accordance with 66.60 (3) will be available for inspection in the Finance Department, City Hall, 828 Center Avenue, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. Any interested persons, their agents or attorneys may appear before the City Council of the City of Sheboygan and be heard concerning the matters contained in the preliminary resolutions and the report on March 18, 2013 at 7:00 p.m., Council Chambers, City Hall, 828 Center Avenue.**

**James Amodeo  
Chief Administrative Officer**

**PUBLISH MARCH 4, 2013 LEGAL NOTICE**

**CHARGE TO CITY OF SHEBOYGAN  
FINANCE DEPARTMENT**

I

Hearing No.           - 12 - 13. March 18, 2013.

Pursuant to a notice published by the Deputy Finance Director/Treasurer, there is a hearing this evening to confirm special assessments for Parking District II.

All interested persons will be heard.

**PARKING ASSESSMENT DISTRICT**

**CITY OF SHEBOYGAN**

In accordance with Section 66.079 and 66.60, Wis. Stats, the City of Sheboygan declares its intent to exercise its police power and levy special assessments for the calendar year 2012 against all benefited property in the Parking Districts for the assessment of the cost of operation and maintenance thereof.

Parking Assessment District I is that area of the City generally bounded by N. 7<sup>th</sup> St. on the east, N. 9<sup>th</sup> St. on the west, Ontario Ave. on the north and Center Ave. on the south.

Parking Assessment District II is that area of the City generally bounded by a line north of Maryland Avenue at the southwest corner of Virginia Ave. and Riverfront Dr. and the Sheboygan River.

Parking Assessment District IV is that area of the City generally bounded by a line along South 12<sup>th</sup> St., south of Clara Ave. and north of Broadway between the north-south alleys on either side of South 12<sup>th</sup> St.

Parking Assessment District V is that area of the City including Lots 1 through 9 and Lot 11, South Pier Subdivision.

**PUBLIC NOTICE IS HEREBY GIVEN**, that a Special Assessment has been proposed according to law and that a preliminary report compiled in accordance with 66.60 (3) will be available for inspection in the Finance Department, City Hall, 828 Center Avenue, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. Any interested persons, their agents or attorneys may appear before the City Council of the City of Sheboygan and be heard concerning the matters contained in the preliminary resolutions and the report on March 18, 2013 at 7:00 p.m., Council Chambers, City Hall, 828 Center Avenue.

**James Amodeo**  
Chief Administrative Officer

**PUBLISH MARCH 4, 2013 LEGAL NOTICE**

**CHARGE TO CITY OF SHEBOYGAN**  
**FINANCE DEPARTMENT**

I

Hearing No.            - 12 - 13. March 18, 2013.

Pursuant to a notice published by the Deputy Finance Director/Treasurer, there is a hearing this evening to confirm special assessments for Parking District IV.

All interested persons will be heard.

**PARKING ASSESSMENT DISTRICT**

**CITY OF SHEBOYGAN**

**In accordance with Section 66.079 and 66.60, Wis. Stats, the City of Sheboygan declares its intent to exercise its police power and levy special assessments for the calendar year 2012 against all benefited property in the Parking Districts for the assessment of the cost of operation and maintenance thereof.**

**Parking Assessment District I is that area of the City generally bounded by N. 7<sup>th</sup> St. on the east, N. 9<sup>th</sup> St. on the west, Ontario Ave. on the north and Center Ave. on the south.**

**Parking Assessment District II is that area of the City generally bounded by a line north of Maryland Avenue at the southwest corner of Virginia Ave. and Riverfront Dr. and the Sheboygan River.**

**Parking Assessment District IV is that area of the City generally bounded by a line along South 12<sup>th</sup> St., south of Clara Ave. and north of Broadway between the north-south alleys on either side of South 12<sup>th</sup> St.**

**Parking Assessment District V is that area of the City including Lots 1 through 9 and Lot 11, South Pier Subdivision.**

**PUBLIC NOTICE IS HEREBY GIVEN, that a Special Assessment has been proposed according to law and that a preliminary report compiled in accordance with 66.60 (3) will be available for inspection in the Finance Department, City Hall, 828 Center Avenue, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. Any interested persons, their agents or attorneys may appear before the City Council of the City of Sheboygan and be heard concerning the matters contained in the preliminary resolutions and the report on March 18, 2013 at 7:00 p.m., Council Chambers, City Hall, 828 Center Avenue.**

**James Amodeo  
Chief Administrative Officer**

**PUBLISH MARCH 4, 2013 LEGAL NOTICE**

**CHARGE TO CITY OF SHEBOYGAN  
FINANCE DEPARTMENT**

I

Hearing No.            - 12 - 13. March 18, 2013.

Pursuant to a notice published by the Deputy Finance Director/Treasurer, there is a hearing this evening to confirm special assessments for Parking District V.

All interested persons will be heard.

**PARKING ASSESSMENT DISTRICT**

**CITY OF SHEBOYGAN**

In accordance with Section 66.079 and 66.60, Wis. Stats, the City of Sheboygan declares its intent to exercise its police power and levy special assessments for the calendar year 2012 against all benefited property in the Parking Districts for the assessment of the cost of operation and maintenance thereof.

Parking Assessment District I is that area of the City generally bounded by N. 7<sup>th</sup> St. on the east, N. 9<sup>th</sup> St. on the west, Ontario Ave. on the north and Center Ave. on the south.

Parking Assessment District II is that area of the City generally bounded by a line north of Maryland Avenue at the southwest corner of Virginia Ave. and Riverfront Dr. and the Sheboygan River.

Parking Assessment District IV is that area of the City generally bounded by a line along South 12<sup>th</sup> St., south of Clara Ave. and north of Broadway between the north-south alleys on either side of South 12<sup>th</sup> St.

Parking Assessment District V is that area of the City including Lots 1 through 9 and Lot 11, South Pier Subdivision.

**PUBLIC NOTICE IS HEREBY GIVEN, that a Special Assessment has been proposed according to law and that a preliminary report compiled in accordance with 66.60 (3) will be available for inspection in the Finance Department, City Hall, 828 Center Avenue, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. Any interested persons, their agents or attorneys may appear before the City Council of the City of Sheboygan and be heard concerning the matters contained in the preliminary resolutions and the report on March 18, 2013 at 7:00 p.m., Council Chambers, City Hall, 828 Center Avenue.**

**James Amodeo  
Chief Administrative Officer**

**PUBLISH MARCH 4, 2013 LEGAL NOTICE**

**CHARGE TO CITY OF SHEBOYGAN  
FINANCE DEPARTMENT**

II

R. O. No.           - 12 - 13. By BOARD OF ELECTRICAL & HEATING EXAMINERS.  
March 18, 2013.

Pursuant to State of Wisconsin Comm. 5 and City of Sheboygan Municipal Code, Section 26-355, the following licenses have been issued:

| <u>APPLICATION #</u> | <u>NAME AND ADDRESS</u>                                      | <u>TYPE OF LICENSE</u> |
|----------------------|--|------------------------|
| 1251                 | Robert Engler<br>28700 E Riverbay Dr.<br>Waterford, WI 53185 | Electrical Contractor  |
| 1382                 | Mark J Borden<br>2504 Broken Hill Ct<br>Waukesha, WI 53188   | Electrical Contractor  |
| 1430                 | James Conard<br>4482 Nicolet Dr.<br>Green Bay, WI 54311      | Electrical Contractor  |
| 1462                 | Chad Grunwald<br>1454 Stable Lane<br>Pulaski, WI 54162       | Electrical Contractor  |
| 1463                 | Dan Steinhardt<br>742 Chaplin Ct.<br>Plymouth, WI 53073      | Electrical Contractor  |

  
\_\_\_\_\_  
Electrical/Heating Inspector

II

R. O. No.        - 12 - 13. By CITY CLERK. March 18, 2013.

Submitting various license applications.

  
City Clerk

---

MASSAGE ESTABLISHMENT LICENSE (December 31, 2013)

| <u>No.</u> | <u>Name</u>  | <u>Address</u>   |
|------------|--------------|------------------|
| 1796       | Salon Shibui | 2427 Calumet Dr. |

TEMPORARY "CLASS B" LICENSE

| <u>No.</u> | <u>Name</u>                 | <u>Address</u>  |
|------------|-----------------------------|---|
| 1166       | Holly Name Parish           | 807 Superior Ave. - one-day event to be held 6/23/13 to include auditorium, gym, kitchen, playground of 814 Superior Ave.         |
| 2970       | St. Elizabeth Seaton School | 817 Superior Ave. - one-day event to be held 4/27/2013 at 2113 N. 22 <sup>nd</sup> St. to include the kitchen and gymnasium area. |
| 2808       | Water Street Softball Team  | 931 N. 12 <sup>th</sup> St. - one-day event to be Held 4/20/13 to include all the premise and parking lot south of building.      |

TEMPORARY BEVERAGE OPERATOR'S LICENSE

| <u>No.</u> | <u>Name</u>           | <u>Address</u>                 |
|------------|-----------------------|--------------------------------|
| 8537       | Waldbauer, Richard T. | 998 Huron Trl, Sheboygan Falls |

II

R. O. No. \_\_\_\_\_ - 12 - 13. By CHIEF OF POLICE. March 18, 2013.

We hereby submit the annual report of the Sheboygan Police Department for the year 2012. (See attached)

Chief of Police Christopher D. Domagalski

III



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**Christopher D. Domagalski**  
CHIEF OF POLICE

1315 N. 23rd Street, Suite 101  
Sheboygan, WI 53081  
(920)459-3333

**OUR VISION:** To be the safest community in America.

**OUR MISSION** is to be the model of excellence in policing by working in partnership with the community and others to:

**FIGHT** crime, the fear of crime and disorder;

**ENFORCE** laws while safeguarding the constitutional rights of all people;

**PROVIDE** quality service to all our residents and visitors; and

**CREATE** a work environment in which we recruit, train and develop an exceptional team of employees.



*I take great pride in working with the fine men and women of our department who are truly dedicated to serving the citizens and visitors of our community. We constantly strive to not only improve services, but to find more efficient ways of delivering them. Citizens play a large role in helping us succeed in our mission; whether it is through reporting suspicious behavior, taking part in neighborhood organizations or volunteering with us. As we develop programs, implement technology, and take on new initiatives, know that your police department regards the city's residents as its highest priority.*



**We, the men and  
Women of the Sheboygan  
Police Department, value:**

**PROFESSIONALISM**

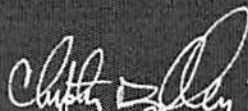
**ACCOUNTABILITY**

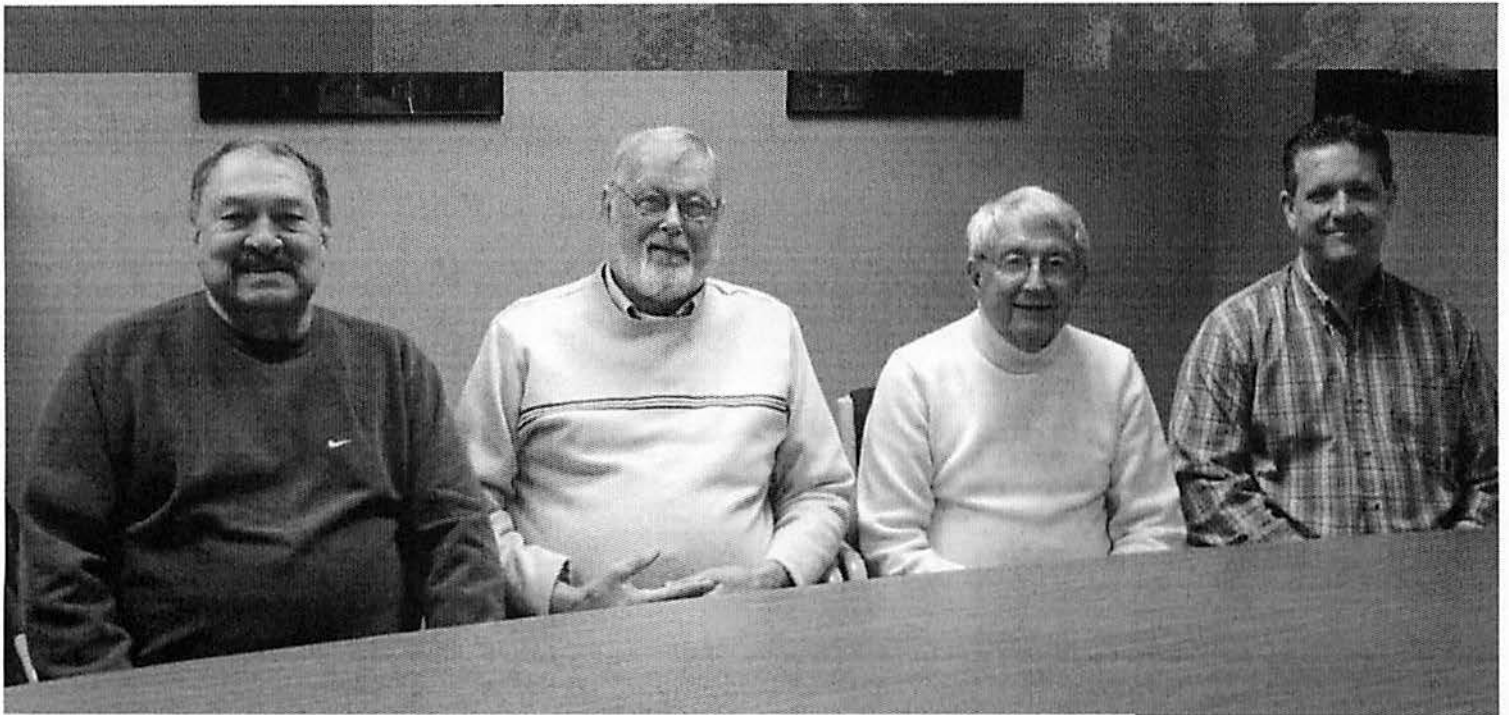
**LEADERSHIP**

**COMPETENCE**

**TEAMWORK**

**INTEGRITY**

  
CHRISTOPHER DOMAGALSKI  
CHIEF OF POLICE



## Police & Fire Commission 2012-2013

From left to right: Commissioner Robert Lettre, Sr.  
President James Pragatz, Commissioner Henry Jung, Secretary  
Andrew Hopp, Commissioner Jean Kittelson (not pictured)

The Commission oversees all aspects of the Police Department and Fire Department operations. The Commission's functions also include establishing recruitment and testing standards for positions in the Police and Fire Departments, hearing appeals by members of either department who have been disciplined by their Chief, independently investigating and monitoring citizen complaints, and disciplining employees for misconduct. The members are appointed by the Mayor and approved by the Common Council.





The Sheboygan Common Council and Mayor Terry Van Akkeren

## *A Message from the Mayor*

As the Mayor of the City of Sheboygan, addressing the safety and security of our citizens is always a top priority. The men and women of the Sheboygan Police Department are committed to making our city a safe and secure place and ensure our citizens are well protected. Under the leadership of Chief Christopher Domagalski, the Sheboygan Police Department continues to emphasize proactive policing strategies to keep the City of Sheboygan safe for all who live, work and play in our community.

As mayor, I am committed to continuing the close relationship between the Office of the Mayor, the Sheboygan Police Department and our citizens. The vision of the Sheboygan Police Department is for Sheboygan to be the safest community in America. I am committed to keeping our department fully staffed and funded so that this vision can be achieved.

*Terry Van Akkeren*  
Terry Van Akkeren, Mayor

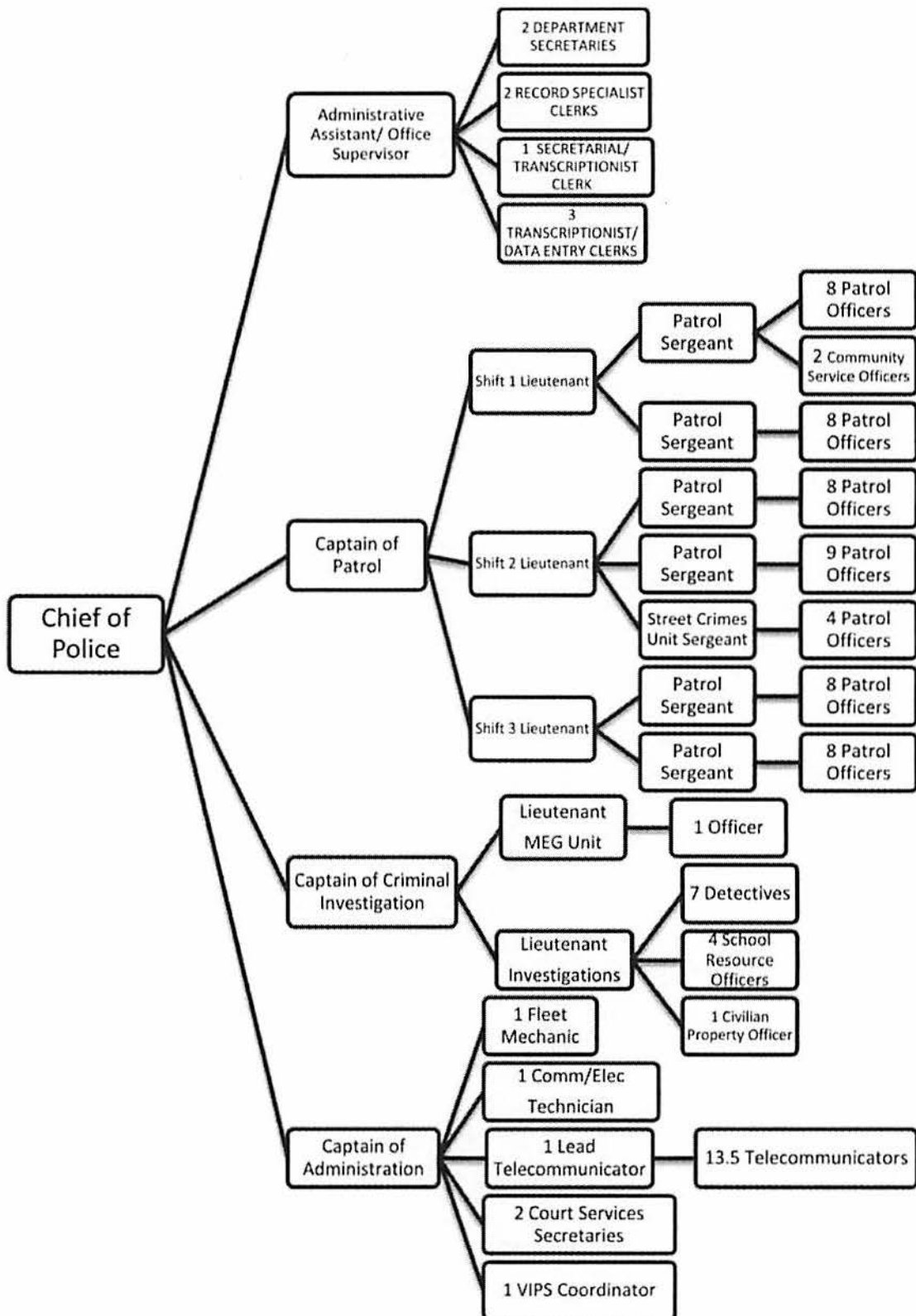


# 2012-2013 Alderpersons

| District | Wards   | Aldersperson       | Address                | Phone    |
|----------|---------|--------------------|------------------------|----------|
| 1        | 1-3     | Cory Roeseler      | 3620 N. 8th Street     | 452-5585 |
|          |         | John Belanger      | 2622 N. 3rd Street     | 946-2738 |
| 2        | 4-9     | David Van Akkeren  |                        | 783-6011 |
|          |         | Jodi Vander Weele  | 2110 Martin Avenue     | 980-5400 |
| 3        | 10-12   | Darryl Carlson     | 917 Bluff Avenue       | 452-3196 |
|          |         | Scott Versey       | 119 Lincoln Avenue     | 803-1880 |
| 4        | 13-15   | Kevin Matichek     | 1114 N. 9th Street     | 254-1410 |
|          |         | Mary Lynne Donohue | 418 St. Clair Avenue   | 458-1027 |
| 5        | 16-18   | Julie Kath         | 1730 N. 35th Street    | 458-0775 |
|          |         | Scott Lewandoske   | 2201 Erie Avenue       | 452-5709 |
| 6        | 19-21   | William Wangemann  | 1223 S. 23rd Street    | 458-2974 |
|          |         | Jeremy Dekker      | 1444 S. 20th Street    | 207-4536 |
| 7        | 22 & 23 | Don Hammond        | 4819 Ferndale Court    | 451-8992 |
|          |         | Susan Lessard      | 5016 Moenning Road     | 458-5662 |
| 8        | 24-26   | Joseph Heidemann   | 4819 S. 12th Street    | 254-4203 |
|          |         | Jim Bohren         | 1526 Knoll Crest Drive | 395-2230 |

Chief Administrative Officer James Amodeo

# SPD Table of Organization



## Chief Domagalski's Message



I am pleased to share with you the 2012 Annual Report for the Sheboygan Police Department. In the following pages, you will read of how we work each day to accomplish our mission to reduce crime, fear and disorder in Sheboygan. I am proud of the work that the men and women of the Sheboygan Police Department have done.

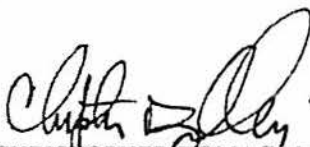
We have focused our efforts around the city's neighborhoods. Proactive policing, problem-solving, and the development of police community relationships, as well as social bonds among residents, will lead to the strengthening of our neighborhoods and their developing the capacity to sustain civic life. We are engaging the community, building relationships and utilizing intelligence

and information like never before in our efforts to prevent the next crime. We have encouraged our officers to have a sense of ownership for their beats and we employ directed tactics rather than depending on random patrol to solve neighborhood problems.

Our vision is for a Sheboygan that is the safest city of its size in the United States. We realize that we cannot address crime problems in this city alone. We have a duty to involve members of the community in matters that impact upon the quality of their lives. We are renewing and developing new community bonds every day to ensure that the people most impacted by crime have a voice in identifying and resolving problems in their neighborhoods. We also under-

stand that our efforts must be tailored to the unique needs of each neighborhood.

Finally, we know we're not done. While we have accomplished much, we will never be done. We will continue to make improvements within our organization and we will never stop trying to do better. We are the police and this city depends on us! We are in this together and we look forward to working with each of you on the problems that present themselves in 2013.

  
CHRISTOPHER DOMAGALSKI  
CHIEF OF POLICE



## Internal Investigations

Fifteen (15) internal investigations were conducted in 2012. Of those investigations, six (6) were initiated by the Department, and nine (9) were citizen complaints.

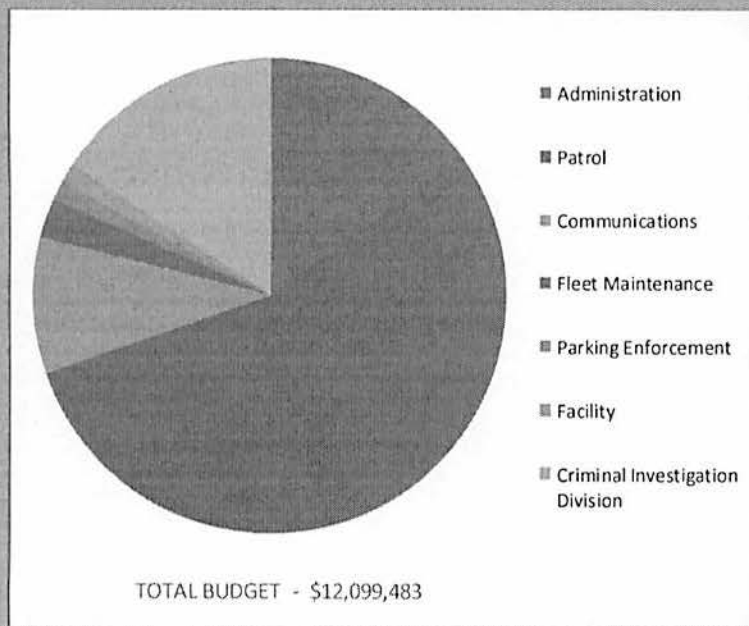
### 2012 Internal Complaints

| INVESTIGATIVE FINDINGS | # |
|------------------------|---|
| SUSTAINED              | 6 |
| NOT SUSTAINED          | 0 |
| UNFOUNDED              | 0 |
| EXONERATED             | 0 |
| NO FORMAL COMPLAINT    | 0 |

### 2012 Citizen Complaints

| INVESTIGATIVE FINDINGS | # |
|------------------------|---|
| SUSTAINED              | 3 |
| NOT SUSTAINED          | 0 |
| UNFOUNDED              | 2 |
| EXONERATED             | 3 |
| NO FORMAL COMPLAINT    | 1 |

- \*\*\* Sustained = The allegation is supported by sufficient proof.  
 Not Sustained = The evidence is not sufficient to prove or disprove the allegation.  
 Unfounded = The allegation is false or otherwise not based on valid facts.  
 Exonerated = The incident that occurred or was complained against was lawful and proper.



## 2012 SPD Total Budget

|                                 |                   |
|---------------------------------|-------------------|
| Administration                  | 1,805,638         |
| Patrol                          | 6,626,244         |
| Communications                  | 1,120,126         |
| Fleet Maintenance               | 331,093           |
| Parking Enforcement             | 155,369           |
| Facility                        | 168,635           |
| Criminal Investigation Division | 1,892,378         |
|                                 |                   |
|                                 |                   |
| <b>Total Budget</b>             | <b>12,099,483</b> |

## 2012 Accomplishments

- Partnered with other Law Enforcement and crime prevention organizations to organize and hold 1st Annual Wisconsin "Problem Oriented Policing" Conference.
- Took a problem-oriented approach to crime and disorder issues occurring in and around licensed premises and led the formation of a Tavern Safety Coalition to approach the problems in a comprehensive and collaborative manner.
- Developed and implemented a Department SharePoint site to improve internal communication.
- Launched CAPSIT scheduling software, an on-line scheduling tool.
- Facilitated a department-wide In-Service with Spillman Technologies for department specific training needs.
- Presented the Sheboygan DDACTS patrol strategy to Michigan Law Enforcement and the Wisconsin Governors Conference as a model of data driven policing.
- Participated in 82 community outreach events, including 15 neighborhood meetings with the residents of 24 neighborhoods.
- Trained and transitioned 11 officers from the Field Training Officer (FTO) model to the Police Training Officer (PTO) program for new officer training.
- Trained 8 additional officers in the Leadership in the Police Organizations (LPO) course.
- Updated the Police Officer and Dispatcher selection and testing processes. Hired two new dispatchers and three officers - bringing both positions to authorized strength.
- Made significant progress in the Lexipol policy development process.
- Partnered with City Development and Building Inspection to deliver the landlord training program.
- Hosted county-wide intoximeter recertification training.
- Transitioned to Spillman records management system for vehicle maintenance and training records.
- Maintained certification for all personnel, delivered task-necessary training for newly promoted or reassigned personnel and graduated two Lieutenants from Executive Development Programs.
- Obtained Cellebrite equipment and software for forensic examination of electronic media - saving time and expense in completing investigations.
- Developed an educational campaign to raise awareness of sexual assault through the use of pamphlets and billboards.
- Created SCRAPTHEFTALERT initiative involving local scrap metal retailers to assist in addressing and preventing scrap metal thefts.
- Partnered with the United States Marshals Service to carry out Operation Spring Cleaning, an initiative to ensure and address sex offender compliance.
- Implemented the utilization of Wisconsin surplus on-line auction to sell vehicles and other property to streamline the property disposal process and reduce overtime.
- Hosted on-site training regarding evidence collection and preservation with the Wisconsin State Crime Laboratory.
- Partnered with University of Wisconsin engineering professor to conduct geographical analysis of traffic safety data.
- Began a job task analysis in the Records Section to establish greater efficiency and accountability and began cross training of records staff to create a more flexible and responsive workforce.

"We will create a climate in which excellence can be achieved, in which their safety is as assured as we can make it and that they are supported in their actions.

It is said that police work is a calling and I believe that is true and that it is an honorable profession. It is in our cities that the greatest challenges lie, there is where the most crime and fear are found, there is where the greatest test of the ability of a democracy to live peaceably is most frequently tested. Luckily our profession has never been short of courage or honor and never short of people willing to risk their lives for others...We must be in constant pursuit of improvement in both our personal and professional lives."

Chief Christopher Domagalski  
Swearing In Ceremony  
April 2, 2012



# 2012 New Hires



**Officer Matthew Rakow**



**Officer Chris Stephen**



**Officer Holly Kehoe**

Officers Matt Rakow and Chris Stephen were sworn in on April 2nd, 2012 and Officer Holly Kehoe was sworn in on October 8th, 2012.



**Telecommunicator  
Michael Cordier**



**Telecommunicator  
Brian Reed**



**CSO  
Yeng Yang**

Michael Cordier and Brian Reed began employment in the SPD Communications Center in May of 2012. Yeng Yang returned to employment as a Community Service Officer on August 1st, 2012

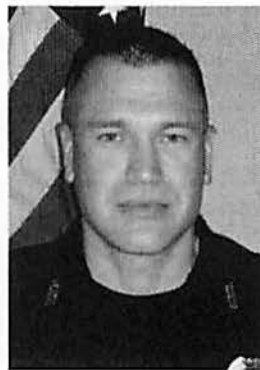
# 2012 Promotions & Retirees



Detective Tamara Remington



Detective Brian Retzer



Lt. Bill Adams

Tamara Remington and Brian Retzer were promoted to Detective on April 2, 2012. Bill Adams was promoted to Lieutenant on October 8, 2012.



Brenda Steffen

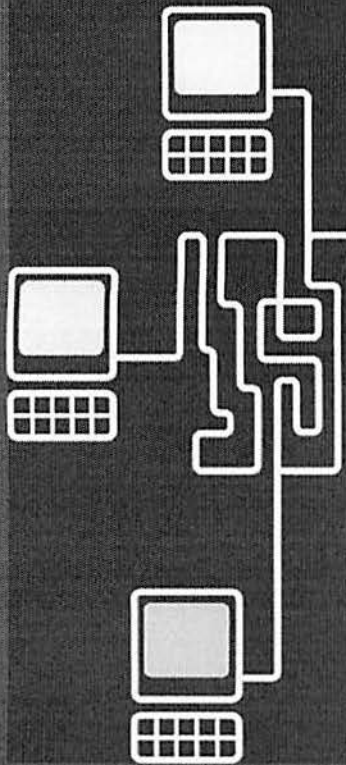


After nearly 35 years of service since May 12, 1977, Telecommunicator Brenda Steffen retired on April 7, 2012. Chief Domagalski presented Brenda with a glass plaque commemorating her years of service.

Every day your values will be tested. Every day you will be asked to decide very difficult questions, freedom or imprisonment, honor or dishonor, some of them literally life and death. And every day you will have to make these decisions under pressure, in ambiguous circumstances with insufficient information. In those moments it will be your values that guide you, the values you brought to us and the values we hope to instill in you. These values I talk about cannot be mere words, they must define your behaviors and your actions...I expect you to demonstrate the values of integrity, leadership, professionalism, competence, accountability and teamwork.

Chief Christopher Domagalski  
Swearing In Ceremony  
April 2, 2012

# New Technology



## SharePoint

In January, 2012, the Sheboygan Police Department formed a committee to explore the potential for utilizing Microsoft SharePoint as an internal communications tool. That committee consisted of Lt. Brassler, Off. Edson, Off. Leichtnam, Off. Schmitt, Paula Haelfrisch, Linda Repphun, Mary Danen and chaired by Lt. Adams. City IT Manager Dave Augustin also provided invaluable direction.

The committee spent the first few months learning how to use and design a SharePoint site. We were given a virtual tour of the Milwaukee Police Department's site, where we were introduced to the possibilities the program offered. We then created a temporary test site, where we learned a lot by trial and error.

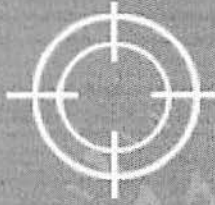
Once we became comfortable, we launched the live site for the department. The major features of the new site were an electronic version of "the pad" and vehicle inspection sheets. Both of those were quickly adopted by the department as a whole, and illustrated how useful SharePoint would be. Personnel across divisions now had easy access to see the "hottest" investigations occurring in the department,

and fleet operations had more consistent feedback on the condition of the squads. An unforeseen benefit to the vehicle sheets was that we finally had an easy way to track which officers were in which squads on any given day.

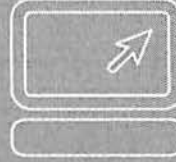
As the pad and vehicle sheets gained popular acceptance, we began to expand the SharePoint site. An entire site was dedicated to Neighborhood Policing, where officers would be able to share information and coordinate their responses to neighborhood problems. We also created an electronic form for submitting training requests. As people became more comfortable, more sub-sites were created.

As we look to the future, we hope that the pad will very quickly replace the old bulletin. Much of the information that was traditionally disseminated on the bulletin can already be found on SharePoint. We will also work to make the site more user-friendly and easy to navigate. The continuing challenge is to make the most information available to the most people, without overloading the users. As always, the committee members are open to suggestions and eager for feedback.

The Sheboygan Police Department now has dedicated SharePoint sites for the Patrol Division, the Criminal Investigations Division, the Street Crimes Unit, the School Resource Officers, the Emergency Response Team and the Records Division. Additionally, we have been able to consolidate numerous resources for training and help files.



# Open Scheduler™



During calendar year 2013, the Sheboygan Police Department will continue to expand the use of Capsit Open Scheduler. The availability of interfacing Capsit with the City of Sheboygan payroll program is being examined so that time code entries made into the on-line scheduler can automatically create payroll codes for pay purposes.

## ***Capsit***

In 2012, the Sheboygan Police Department acquired Capsit Open Scheduler. Capsit is an on-line scheduler and payroll program that replaced individual day off books, shift calendars, and timecards for all sworn personnel at the Sheboygan Police Department. Additionally, all civilian Sheboygan Police Department employees have a schedule maintained within the software.

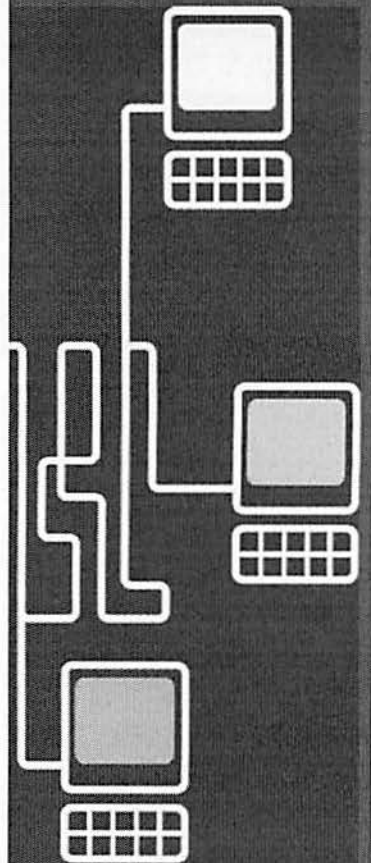
Prior to 2012, each individual work group at the Sheboygan Police Department maintained a paper calendar to determine work schedules. All sworn personnel hand-completed a daily timecard.

The use of Capsit as a scheduling program has enabled one central point for all departmental scheduling. Within the program, different work groups can be designated and are identified as teams, and users have the ability to view individual schedules, team schedules, and the departmental work calendar as a whole. The program is internet-

based, and provides all users with the availability to access schedules and timesheets from any computer with internet access.

Capsit Open Scheduler is the trademark scheduling software for the Foundation for Free and Open Software in Government (FFOSG). FFOSG is dedicated to acquiring commercial grade software for use in government agencies at no or reduced costs. The Open Scheduler is a subscription service for a software package that is commercially available to private industry.

The transition to on-line scheduling was made during the calendar year of 2012. Officers now complete many of the functions that were previously done on paper calendars and timecards in a digital, on-line reporting format. Daily timecards have been replaced with a bi-weekly time sheet.



Throughout the year the Administrative Division has worked with other agencies and committees to address mutual law enforcement, social and community issues. These include the following groups; The Sheboygan County Emergency Medical Services Council, Mental Health Crisis Service Committee, Lakeshore Technical College Criminal Justice Advisory Board and the Bay Lakes Regional Hazard Mitigation Committee. The Administrative Division also works with other city departments on projects of mutual community interest.



## Administrative Services Division

The Administrative Services Division is under the supervision of Captain Bob Wallace.

2012 has proven to be a busy and challenging year in the Administrative Services Division.

During 2012, the police department, in conjunction with the Police and Fire Commission, completed the final testing and hiring of three (3) new police officers in order to fill vacancies that existed due to promotions within the department. With the hiring of these three (3) police officers, the police department is currently at its authorized strength of 81 sworn personnel.

This spring, the department redesigned the hiring process for Communications Center personnel and hired two (2) new dispatchers to fill vacancies created by a retirement and the combination of previously part-time positions. The Communications Center is now fully staffed.

Throughout the year, we have worked to complete the revision of the organization's policy manual. At this year's end, we are nearly ready to publish the first complete revision of our manual in many years.





## 2012 Training Sessions

Maintaining the education and training of our personnel is an ongoing and important element of providing a high level of professional service to the community.

Throughout the year, several of our officers have been promoted, assigned to specialized units or have been assigned new responsibilities in their positions. This requires that the police department continue to train our personnel in the skills necessary for them to successfully perform their new duties.

During this year, the police department selected a new state of the art field training program. The "Police Training Officer" (PTO) model is for use in the training of newly-hired police officers. This training model was developed at the Southern Police Institute at the University of Louisville.

The Basic PTO course prepares participants to become post-academy field trainers. The PTO model is specifically designed for

agencies engaged in the community-oriented policing and problem solving (COPPS) service delivery method. Participants learn how to use problem-based learning and other adult learning strategies to coach and mentor recent academy graduates through field training phases.

This fall, three (3) Sheboygan Police Department supervisors and eight (8) police officers completed this week-long course of PTO instruction.

This year, the Police Department was also proud to see eight (8) members graduate from the Leadership in Police Organization training (LPO). This is a comprehensive, three-week leadership development course designed to help students understand and apply modern behavioral science and leadership theories and to develop and achieve personal leadership to the fullest potential.

The police department also has continued the training of the department's special teams and units such as the Emergency Response Team, Sheboygan County Dive Team, K-9 Unit, Honor Guard and the MEG Unit and Street Crimes Unit.

Individual supervisors, detectives, police officers and support personnel have attended a variety of specialized training specific to their duties.





Up to 90% of Sexual Abusers are known to their victim.  
Talk to your child about Sexual Abuse.  
Learn the facts. Forward the crime sheboyganpolice.com

Due to past successes of educational campaigns (Nixel), the Criminal Investigation Division enlisted the assistance of two civilian employees to develop a public awareness brochure and billboard addressing the signs, symptoms, and actions to be taken if a witness or victim of sexual assault. The resulting professionally designed brochures were made available to the public, schools, Victim/Witness office and Safe Harbor. In addition, Lamar Signs partnered with the SPD to convey this important public message through utilization of electronic billboards without cost.



**CHILDREN**  
The Criminal Investigation Division continued to work with the National Center for Missing and Endangered Children (NCMEC) regarding social media situations. This relationship is designed to ensure the safety of children, assist parents with questions, and enforce violations related to child pornography. These types of cases are referred to CID and quickly verified to determine if locally based. This has resulted in contact with offenders and their subsequent prosecution. The Division's Computer Crimes Unit members are trained in the skills needed to investigate social media cases and assist all members of the department.

Partnering with the Community  
Page 16



# Criminal Investigation Division

The Criminal Investigation Division is under the supervision of Captain James Veaser.

In 2012, the Criminal Investigation Division (CID) witnessed several personnel changes due to promotion and transfer of assignments. Det. Kurt Zempel was promoted to Sergeant of Patrol and Officer Tamara Remington and Officer Brian Retzer were promoted to Detective. In keeping with the administrative objective of career enhancement, Lt. Kurt Brassler was transferred to Lieutenant of CID from the Sheboygan County MEG Unit, and Lt. Michael Williams was transferred to Lieutenant of MEG from the Patrol Division. These supervisory shifts are designed to increase understanding of different positional responsibilities within our department and expand working knowledge.

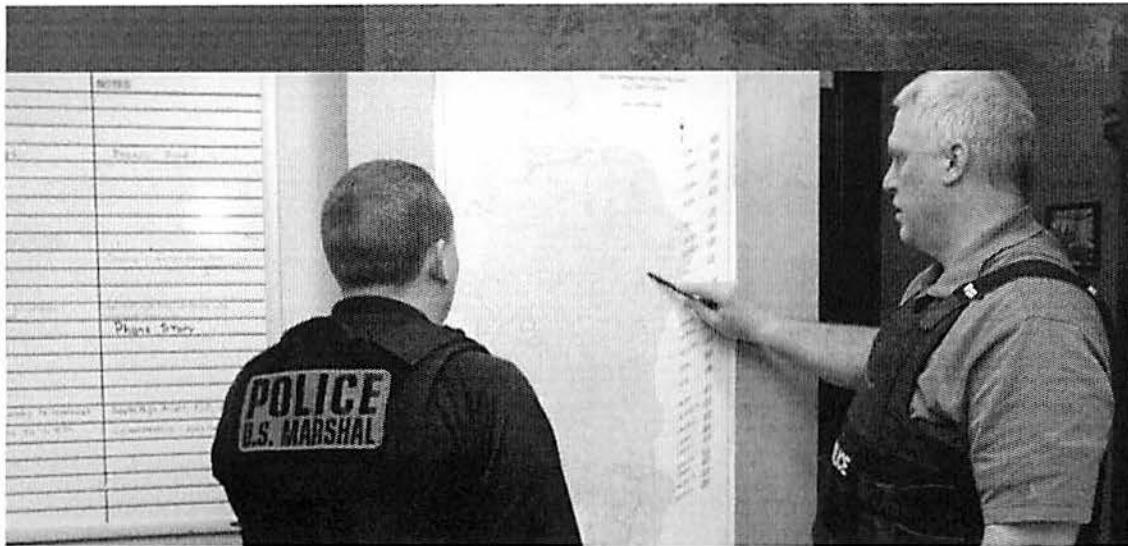
In 2012, CID continued to handle the majority of complex criminal investigations that occurred within the community. The utilization of crime data, intelligence led policing, increased contact with the public and thorough police work resulted in the clearance of several high profile cases.

The Division handled three homicide investigations resulting in the arrest of the suspects, dismantling of three significant organized burglary crews, and the arrest of several individuals involved in corporate embezzlement. This, along with a steady flow of sexual assault investigations, fraud cases, forgeries, arsons, burglaries, thefts, and

assisting the public with additional matters resulted in a very busy year.

The Division continued to share information internally and transfer this knowledge to the Patrol Division. Division members are required to engage community and outside stakeholders in order to discover better means to provide effective and efficient service. This development of relationships habitually has positive results and builds strong bonds. For example, in May of 2012, a local man was arrested for actively distributing heroin in Sheboygan. The ensuing investigation revealed deeper undertones involving human trafficking of women for the purposes of prostitution. The Division collaborated with the U.S. Attorney's Office to charge several suspects federally; thus increasing the likelihood of a longer, mandatory prison sentence if convicted. This effective relationship has resulted in an increased utilization of the U.S. Attorney's office to potentially charge several pending investigations in federal court rather than locally.

The effort to provide the best services will continue in 2013 as CID continues to be vigilant in regards to watching for state-of-the art technologies, incorporating proven investigative strategies and collaborating with community members in order to resolve criminal issues.



The Criminal Investigation Division continued to utilize available databases and implement new technology in order to investigate crime. Detectives continued to use E-trace to verify ownership of recovered firearms and rightfully return these weapons to their owners, while criminally charging individuals who were found in possession of weapons obtained through theft and burglary. In addition, the Division acquired forensic technology called Cellebrite that is designed to examine the contents of cell phones. It is known that the criminal element utilizes cell phones to conduct business and a timely examination of these phones can lead to the location of criminal proceeds, associates and the resolution of unsolved crimes. The new ability to quickly examine the contents in-house has resulted in arrests and eliminated the need for personnel to transport cell phones to outside facilities for an extended period of time until examination. This service is being offered to local jurisdictions for their use in similar investigations.

## Teamwork

The Criminal Investigation Division continued to foster their relationship with the United States Marshals Service. This relationship involves financial assistance, equipment allocation and personnel support provided by the federal government in order to accomplish the objectives of both involved agencies.

In August, 2012, the USM, State of Wisconsin Department of Corrections and the Criminal Investigations Division launched Operation Spring Cleaning that focused on verifying addresses of sex offenders located within the City of Sheboygan. This resulted in making contact with in excess of 200 registered sex offenders. The operation ensured compliance with both state and local laws and immediate consequences for those in violation.

## ScrapTheftAlert

Due to an increased amount of scrap metal theft in our community and surrounding areas, CID personnel made contact with all scrap metal dealers in Sheboygan to advise of a state wide program called ScrapTheftAlert. This on-line program is a tool for law enforcement that allows them to alert the scrap industry to significant thefts and potential suspects. All area businesses were provided materials in regards to signing up for the free service and currently there are 14,000 users with 9,331 alerts being issued since 2008.

In 2013, the Criminal Investigation Division will be attempting to strengthen the ability to monitor secondhand transactions (scrap, jewelry, games, etc.) by seeking ordinance changes that are consistent with other municipalities. The department currently utilizes NEWPRS, a software program that tracks secondhand property transactions statewide to monitor businesses outside our municipality who may have received stolen goods. This can lead to the retrieval of stolen property and the identity of the suspect. The requirement of Sheboygan businesses to incorporate NEWPRS into their daily business transactions and change from their current paper recording system will likely increase the success of resolving unsolved cases and deter criminals.





The patrol strategy of the Sheboygan Police Department is a location-based strategy, with emphasis on the identification and remediation of places where crime tends to occur most frequently. Several platforms within our records management system allow the police department to create maps that show when and where crime takes place over a period of time. The policing strategy is to deploy officers into these areas to respond more effectively to events that do occur, and to deter others events from occurring. This data-driven, location-based approach to policing is an effective and efficient means of placing police officers when and where they are most needed. In the upcoming year, the police department will continue to define the Compstat management system to assist the police department's focus on where and when officers are deployed, what their activities are, and how are they gauging success. The police department will continue to evaluate this process to ensure that every officer has an effective deployment plan.



## Patrol Division

The Patrol Division is under the supervision of Captain Steve Cobb.

The Patrol Division is the largest division within the Police Department and is administered by a Patrol Captain, 3 Lieutenants and 7 Sergeants. The division of 63 sworn officers is divided into three work shifts, with each shift being commanded by a Lieutenant and two Sergeants. Also included in the Patrol Division is the Street Crimes Unit, supervised by a Sergeant.

Patrol officers are the most visible representatives of city government, and most often are the first point of contact for any police services. Patrol Officers are responsible for responding to and investigating reports of crime, identifying and suppressing criminal activity, investigating traffic crashes, responding and coordinating responses to emergencies, and providing police service to our citizenry.

The Patrol Division is at the forefront of a neighborhood-based, community-orientated policing strategy. The overall goal of this initiative is to reduce crime and the fear of crime by citizens in the City of Sheboygan. Objectives of this crime strategy include identifying neighborhoods throughout the city and forming specific plans to deal with the unique activities in those areas. To date, the Police Department has identified 75 individual neighborhoods within the City and has assigned an officer to each of those areas. Each officer has

completed a neighborhood plan that identifies the characteristics of an area, the crimes associated with that area, the primary stakeholders within that area and a specific policing strategy. Officers set specific policing objectives that, in conjunction with the stakeholders of a neighborhood, provide direction and engagement from everyone.

The goal of the neighborhood officer is to form an intimate bond with the neighborhood they patrol, so that residents and businesses can be quickly mobilized to address trends before they impact the quality of life, and to work with the residents of a community to identify and suppress criminal activity. A key to the success of this program is communication between the patrol officers and the community members who live and work in those same areas. In 2012, officers conducted over 75 different types of community outreach events. These activities encourage interaction between police officers and citizens so that they can better recognize each other as partners in the problem solving process.

Meeting with residents of a neighborhood is an important vehicle used by patrol officers to develop relationships with neighborhood residents, discuss crime and safety problems of an area, and to develop policing strategies and



Patrol provides service to the community 24 hours a day, seven days a week. Patrol Officers have police squad cars, mountain bicycles, a police motorcycle, ATV and foot patrol at their disposal as a means of patrolling their respective areas. Working in Patrol requires a variety of skills and although the primary function is to reduce crime as well as apprehend criminals, patrol officers must also be well versed in civil and criminal law, traffic accident investigation and enforcement, and crisis intervention techniques. Patrol Sergeants provide training and supervision for officers and oversee all patrol operations. This training enables our patrol officers to provide the best possible police service.

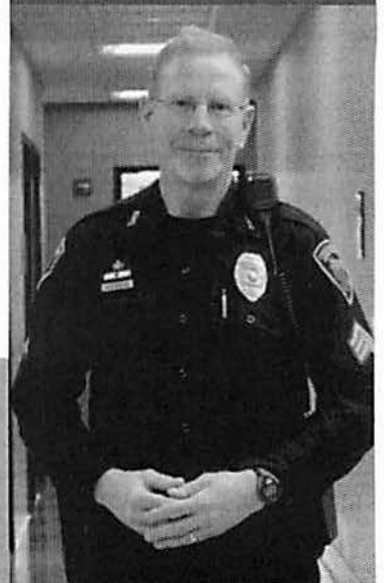
commitments from neighborhood residents. These meetings serve to facilitate collaboration between neighborhood residents and their neighborhood officer in the effort to deliver more effective and efficient police services. In 2012, patrol officers conducted 16 separate meetings that brought together residents from over 31 neighborhoods. These meetings served as a platform to begin to form a constructive, collaborative relationship to address crime and disorder in our community. Through 2013, officers will continue to meet with their neighborhoods with a goal of establishing specific policing objectives that emphasize the partnerships with the community, and setting specific target goals for a neighborhood.

Another goal of our policing initiative was to develop partnerships within city government, as well as with the community, to address persistent neighborhood problems and to improve the overall quality of some of Sheboygan's most blighted neighborhoods. Several strategies, such as nuisance abatement and chronic nuisance identification, were identified to focus on neigh-

borhood improvement as a means of reducing crime. In 2012, the police department continued working with the Department of Public Works and the Department of Building Inspection to conduct formal inspections of nuisance properties. Hundreds of such inspections occurred over the course of the year, many of which were in conjunction with our counterparts in Department of Building Inspection or the Department of Public Works. Neighborhood improvement remains a cornerstone of our policing strategy.

Identification and remediation of chronic nuisances is another tactic that patrol officers use to address ongoing problems and to involve property owners as stakeholders in the abatement process. In 2012, officers continued to work with property owners to assist them with chronic nuisance properties. Officers worked with property owners reference abatement plans and further educating them on chronic nuisance properties and their role within the community.

The work of a patrol officer is diverse and requires many different types of skills. In addition to the officers who respond to calls, there are many specialized units that operate under the division's control. The men and women of the Patrol Division also include four (4) Street Crimes Unit officers, a Crash Reconstruction Unit, a Motorcycle Patrol Unit, Emergency Response Team, Critical Incident Negotiators, two (2) K9 Officers, as well as oversight of the City/County Law Enforcement Dive Team and Police Honor Guard.



# Patrol Partnerships



Operation Absolutely 21 & Over is a partnership program between the community and the Sheboygan Police Department. It is dedicated to disrupting the negative impact underage alcohol consumption has on our community.

This project was created to emphasize the need for licensed establishments to be held accountable and to provide education to our community that underage alcohol consumption is a problem we face.

This program utilizes underage volunteers, who assist Police with performing alcohol compliance checks on local license holders. These volunteers provide valuable intelligence which allows Police to pursue enforcement action on violations, and address areas of concern with the overall goal of making alcohol servers/establishments

more accountable for themselves.

When this program began in the spring of 2010, nearly half of the licensed establishments within the City of Sheboygan failed alcohol compliance checks. With an increase of education, through the development of an alcohol server course hosted by our department, and the creation of the Tavern Safety Coalition, we reduced the failure rate to below 20%.

This program will continue in 2013, with the goal of reducing the failure rate below 10%.



## Tactical Fitness

During the summer of 2012, the Sheboygan Police Department in cooperation with sports medicine trainers from Aurora Health Care implemented a fitness program dedicated towards improving the overall health of employees, increasing the safety of officers on the street, and reiterating department values. There was a total of

16 fitness sessions, two per week, each being one hour in duration.

Each class was different, utilizing various physical techniques to enable officers to perform better on the street with a reduced risk of injury. The exercises in the class were geared towards environmental factors that Police Officers encounter on a daily basis.

Out of the 16 fitness sessions, there were a total of 27 participants. The attendees completed these courses on their own time which is evidence of their dedication. This program will hopefully continue in 2013, with the goal of including all law enforcement officers within Sheboygan County. Special thanks to Aurora Health Care for helping us with this program!



## Tavern Safety Coalition



Working together for a safer community

In early 2012, the Sheboygan PD reached out to tavern owners, citizen/neighborhood associations, AODA groups and any other concerned citizens or groups in an effort to address a number of concerns in and around taverns. More specifically, the police department wished to reduce the ability of underage people to enter taverns, as well as reduce assaults and other crime that often occurs in and around taverns.

The initial meeting was held on February 6, 2012. It was very well attended and eventually led to the formation of the Tavern Safety Coalition (TSC). Currently, 48 of the over 70 taverns in Sheboygan are members of the TSC. The first order of business was to elect a board to oversee the formation of the TSC. The TSC Board consists of the following:

President Tommy Lloyd – VibeZ  
 Vice President Dennis Altmeyer – Hopps Haven  
 Treasurer Jim Klabecek – Tavern League  
 Secretary Bill Adams – Sheboygan Police  
 Bob Meyer – Talk of the Town  
 Jason Violetta – Speak Easy  
 Larry Schaefer – Legend Larry's  
 Rufino Martinez – Rehab  
 Erik Wagner (for Phil Duket) – HSC 2020 AODA  
 Henry Capetillo – Gateway Neighborhood  
 Ald. Jodi Vander Weele  
 Scott Mittelstadt – Sheboygan Police  
 OPEN SPOT – BUSINESS

Next the TSC developed a vision and mission statement.

Our vision is to make Sheboygan the destination for social nightlife. We will strive to provide safe and crime-free establishments for legal drinking age patrons to eat, drink and enjoy themselves. In addition, we will be good neighbors, a positive influence in the community and partner with other community resources to achieve success.

Our mission is to organize all the establishments serving or selling alcoholic beverages in the City of Sheboygan as a coalition. We will work together to uphold high standards of conduct to ensure a safe and enjoyable environment for all our patrons and staff. In addition, we will educate coalition member personnel on the dangers associated with over-serving, proper identification of underage individuals and how to successfully handle difficult patrons and situations.

The TSC board has developed a Code of Conduct that is clearly posted on a blue sign near the entrance to any TSC establishment. The purpose of the Code of Conduct is to communicate to patrons our expectations for their be-

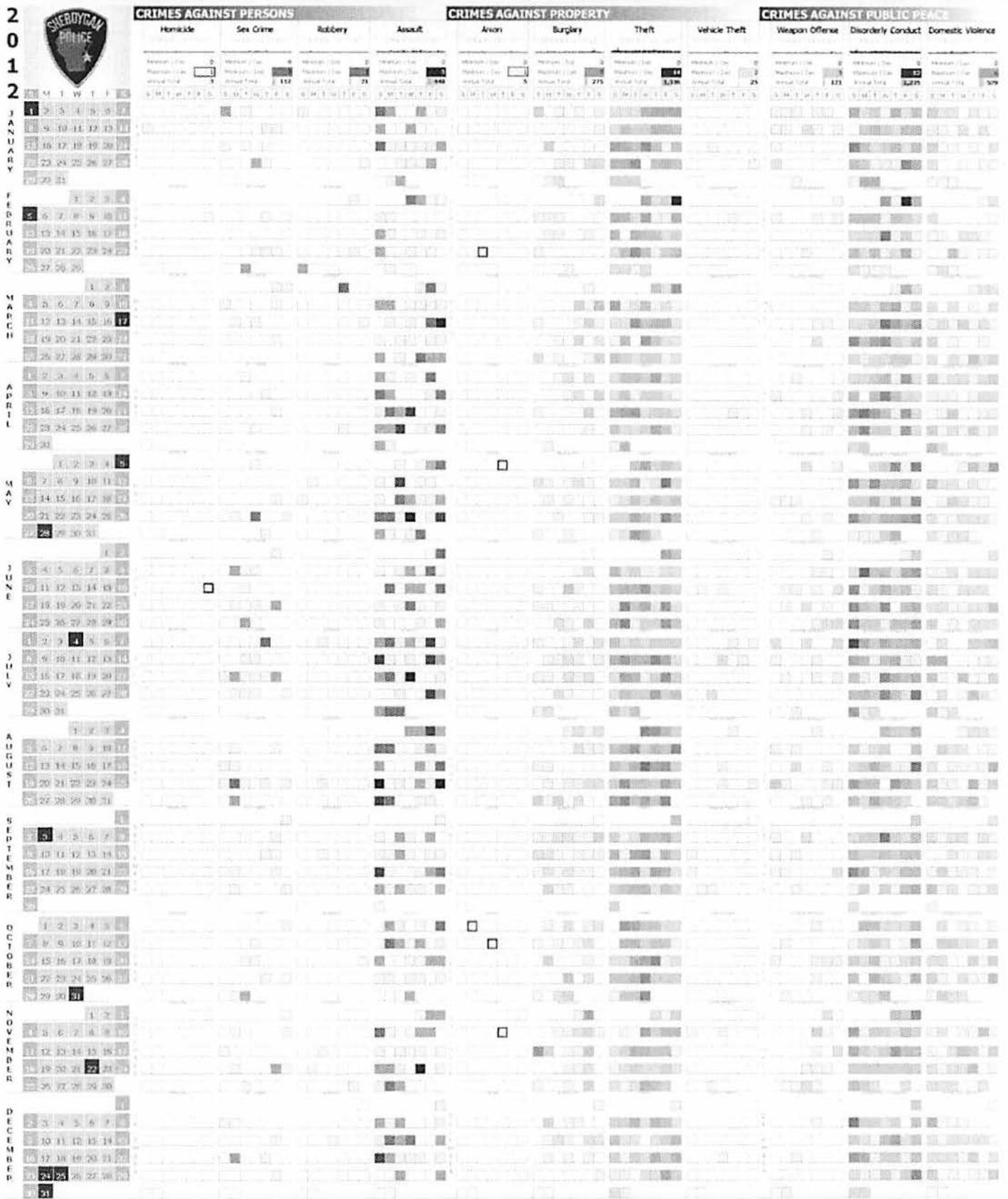
havior and elicit their assistance in creating a safe environment.

Chronic or egregious violations of the code of conduct may result in being banned from all TSC establishments. Thus far more than 20 individuals have been banned from TSC taverns for varying lengths of time. The purpose for banning these individuals is to create a safe environment for the many other patrons who simply want to have an enjoyable time.

Another step to reach our goals has been the development of training for tavern employees to educate them on the dangers involved in the service of alcohol and how to better avoid these issues. We also now have a member of the board who is trained as a TIPS instructor. TIPS is a nationally known training course for alcohol servers which involves hands-on training in responsible beverage service. The TSC has also created a website - which can be found at [www.sheboygantsc.org](http://www.sheboygantsc.org).

The TSC board meets monthly and the entire TSC membership will meet quarterly. The TSC hopes to one day have all establishments in Sheboygan that are licensed to sell alcohol be members. We are also looking for any other businesses or community groups that are interested in being members. Please contact any member of the board or call the Sheboygan Police Department at 459-3333 and ask for Lt. Scott Mittelstadt or Lt. Bill Adams.

In the fall of 2012, the SPD formed a partnership with Joni Graves of the Wisconsin Transportation Information Center, Department of Engineering Professional Development, University of Wisconsin-Madison. Through this partnership, the Sheboygan Police Department was able to post crime, traffic crash and performance data into a DataViz calendar.



The DataViz format allows a temporal visualization of crime and crash data to help the Sheboygan Police Department better understand the temporal aspect of when certain crimes or police events occur. The DataViz on these pages is an example of 2012 crime, crash, and performance data placed into the DataViz format. A full resolution version can be downloaded at [www.sheboyganpolice.com](http://www.sheboyganpolice.com)

## Sheboygan Police Department 2012 DDACTS\* Calendar Data Viz

\* DATA-DRIVEN APPROACHES TO CRIME AND TRAFFIC SAFETY

The Sheboygan Police Department uses data, from its records management system (RMS), throughout the year to support its DDACTS (data-driven approaches to crime and traffic safety) initiative.

This visualization, created by Joni Graves at the Wisconsin Transportation Information Center at UW-Madison, provides a detailed look at citizen complaints, criminal activity, and traffic crashes during 2012.

### CRIMES AGAINST PERSONS

- **Homicide:** wilful, non-negligent killing of one human being by another.
- **Sex Crimes:** any offense classified as a sexual assault in any degree.
- **Robbery:** taking, or attempting to take, anything of value from the care, custody, or control of another person by force or threat of force.
- **Assault:** unlawful attack by one person on another.

### CRIMES AGAINST PROPERTY

- **Arson:** wilful or malicious burning or attempt to burn (with or without intent to defraud) of a dwelling, public building, motor vehicle, aircraft, or personal property of another.
- **Burglary:** unlawful entry of a structure with intent to commit a theft or felony.
- **Theft:** unlawful taking, carrying away, leading, or riding away of property from possession or constructive possession of another.
- **Vehicle Theft:** theft, or attempted theft, of a motor vehicle.

### CRIMES AGAINST PUBLIC PEACE

- **Weapons Offense:** any offense characterized by the prohibited possession or illegal use of a dangerous weapon.
- **Disorderly Conduct:** unreasonably loud, boisterous, indecent, profane, abusive, violent, or otherwise disorderly conduct, under circumstances that tend to cause or provoke a disturbance in a public or private place.
- **Domestic Violence:** any incident investigated by the Sheboygan PD that is classified as eligible for enhancement as a Domestic Violence Offense under WI Statute §968.075.

### TRAFFIC CRASHES

- **Hit-and-Run:** all crashes where at least one of the drivers criminally fled the crash scene.
- **Injury Crash:** injury or fatality resulted from a non-hit-and-run crash.
- **Property Damage:** property damage resulted from a non-hit-and-run crash (including crashes that do not meet the state's financial threshold for reporting).

### PERFORMANCE MEASURES

|                     |       |
|---------------------|-------|
| Felony Arrests      | 751   |
| Misdemeanor Arrests | 2,217 |
| Traffic Citations   | 4,142 |
| Field Interviews    | 527   |
| OWI Arrests*        | 452   |

\* OWI arrests include citations for operating under the influence, under the Restricted Controlled Substance and Absolute Sobriety ordinance, and injury related to intoxication.

A note on definitions: criteria used for internal tracking and analysis vary from the FBI's Uniform Crime Reporting (UCR) definitions.

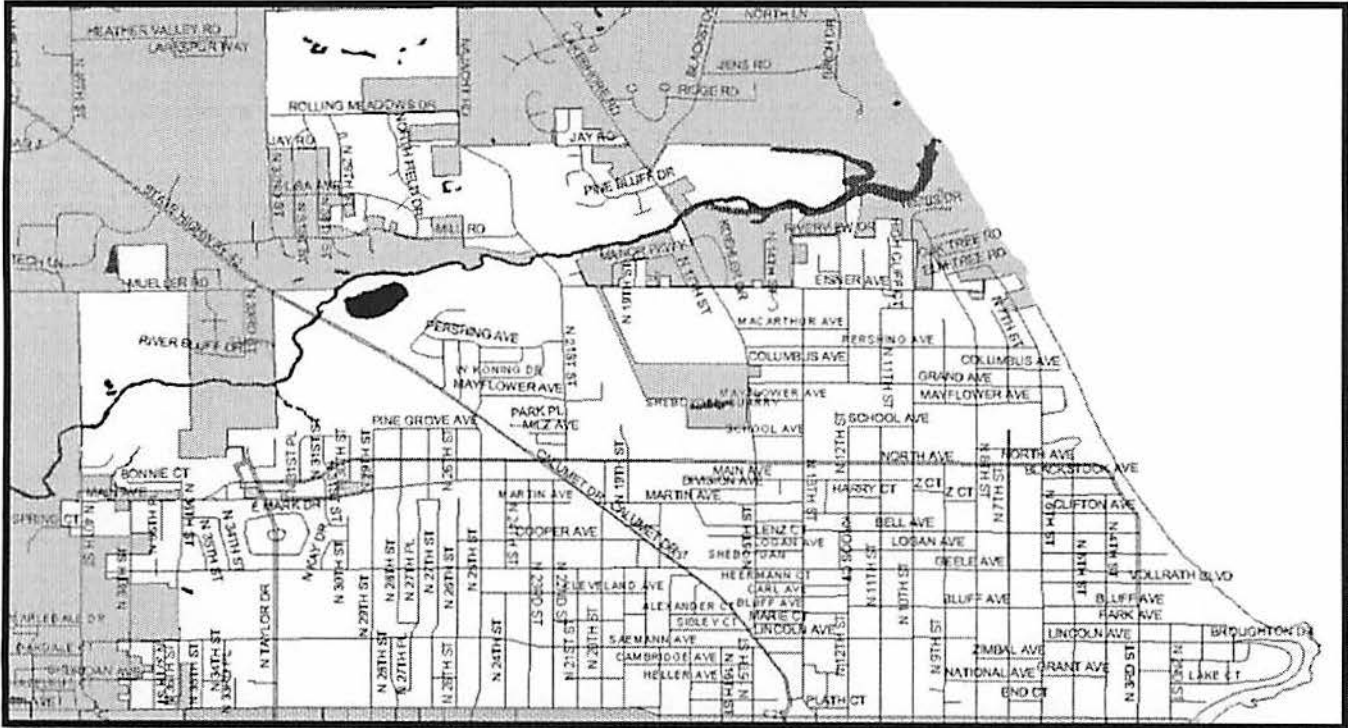
Created for the Sheboygan Police Department by Joni Graves, at the Wisconsin Transportation Information Center (TIC), Department of Engineering Professional Development, University of Wisconsin-Madison. The Crash Calendar and Calendar Data Viz projects were developed in 2012 as part of a project with the Wisconsin Bureau of Transportation Safety (BOTS). For more information about this project, contact Joni Graves at: [graves@epd.engr.wisc.edu](mailto:graves@epd.engr.wisc.edu).



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2013.02.19

# Patrol Neighborhoods



**North District Supervisors:**  
Lt. Teunissen, Sgt. Meyer and Sgt. Zempel

## North District Neighborhoods

|                  |               |
|------------------|---------------|
| Cleveland Park   | Cooper        |
| Deerfield        | East Side     |
| Eisner           | End Park      |
| Evergreen        | Fellowship    |
| Field of Dreams  | Garden        |
| Industrial North | Kuehne Park   |
| Memorial         | North Calumet |
| North Flats      | North Lake    |
| North Point      | North Railway |
| North Side       | Pigeon River  |
| Pine Bluff       | Raider        |
| Rolling Meadows  | South Calumet |
| Vollrath         |               |



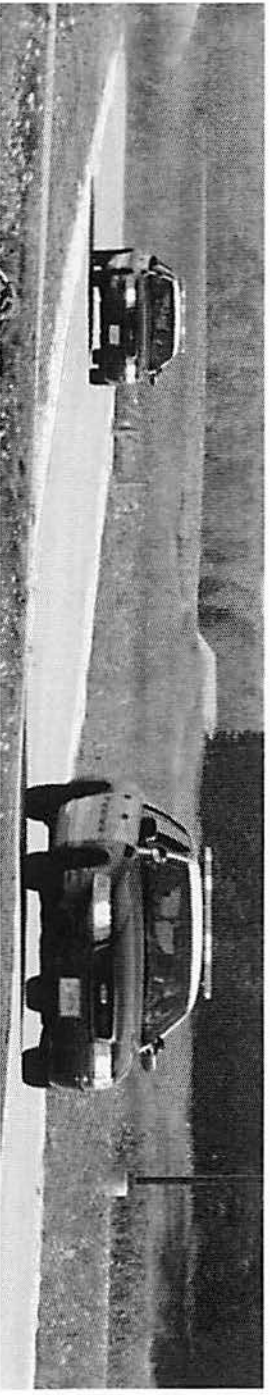
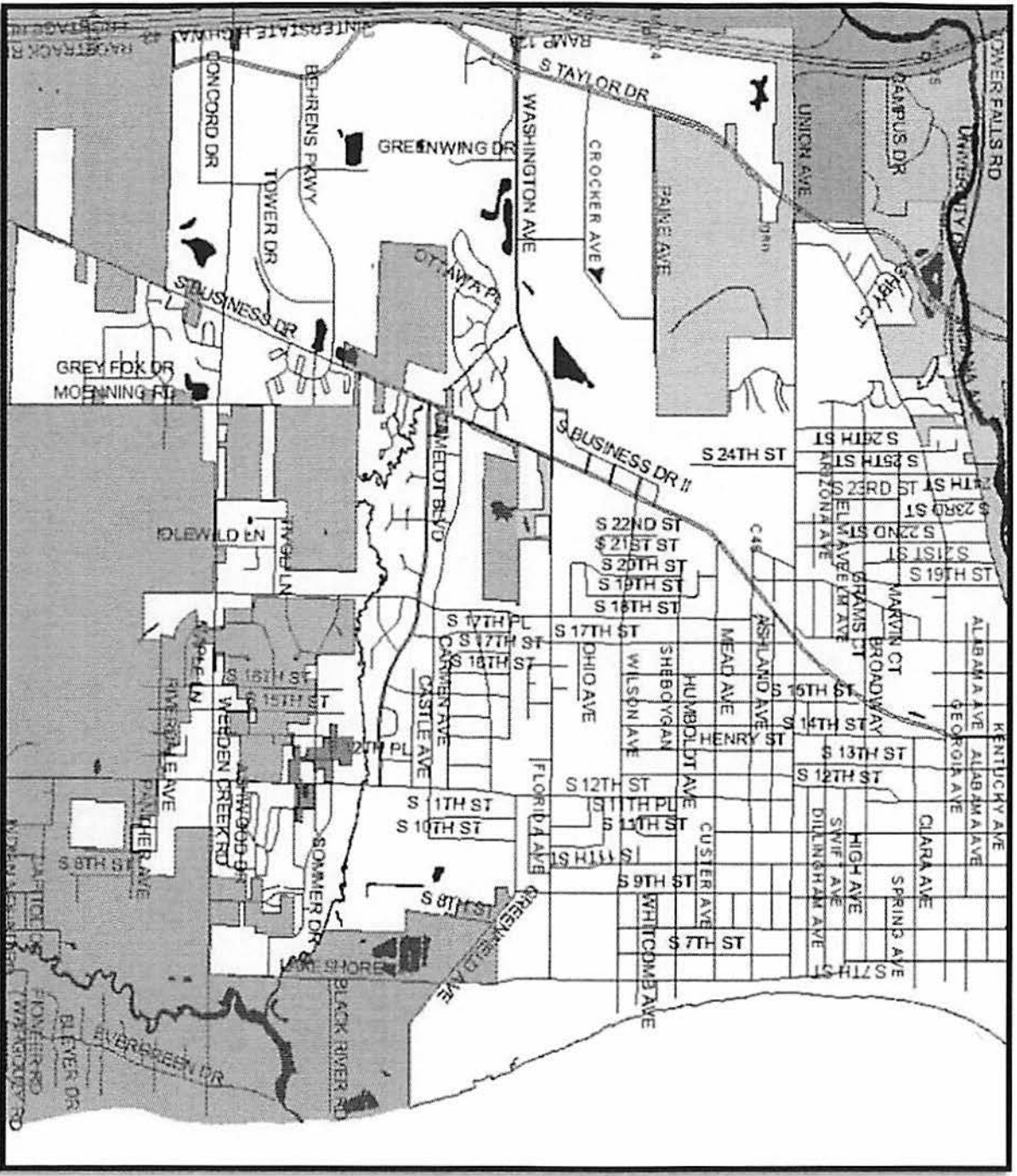
**Central District Supervisors:**  
 Lt. Mittelstadt, Sgt. Anderson and Sgt. Patton

**Central District Neighborhoods**

|               |                |
|---------------|----------------|
| Downtown      | Ellis Historic |
| Erie Hill     | Gateway        |
| Kiwanis Park  | KMD South      |
| KMD West      | Lakefront      |
| Near North    | River Bend     |
| River Watch   | Riverfront     |
| Sheridan Park | South Pier     |
| Taylor Park   | Vollrath West  |
| Wildwood      |                |



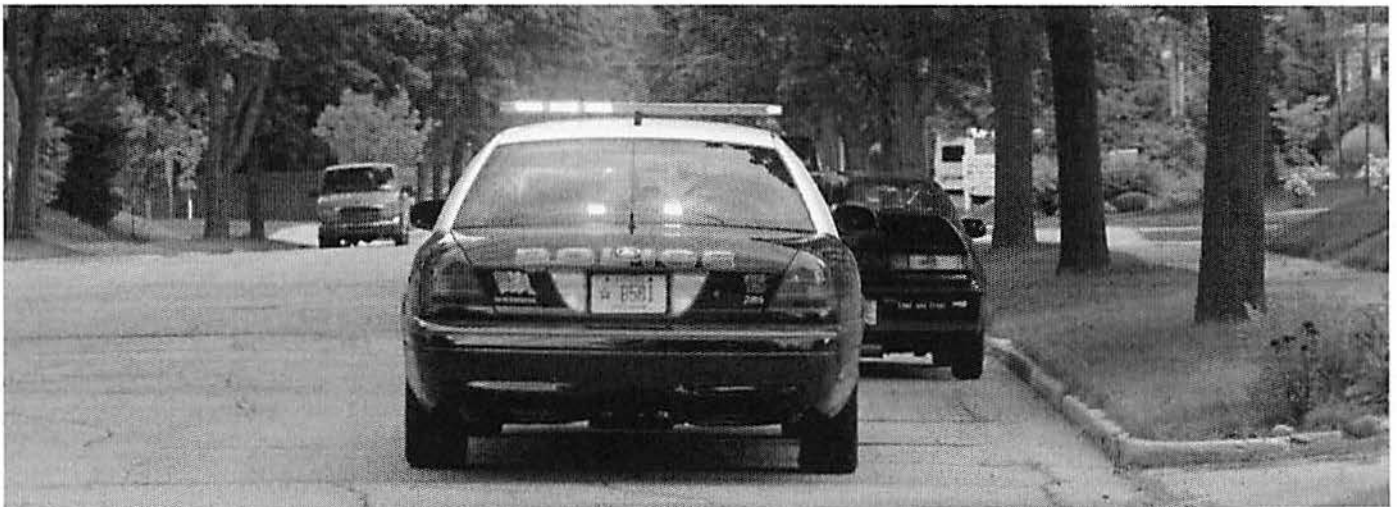
# Patrol Neighborhoods



**South Neighborhoods Supervisor:  
Lt. Adams, Sgt. Riddiough and Sgt. Stelter**

**South District Neighborhoods**

|                      |                      |
|----------------------|----------------------|
| Ashwood              | Business Drive North |
| Business Drive South | Country Village      |
| Deer Gaze            | East Camelot         |
| Farnsworth           | Franklin Park        |
| Gateway South        | Green Park           |
| Harley-Wal           | Hilltop              |
| Humboldt             | Indian Meadows       |
| Indiana Corridor     | Industry             |
| James Madison        | King Park            |
| Lakeview             | Oak Creek            |
| Redwing              | Riverdale            |
| Roosevelt Park       | Settlement           |
| Sommer Pines         | South Central        |
| South Lake           | State Side           |
| Swift                | The Flats            |
| Veterans Park        | Weeden Creek         |
| West Camelot         |                      |



# Police Training Officer Program



## Police Training Officers

Jeff Mares  
Kent Huijbregtse  
Sara Blodgett  
Ryan Schmitt  
Rebecca Rupnick  
Mike Wynveen  
Joel Hendrikse  
Brandon Kehoe

## Police Training Supervisors

Sergeant Mike Stelter  
Sergeant Tim Patton

## Police Training Coordinator

Lt. Doug Teunissen



Over the past several years, the Sheboygan Police Department's philosophy has moved in the direction of being a more community-based and problem-oriented department. To accomplish this, our officers and supervisors train and work with an emphasis on problem-oriented policing. In 2012, the administration of the department decided to bolster its commitment to this approach by changing our training program for new officers. This decision changed our post academy training from the San Jose, or Field Training Officer (FTO) model, to the Police Training Officer (PTO) model. To support this decision, 8 patrol officers, 2 patrol sergeants, and 1 patrol lieutenant received instruction in the Police Training Officer program from members of the Southern Police Institute, in cooperation with the COPS program. While the foundation for the new training program was laid out during the initial training, the structure and materials for our program were developed and implemented by the 11 officers who went to the training in August of 2012.

The previous San Jose model focused the training of new officers on educating

them on how to perform specific tasks in law enforcement. This style of training focused heavily on the learning, demonstration, and performance of rote tasks. In addition to teaching basic skills, the PTO program is designed to build on them and encourage problem solving. Four training officers are assigned to each new officer to serve as a coach and mentor during the training period. The PTO program incorporates reports that the trainee has to prepare that will eventually teach them how to solve problems in their assigned neighborhoods. One of these reports is a Problem-Based Learning Exercise (PBLE) where the trainee is presented with a problem from the community and they have to go through several steps to attempt to solve the problem. One of the steps requires that the trainee reach out and seek input from the community. When the new officer has completed the report, it is presented to members of the department and a solo patrol assignment can be achieved. There is no right or wrong solution to these problems and the officer is evaluated on how well they went through the problem solving steps.

Officer Joel Hendrikse works with Officer Holly Kehoe during her training.



Another important aspect of the PTO program is making the individual officer become more responsible for their own training. In the FTO model, all of the training was done by the training officer. The PTO program encourages adult based learning and allows for the training to be tailored to the individual learner and their personal needs. As before, the training officer in the new model should be able to guide their trainee in the right direction to find a solution to their problem. The PTO program also has the new officer performing more self evaluation than the FTO model. Instead of the trainer writing every daily activity down, the trainee is required to write a journal. The journal can be used for many uses; documenting daily calls, self evaluation on calls for service or daily activities, notes for the PBLE's, or any other thing a trainee may want to document.

Another big component of the PTO model is that officers are encouraged to fail forward or learn from their mistakes. In PTO, the training officer will not allow the new officer to fail in a way that violates rights, laws, or policies., But, it has been found that one of the best ways for officers to learn is from experientia-

tion and our new officers are encouraged to think "outside the box". PTO does not penalize the officer if they make a mistake, as long as the trainee does not make the same mistake again, showing that learning has occurred.

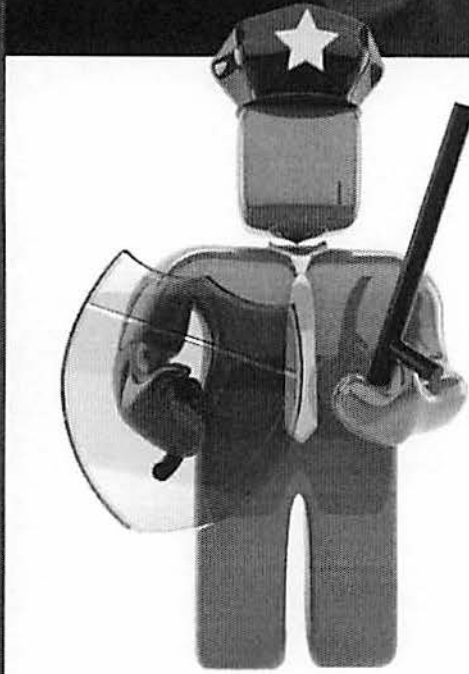
The PTO model is designed to make our new officers better problem solvers, resulting in an increased ability to help the community solve problems they are experiencing. The Sheboygan Police Department expects to complete the training for our first officer under this new program in February 2013. Officer Holly Kehoe was hired in October of 2012 and will be our first success story for our new program. Kehoe was originally trained under the San Jose Model when she worked for her previous department. During her training, Kehoe has noticed the difference between the two different models and suggested that the PTO model encourages a new officer to utilize resources from outside of the department. Instead of just concentrating on answering calls for service, the trainee is encouraged to recognize problems and work with the community to solve those problems, she said.





# Patrol Footnotes

- ◆ 54 Search Warrants were executed in the City of Sheboygan by our agency.
- ◆ There were 44 Chronic Nuisance Property Incidents.
- ◆ 462 nuisance calls for service were handled by our agency.



## USE OF FORCE

There were 69 reported use of force incidents in 2012. In some incidents, multiple types of force were applied which result in the numbers below.

The use of force reports are broken down as follows:

- ◆ Firearms were displayed 37 times
- ◆ Active counter measures were employed 13 times
- ◆ Electronic weapons were displayed 24 times
- ◆ Electronic weapons were deployed a total of 16 times

Nuisance calls defined:

Trash, maintenance of homes, noise, animals, long grass, snow removal, noxious weeds, public and disorderly behavior, anything that is a public nuisance.

## Chronic Nuisance Defined

Under City of Sheboygan ordinance 66-150, the Chief of Police or his designee may deem a property or premise as a chronic nuisance if it is determined that "three or more nuisance activities resulting in enforcement action have occurred at a premise during a 12-month period." This allows the police department to schedule a meeting with the property owner to discuss ways to abate the nuisance. A nuisance can be anything from building code violations to violations of local, state or federal law. The types of enforcement action that may be considered for chronic nuisance abatement can range from a verbal warning all the way up to the service of a warrant at the property.

The goal of the ordinance is to make property owners aware of problems at their properties, improve their knowledge on ways to ensure the problems won't continue or reoccur, and reduce the negative effects that nuisance properties can have on the neighborhoods in which they exist and the city as a whole.

Property owners who fail to abate a nuisance or cooperate with the chronic nuisance process face potential penalties such as an ordinance citation for failing to meet with police. Such uncooperative actions could also result in being charged for police services as well as civil action against the property.

# K-9 Unit



The Sheboygan Police Department not only recognizes the importance of drug interdiction, but also prevention. The K-9 Units often give demonstrations to schools, citizen police academies, and many other specialty groups.

The Sheboygan Police Department has had an active canine program since 1989. The first three canines on the Department were dual-purpose. They were used for patrol work and narcotics detection.

In November 2009, Officer Todd Danen was partnered with K9 Kramer. Kramer is a Yellow Labrador mix that specializes in the detection of drugs. Both work on third shift in patrol.

The criminal elements within the City of Sheboygan demonstrated the need for single purpose narcotics canine teams. The Department has seen an increase in narcotic arrests and drug related crimes over the past several years.

In 2012, Sheboygan Police canines were involved in 369 deployments. The canine teams are deployed on traffic stops, search warrants, school searches, outdoor area searches, motel sniffs, currency sniffs, and other miscellaneous searches.

The K-9 Unit is a proactive component that joins specific efforts to fight drugs in the community. The other components include the Sheboygan County MEG Unit and the Sheboygan Police Department Street Crimes Unit.

Currently, the Sheboygan Police Department has two single purpose canine teams on patrol. Their purpose is to locate and identify the odor of drugs, which would otherwise remain undetected. Our canines are an important tool to the Police Department, and are an asset to their Community.

In 2012, K9 Bud and K9 Kramer's deployments resulted in 108 arrests for marijuana, cocaine, heroin, methamphetamine, drug paraphernalia, or operating while impaired (drugged driving). Other miscellaneous arrests were for possession of drugs with intent to deliver, probation violation arrests, weapons arrests, bail jumping violations, etc.

In March of 2009, Officer Trisha Saeger was partnered with K9 Bud. Bud is a Chocolate Labrador mix that specializes in the detection of drugs. Officer Saeger and K9 Bud patrol during both first and second shift.

*(Note: K9 Bud and Officer Saeger were out of service for patrol duties from January 2012 through May 2012.)*





# Sheboygan County Dive Team



Currently there are five members from the Sheboygan Police Department and five from the Sheboygan County Sheriff's Department.

Sheboygan County Dive Team 2012:

Supervisor Lt. Scott Mittelstadt

Team Leader Officer John Rupnick

Asst. Team Leader Deputy Steve Wimmer

Deputy Shannon Brill

Officer Patrick Leichtnam

Officer Jeffery Mares

Officer Jason Pacey

Correctional Officer Mike Russ

Deputy Kurt Schmidt

Deputy Adam Walter

Officer Spencer Wilson

The Sheboygan County Dive Team consists of divers from the Sheboygan Police Department and the Sheboygan County Sheriff's Department.

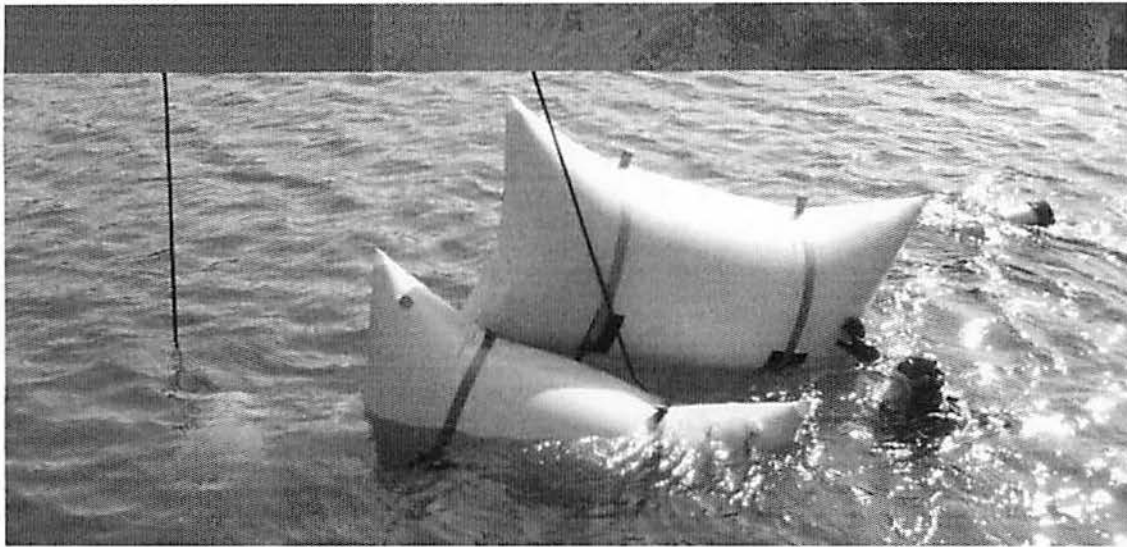
In 2012, the Dive Team was expanded to include a dive support unit made up of the following agencies: Kohler Fire Department, Sheboygan Falls Fire Department, Cedar Grove Fire Department, Town of Sheboygan Fire Department, and Plymouth Ambulance Service. The dive support unit plays a number of extremely important roles including providing constant medical checks and attention to the divers, line tending, communication operations, boat operation, equipment transport and overall safety of the dive scenes to name just a few.

In 2012, the new system was put to the test on several call-outs. The first call-out was on July 22, 2012 for a report of a man who had apparently drowned in a private pond near Elkhart Lake. Dive team mem-

bers assisted in evidence collection and the eventual recovery of the body.

The next call-out occurred on August 10, 2012 when several subjects were swept off the North Pier and two men were presumed drowned. This was the first time the entire dive team and support unit were called into action. Due to extremely rough conditions and poor visibility, the victims were not immediately located. However, both men were eventually recovered, one on the second day and the other on the third day of searching. While this was a tragic event, the recovery of the victim's bodies helped to bring closure to the grieving families.

The third dive team call-out occurred at around 1:00 AM on August 26, 2012. This occurred on Lake Ellen which is a small inland lake in Sheboygan County near Cascade. A 29-year-old man had fallen overboard from a boat during a nighttime excursion on the lake.



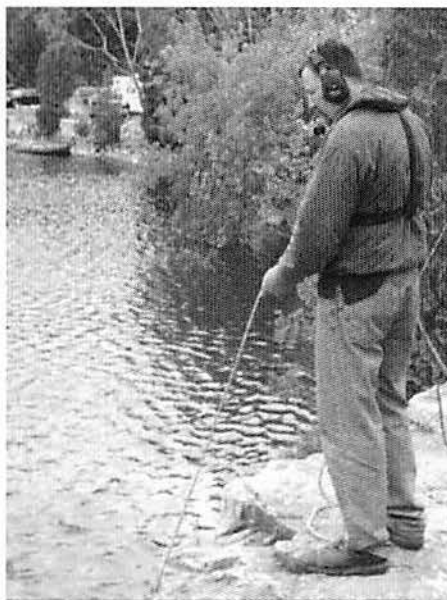
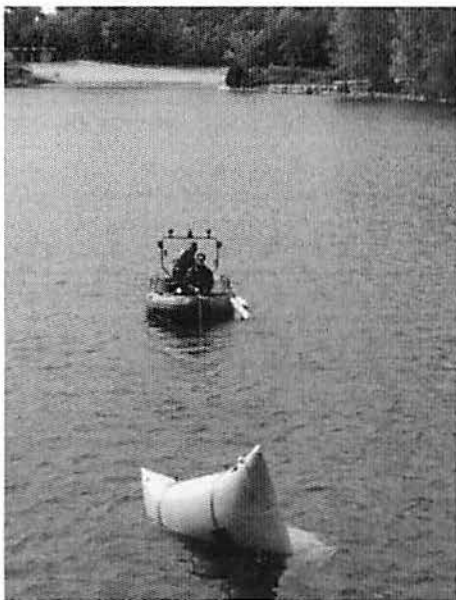
## SHEBOYGAN COUNTY WATERS

Sheboygan County is located in east central Wisconsin on the western shore of Lake Michigan. The county covers 514 sq. miles with a population of 113,000 residents. There are 72 inland lakes covering 2111 acres and five rivers. Sheboygan County also encompasses 775 sq. miles of Lake Michigan. The significant amount of water and recreational activities substantiates the need for a quick response dive team. The Sheboygan County Law Enforcement Dive Team is the only team within the county. Several surrounding counties have no dive team and have mutual aid agreements with our team.

Unfortunately, despite three days of searching, the victim was not able to be located. This was due to no certain last seen point and poor visibility underwater.

During the three days of searching, the dive team received assistance from the Milwaukee Fire Department Sector Scan Unit as well as several K-9 search and rescue teams. It was not until September 8, 2012 that the victim's body finally surfaced and was recovered.

Lastly, during the scheduled September dive team training, the team was utilized to raise a stolen vehicle from the bottom of the Sheboygan Quarry. The van had been stolen from the south side of Sheboygan on August 25, 2012 and a male juvenile had been arrested on September 2, 2012 for the theft; however, the vehicle could not be located. On September 3, 2012, a citizen reported to police that the vehicle had been located on the bottom of the quarry while snorkeling.



The following officers are members of the Sheboygan Police Department Honor Guard Unit:

Sgt. David Anderson

Lt. Kurt Brassler

Officer Matthew Heimerl

Officer Joel Kuszynski

Sgt. Terry Meyer

Lt. Scott Mittelstadt

Sgt. Brad Rid-dough

Officer Ryan Schmitt

Lt. Michael Wil-liams

Officer Michael Wynveen

Sgt. Kurt Zempel



The Sheboygan Police Department Honor Guard is a ceremonial unit within our department. The unit is military in nature, along with its uniform. The Honor Guard Unit is comprised of eleven police officers from various ranks. The Honor Guard represents the police department at formal, government and festive events. Most importantly, The Sheboygan Police Department Honor Guard has the mission of honoring those law enforce-

ment officers that have paid the ultimate sacrifice while serving their respective communities. It represents the police department, and its members at funerals of police officers, both active and retired, in support for the family. This is performed in a respectful and dignified manner.

| Parades | Memorials | Funerals | Color Presentation |
|---------|-----------|----------|--------------------|
| 3       | 1         | 4        | 4                  |

**2012 Honor Guard**



# Emergency Response Team

Photography by Strukel Photography

## ERT Team Members

### Supervisors

Sgt. Michael Stelter

Sgt. Kurt Zempel

### Operators

Team Leader  
Shannon McKay

Assistant Team Leader  
Kent Huibregtse

Joel Kuszynski

Matthew Braesch

Andrew Kundering

Brandon Kehoe

Stephen Schnabel

Michael Wynveen

Joel Hendrikse

Jonathan Smith

Ryan Schmitt

Brent Vreeke

Matthew Friedl

### Negotiators

Charlet Endsley

Patrick Leichtnam

Melanie McCarthy

## 2012 Stats:

2 ERT Deployments

1 Call Out

2 Demonstrations

The Sheboygan Police Department Emergency Response Team (ERT) responds to high-risk situations which require a tactical approach beyond normal police patrol operations, such as barricaded subjects, high-risk warrants where suspects are believed to be armed, hostage situations, and large civil disturbances. Members of the ERT receive advanced training in tactics, searching techniques, room clearing, and use of specialized equipment such as ballistic shields, distraction devices, specialty impact and chemical munitions, and breaching tools for entering locked doors.

The ERT is made up of 16 officers and two patrol sergeants. There are 13 operators who serve perimeter, breaching and entry functions during high-risk calls. The team also has three trained crisis negotiators. The goal of the team's training and techniques is to peacefully resolve serious, high-risk situations which occur in the community and minimize danger to officers, sus-

pects and the public at large. The team also seeks to work collaboratively with the community to respond to the growing nationwide trend in workplace and school violence.

2012 saw a transition in leadership for the ERT, as Lieutenant Doug Teunissen, after five years as team commander, has turned over command of the team to Sergeant Mike Stelter and Sergeant Kurt Zempel. Officer Eric Edson also stepped down after 16 years of service as a team member, including many years as team leader. Officer Shannon McKay has assumed responsibility for the team leader role. The ERT also welcomed five new operators in 2012: Officer Joel Hendrikse, Officer Ryan Schmitt, Officer Jonathan Smith, Officer Brent Vreeke, and Officer Matt Friedl. With new members and leadership, the team looks forward to continuing to serve the safety and security of the Sheboygan community.

## 2012 Stats:

In 2012, the MEG Unit initiated over 72 drug cases which led to the arrest of over 50 people, and charging over 135 drug related crimes. MEG investigators conducted numerous undercover operations and served over 30 search warrants. In the course of the investigations, cocaine, marijuana, heroin, methamphetamine and various prescription pills were seized, along with 3 vehicles and 10 weapons.

During the course of the year, the MEG Unit not only conducted narcotic investigations but also provided 19 community presentations to schools and professional groups concerning drug awareness and its impact on the community. The presentations include, but are not limited to, ways to avoid becoming a victim of crime and how to report suspected drug activity.

# Sheboygan County MEG Unit



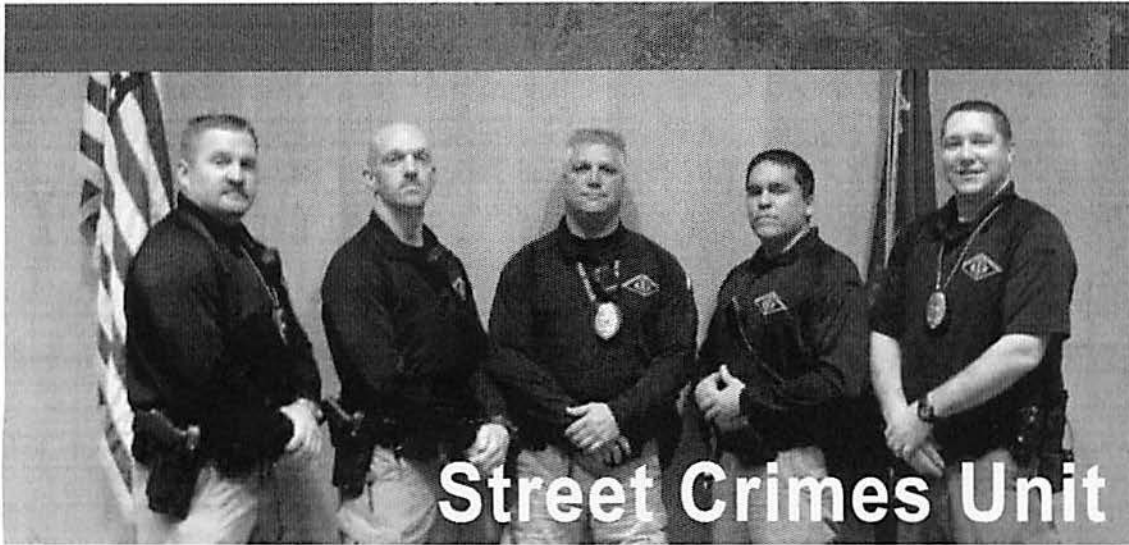
The Sheboygan County MEG Unit is a full-time unit which conducts undercover operations while investigating major drug dealing activities in our county. The SPD is the lead agency for the MEG Unit and provides a supervisor and an investigator. The Unit consists of officers from the SPD, Sheboygan County Sheriff's Department, Plymouth PD and a part-time K-9 handler from the Sheboygan Falls PD. In addition, other agencies in the County provide resources and work alongside the MEG Unit during investigations. In 2012, the MEG Unit relocated to a new facility in Sheboygan Falls, which resulted in significant cost savings.

The MEG Unit conducts joint investigations with other agencies and task forces at the local, state and federal level including the Wisconsin Department of Justice, DEA and the US Postal Service. In 2012, The MEG Unit initiated a drug investigation in the City of Plymouth which involved agencies from Manitowoc, Milwaukee and Mendocino County, California, the Wisconsin Division of

Criminal Investigations, HIDTA and DEA. This was a large scale marijuana organization which concluded with the arrest of 13 suspects and the largest cash seizure in Sheboygan County history. Over \$250,000 in cash and property have been seized, to date, stemming from this investigation.

In 2012, Lt. Michael Williams participated in a panel discussion hosted by Advanced Pain Management at UW-Sheboygan concerning prescription pill abuse. The event was attended by over 100 medical professionals and members of the medical community, law enforcement and District Attorney's office provided insights and suggestions concerning the issue.

The MEG Unit has seen an increase of heroin use within Sheboygan County over the last year and has been focusing their efforts towards combating this trend. This has resulted in several arrests and collaboration with the U.S. Attorney's Office to charge the dealers in federal court.



# Street Crimes Unit

From left to right:  
 Officer Jason Pacey  
 Officer Shannon McKay  
 Sgt. Scott Reineke  
 Officer Stephen Schnabel  
 Officer Matthew Heimerl



The Sheboygan Police Department Street Crimes Unit, or SCU, was established to address the changing criminal activity in the City of Sheboygan. In 2012, there were changes made to SCU that would help the unit fight crime, the fear of crime and disorder in the city.

Prior to 2012, SCU had three (3) officers assigned to it and they were supervised by the Shift #2 Lieutenant. Coming into 2012, Chief Domagalski expanded the unit to four (4) patrol officers and one (1) Patrol Sergeant to supervise the unit.

This expansion was made so that

SCU could commit the time necessary to address issues recognized by the Sheboygan Police Department as having a negative impact on the community.

In 2012, the Street Crimes Unit was involved in many areas of law enforcement, including:

- Investigating criminal law violations
- Monitoring gang activity
- Gathering street level intelligence
- Investigating narcotics violations
- Serving search warrants, arrest warrants and subpoenas
- Assisting other agencies with investigations and arrests
- Assisting other members of the Sheboygan Police Department with investigations
- Developing street level criminal intelligence
- Fugitive apprehension



The Street Crimes Unit strives for community awareness of gangs, drugs and criminal activity, through public presentations and by contacting citizens in neighborhoods during their patrol duties.



Officer Eric Edson



Officer Doug Hall



Officer Joel Kuszynski



Officer Patrick Leichtnam



# School Resource Officers

The Sheboygan Police Department and the Sheboygan Area School District have continued to promote the School Resource Officer program. The School Resource Officers not only continue to be active members of their assigned school populations, but continue to participate in Safety Town and assist with Summer School. Their direct involvement with school personnel, school security, parents and students builds a positive relationship with the police department.

This relationship extends past the barriers of criminal law. For example, Officer Patrick Leichtnam participated in a fundraising effort at Urban Middle School that involved shaving his head to show his support for the "Make a Wish Foundation".



In addition, their ability to effectively connect with criminal justice and social service agencies needed to resolve school issues increases the efficiency of providing police services in the school environment.

As 2012 comes to a close, the Sheboygan Area School District will be welcoming three new SROs entering their schools. These officers are Officer Rebecca Rupnick at North High School, Officer Andrew Kunding at South High School, and Officer Hang Lor at Farnsworth and Horace Mann Middle Schools. Officer Patrick Leichtnam remains at Urban Middle School.

The completion of five year commitments by Officer Doug Hall at North High School and Officer Eric Edson at Farnsworth and Horace Mann Schools, along with Officer Kuszynski's return to the Patrol Division has resulted in career enhancing opportunities for the new School Resource Officers.



# Information Services Division

This division is staffed by:

- ◆ 2 Department Secretaries
- ◆ 2 Records Specialist Clerks
- ◆ 1 Secretarial/Transcriptionist Clerk
- ◆ 3 Transcriptionist/ Data Entry Clerks

The staff is supervised by the Administrative Assistant to the Chief of Police/ Office Supervisor.

The Information Services Division of the Sheboygan Police Department is an integral part of the organization, wherein all paperwork and data is checked for accuracy and statistical information is gathered.

The main responsibilities of the division are processing thousands of law incident reports, traffic citations, ordinance citations, criminal complaints, traffic warnings, entering property data, fingerprint submission, managing in-squad video recordings, accident reports, parking tickets, incoming mail, and open records requests.

In addition to processing open records requests for the public, law incident reports are also provided to many outside agencies, such as the DA's Office, City Attorney's Office, Department of Social Services, and Probation and Parole. The Uniform Crime Report, a statistical analysis report, is completed on a monthly basis, and then submitted to the State of Wisconsin's Department of Justice. The Federal Bureau of Investigation also gets this reported information submitted to them by the State.

The Records staff performs all of the above functions in support of the patrol officer on the street, and to provide excellent customer service to the community. They take great pride in their contribution, and strive to support the mission of the Sheboygan Police Department.

The next pages contain statistics gathered by the Information Services Division.



## Number of Calls for Service (Incident Complaints) for the Sheboygan Police Department in 2012:

# 25,519

Each jurisdiction submits monthly reports to the Uniform Crime Reporting (UCR) Program which collects and reports crime offense data for the Nation as Part I and Part II crimes. This is essential to maintain the uniformity and consistency of data nationwide.

### Definitions of Part I Crimes:

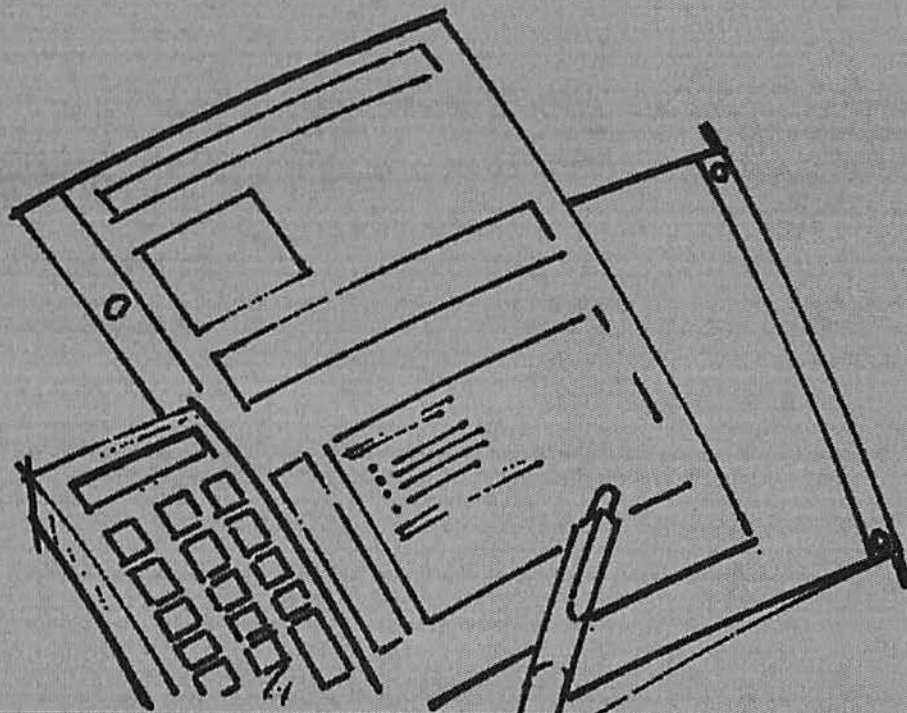
1. **Homicide** – the willful (non-negligent) killing of one human being by another.
2. **Forcible Rape** – the carnal knowledge of a female forcibly and against her will.
3. **Robbery** – the taking or attempting to take anything of value from the care, custody or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
4. **Assault(s)** – an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
5. **Burglary** – the unlawful entry of a structure to commit a felony or a theft.
6. **Larceny/theft** – the unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another. Motor vehicle theft is not included. All thefts and attempted thefts are counted.
7. **Motor vehicle theft** – the theft or attempted theft of a motor vehicle. A motor vehicle is classified as a self-propelled vehicle that runs on land surface and not on rails.
8. **Arson** – any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

## Uniform Crime Reporting - Part 1 Crimes

### Sheboygan Police Department: 2007-2012

| Offense               |                     | 2007        | 2008        | 2009        | 2010        | 2011        | 2012        |
|-----------------------|---------------------|-------------|-------------|-------------|-------------|-------------|-------------|
| <b>Violent Crime</b>  | Murder              | 1           | 0           | 2           | 1           | 1           | 3           |
|                       | Forcible Rape       | 21          | 10          | 18          | 20          | 16          | 20          |
|                       | Robbery             | 29          | 27          | 28          | 22          | 24          | 21          |
|                       | Aggravated Assault  | 40          | 43          | 51          | 69          | 84          | 127         |
| <b>Property Crime</b> | Burglary            | 430         | 349         | 312         | 216         | 222         | 260         |
|                       | Larceny Theft       | 1,979       | 1,772       | 1,539       | 1,234       | 1,196       | 1,204       |
|                       | Motor Vehicle Theft | 62          | 67          | 49          | 44          | 43          | 42          |
|                       | Arson               | 13          | 10          | 7           | 3           | 3           | 5           |
| <b>Total Crime</b>    |                     | <b>2575</b> | <b>2278</b> | <b>2006</b> | <b>1609</b> | <b>1589</b> | <b>1682</b> |

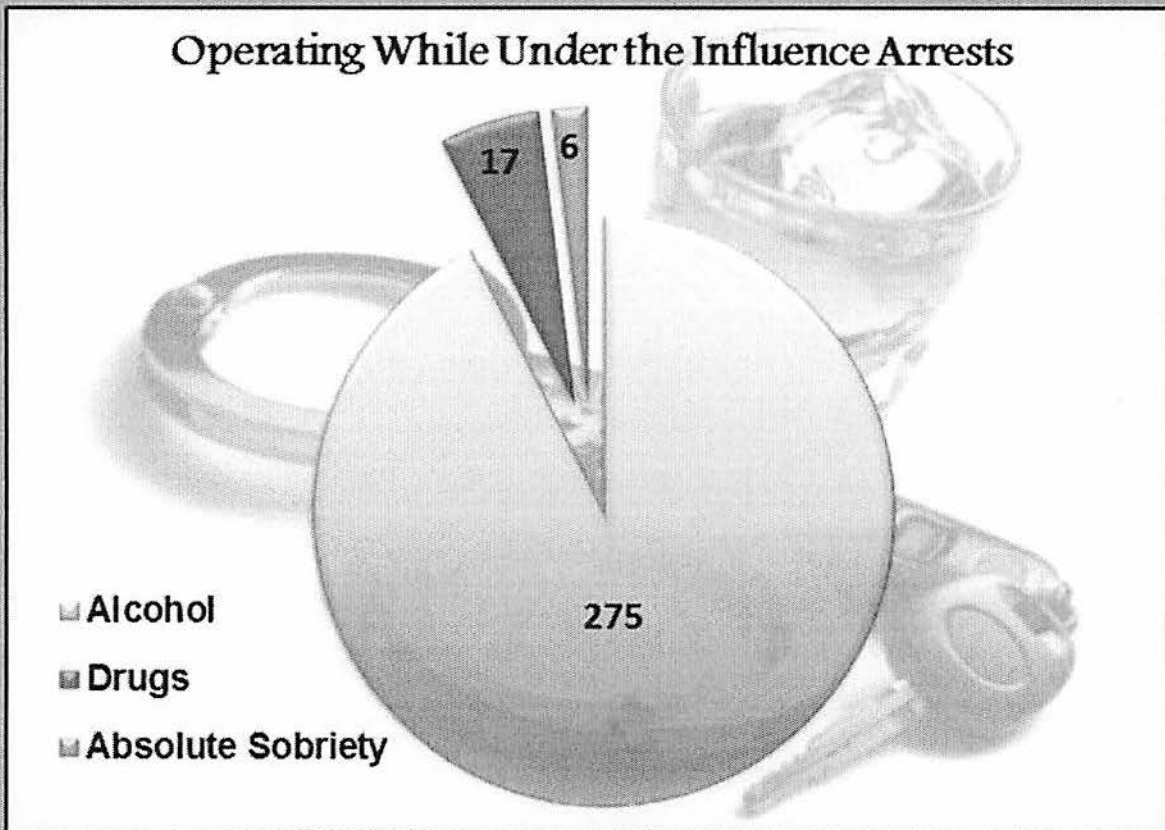
\*Effective 2011, this data reports end of year actual offenses.



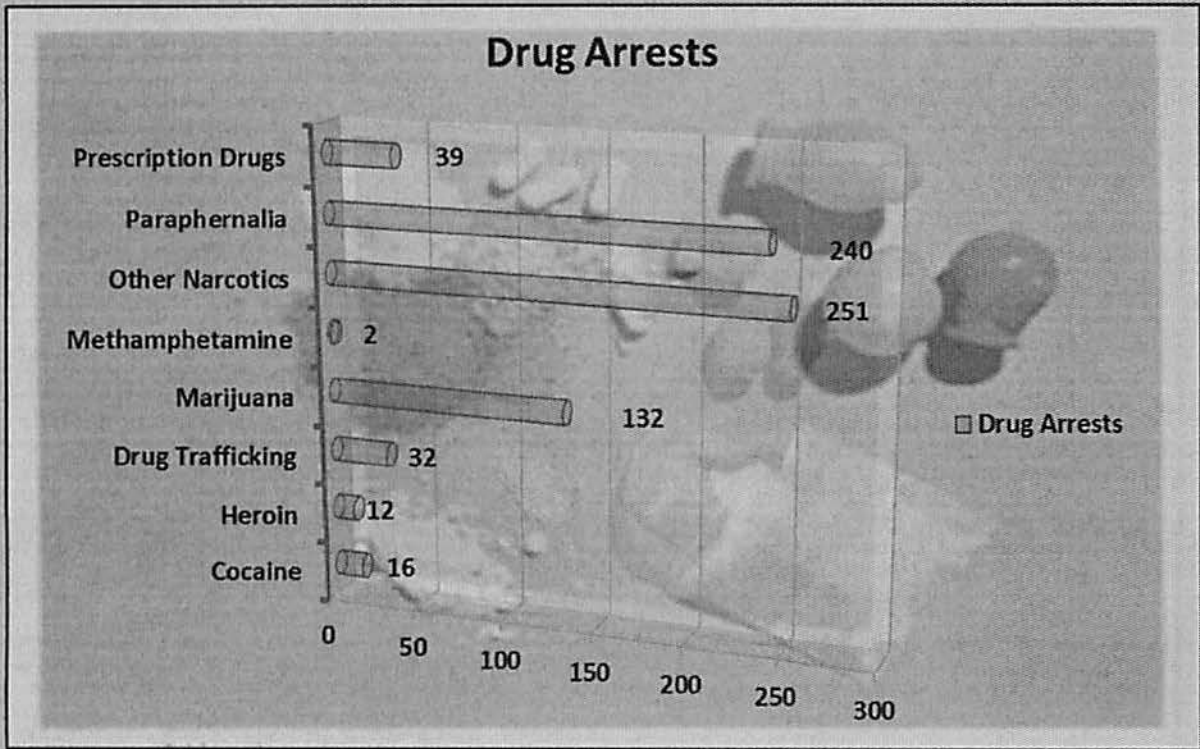
## Uniform Crime Reporting Part I Crimes Benchmark Cities-2011

| City        | Popula-<br>tion | Murder | Rap<br>e | Rob-<br>bery | Agg.<br>Assault | Burglary | Theft | Motor<br>Veh.<br>Theft | Arson | Total |
|-------------|-----------------|--------|----------|--------------|-----------------|----------|-------|------------------------|-------|-------|
| Brookfield  | 37,920          | 0      | 0        | 9            | 16              | 106      | 895   | 20                     | 0     | 1046  |
| Fond du Lac | 43,021          | 2      | 37       | 9            | 99              | 117      | 923   | 29                     | 3     | 1219  |
| Janesville  | 63,575          | 2      | 20       | 32           | 115             | 407      | 1952  | 44                     | 10    | 2582  |
| La Crosse   | 51,320          | 0      | 19       | 25           | 122             | 308      | 1436  | 75                     | 3     | 1988  |
| Oshkosh     | 66,083          | 0      | 11       | 20           | 148             | 315      | 1330  | 23                     | 7     | 1854  |
| Sheboygan   | 49,288          | 0      | 16       | 26           | 89              | 231      | 1165  | 50                     | 5     | 1582  |
| Wausau      | 39,106          | 0      | 32       | 21           | 70              | 253      | 890   | 35                     | 6     | 1307  |
| Wauwatosa   | 46,396          | 0      | 2        | 49           | 49              | 244      | 1506  | 52                     | 0     | 1902  |
| West Allis  | 60,411          | 2      | 10       | 114          | 73              | 571      | 2376  | 227                    | 26    | 3399  |

(Source-WI OJA)



Total Offenses: 298



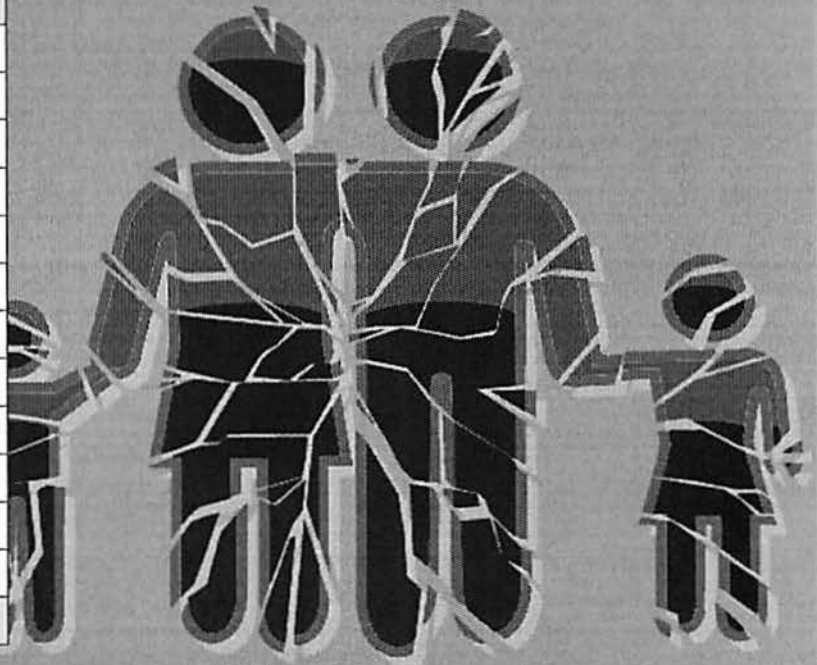
The 2012 drug arrests include the Sheboygan Police Department and Sheboygan County Meg Unit.

| Drug Arrests       |     |
|--------------------|-----|
| Cocaine            | 16  |
| Heroin             | 12  |
| Drug trafficking   | 32  |
| Marijuana          | 132 |
| Methamphetamine    | 2   |
| Other Narcotics    | 251 |
| Paraphernalia      | 240 |
| Prescription Drugs | 39  |
| Grand Total        | 724 |

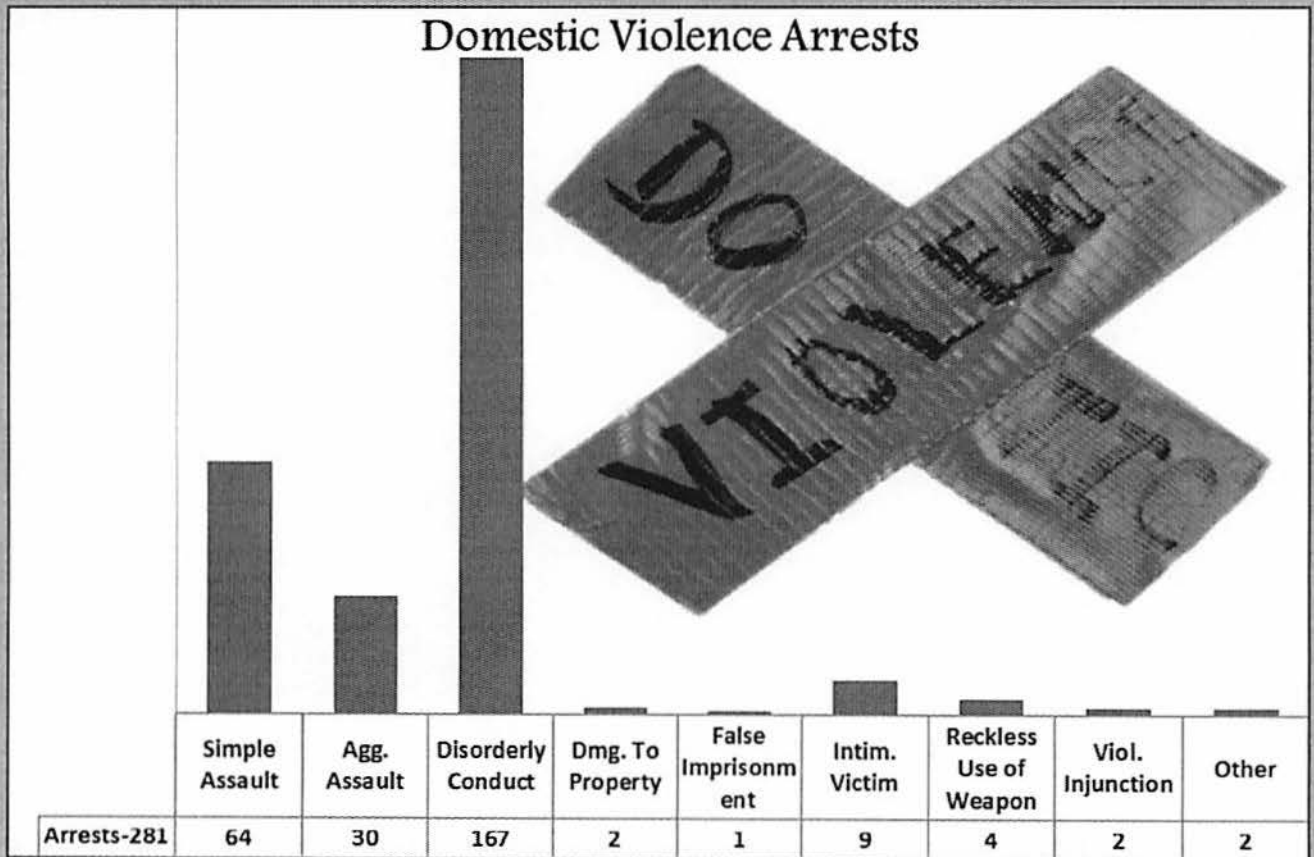


## 2012 Reported Domestic Disturbance Incidents

| Month              | Number of Reported Offenses |
|--------------------|-----------------------------|
| January            | 32                          |
| February           | 23                          |
| March              | 41                          |
| April              | 46                          |
| May                | 51                          |
| June               | 44                          |
| July               | 50                          |
| August             | 50                          |
| September          | 35                          |
| October            | 43                          |
| November           | 36                          |
| December           | 38                          |
| <b>Grand Total</b> | <b>489</b>                  |



## Domestic Violence Arrests



## 2012 Accident Data

|  | Accident Type                |  | Total       |
|---|------------------------------|--|-------------|
|   | Fatal                        |  | 1           |
|   | Other                        |  | 7           |
|   | Personal Injury              |  | 163         |
|   | Hit & Run Personal Injury    |  | 9           |
|   | Hit & Run Damage to Property |  | 319         |
|   | Property Damage              |  | 1061        |
|   | <b>Grand Total</b>           |  | <b>1560</b> |

## 2012 Property Data

| Property                 |           |
|--------------------------|-----------|
| Value Property Stolen    | \$773,682 |
| Value Property Recovered | \$169,178 |
| Percent Recovered        | 22%       |

## 2012 Arrest Data

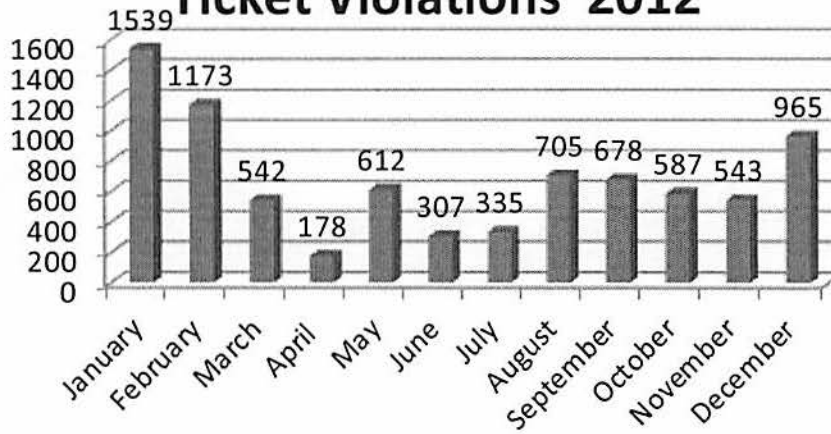
| Arrests              |             |
|----------------------|-------------|
| Traffic              | 2991        |
| Other Arrests        | 4686        |
| <b>Total Arrests</b> | <b>7677</b> |

Sheboygan Police Department  
 Parking Tickets Issued  
 2012  
 Yearly Parking Ticket Violations

| Type |   |       |
|------|---|-------|
| O    | OVERTIME PARKING                            | 44    |
| OM   | OVERTIME - METERED                          | 3,072 |
| O15  | OVERTIME - 15 MINUTE ZONE                   | 64    |
| O30  | OVERTIME - 30 MINUTE ZONE                   | 15    |
| O1H  | OVERTIME - 1 HR ZONE                        | 15    |
| O2H  | OVERTIME - 2 HR ZONE                        | 168   |
| O3H  | OVERTIME - 3 HR ZONE                        | 0     |
| P    | PROHIBITED PARKING                          | 45    |
| PAS  | PROHIBITED - ADJACENT TO SCHOOL (7-4)       | 114   |
| PBT  | PROHIBITED - VEHICLE W/BOAT TRLR ONLY       | 54    |
| PCW  | PROHIBITED - TOO CLOSE TO CROSSWALK - 15 FT | 365   |
| PDA  | PROHIBITED - DEC 1 TO APRIL 1 (POSTED SIGN) | 36    |
| PDP  | PROHIBITED - DOUBLE PARKED                  | 2     |
| PFH  | PROHIBITED - FIRE HYDRANT - 10 FT           | 23    |
| PIP  | PROHIBITED - IN PARK AFTER HOURS            | 36    |
| PNP  | PROHIBITED - NOT PARALLEL/CURB - 2 FT       | 9     |
| PNS  | PROHIBITED - NOT IN/NO STALL                | 58    |
| POD  | PROHIBITED - OBSTRUCTING DRIVE/ALLEY - 4 FT | 161   |
| POW  | PROHIBITED - OBSTRUCTING SIDEWALK           | 17    |
| PPP  | PROHIBITED - PRIVATE PARKING SPACE/LOT      | 314   |
| PPZ  | PROHIBITED - PARKING ZONE                   | 105   |
| PSP  | PROHIBITED - SCHOOL PERMIT ONLY             | 126   |
| PSS  | PROHIBITED - SCHOOL STAFF ONLY              | 19    |
| PSV  | PROHIBITED - SCHOOL VISITOR ONLY            | 7     |
| PTR  | PROHIBITED - OFF TRUCK ROUTE                | 2     |
| PUA  | PROHIBITED - UNDESIGNATED AREA              | 74    |
| PWS  | PROHIBITED - WRONG SIDE OF STREET           | 16    |
| P24  | PROHIBITED - 24 HOUR CONTINUOUS PARKING     | 340   |
| P26  | PROHIBITED - 2AM TO 6AM (POSTED SIGN)       | 97    |
| PTI  | PROHIBITED- T-INTERSECTION                  | 47    |
| W    | WINTER PARKING (DEC 1 THRU APR 1-2AMTO6AM)  | 2,578 |
| S    | SNOW EMERGENCY                              | 0     |
| H    | HANDICAP ZONE                               | 15    |
|      |   | 8,049 |

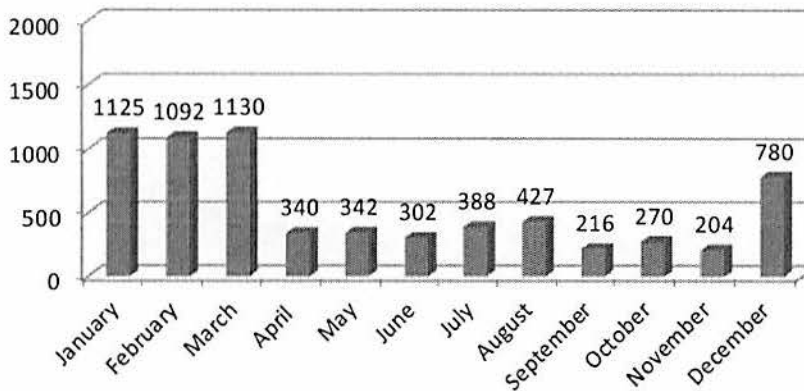
\*Total tickets issued monthly vs. issued by violation vary due to tickets that have been voided.

## Monthly Issuance of Parking Ticket Violations 2012



VS.

## Monthly Issuance of Parking Ticket Violations 2011



2012 Total Tickets Issued - 8,049

2011 Total Tickets Issued - 6,616

2012 was another great year of progress, changes and challenges. The telecommunicators continue to rise to the challenge of their job and continue to provide a high level of professional service to the community and its citizens, as well as supporting the patrol officers and their fellow co-workers.

These dedicated employees who serve this department and the community as telecommunicators recognize the responsibility of their position and strive for excellence in the performance of their job duties. They are the nerve center for the deployment of police, fire and EMS for the City of Sheboygan.

The Sheboygan Police Department telecommunicators look forward to the year 2013 and the continuing challenges that they will face.



## Communications Center

The Sheboygan Police Department's Public Safety Communications Center is the initial point of contact for citizens in need of assistance within the city limits of Sheboygan. The Communications Center is currently staffed with fourteen (14) full-time telecommunicators (which include a lead telecommunicator), along with one part-time telecommunicator. The word "telecommunicator" is another word for "dispatcher".

On 04/07/12, Telecommunicator Brenda Steffen retired after 34 years of service. Due to that retirement and a previous retirement in 2011, in May of 2012, our department hired Michael Cordier and Brian Reed as full-time telecommunicators to fill their vacancy. Telecommunicator Cordier completed his training at the end of August and has been assigned to Shift #2. Telecommunicator Brian Reed completed his training in the middle of September and is currently temporarily assigned to Shift #3.

The Sheboygan Police Department Communication Center is one of the most modern dispatch centers within the area. The Communications Center provides 24/7 coverage while maintaining a minimum staffing level of three dispatchers on first and second shift and two dispatchers on third shift. The telecommunicators are responsible for dispatching police, fire and EMS services within the city limits of Sheboygan.





In addition to being assigned to work in the Communication Center, a telecommunicator is also assigned to staff the police desk on first and second shift. The desk telecommunicator is responsible for data entry of different types of paperwork such as field interviews, accident reports, booking sheets, etc. as well as receiving parking ticket monies, bail bond monies, handling phone complaints from citizens, along with providing customer service to citizens who walk into the police department. The desk telecommunicator also assists with overflow telephone calls from the Communication Center.

During the normal course of a shift, telecommunicators assigned to the

Communication Center remain in constant radio contact with the police officer, as well as fire and EMS units when needed, all the while continuing to answer 911 and non-emergency phone lines, sending and receiving teletypes on the statewide TIME (Transaction Information for the Management of Enforcement) system, processing criminal and municipal warrants, entering missing persons, stolen vehicles and the list goes on.

During 2012, numerous school and civic groups toured the Sheboygan Police Department Communication Center and had the opportunity for an up-close and personal look at the equipment that is used on an everyday basis by the telecommunicators.



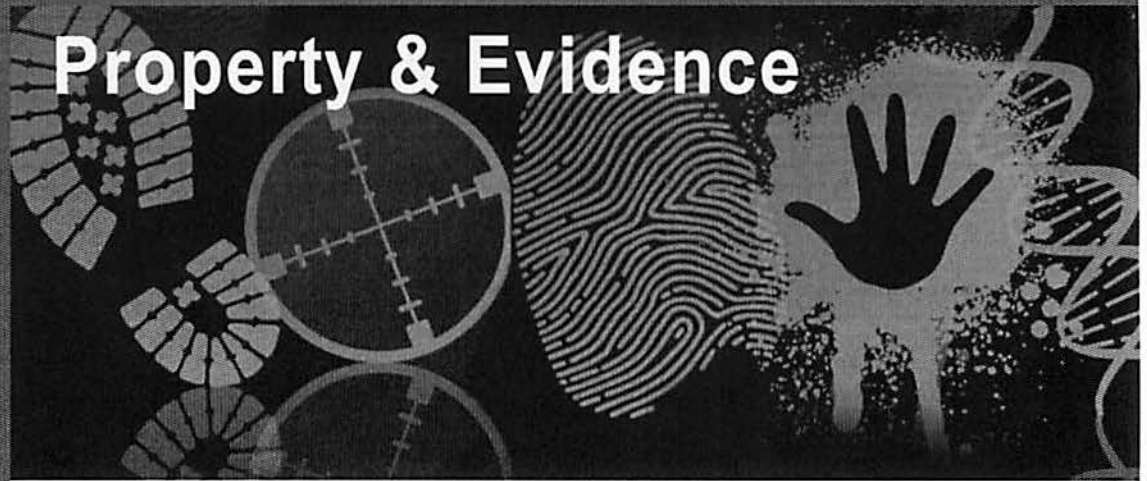
## Skills

When considering the workload of the telecommunicators in the Communication Center, the general public may not realize the enormous skills and abilities they must possess in order to handle their job. In general, a telecommunicator is a "First Responder" until the first police officer or fire/EMS unit arrives on the scene.

Each telecommunicator must be certified on the statewide TIME System (Transaction Information for the Management of Enforcement) and are required to pass a recertification test biannually which is required by the Wisconsin CIB (Crime Information Bureau). Additionally, CIB forwards monthly reports to our department requiring validation of records entered into the TIME system. Several telecommunicators have attended Validation Officer Training and are responsible to ensure all of our TIME entries such as warrants and writs of commitments are still active, accurate and complete.

Telecommunicators are also certified to give CPR instructions over the telephone if necessary.

In 2012, Evidence/Property Officer Julie Lamb handled over 3,241 pieces of property and/or evidence that required documentation due to police contact. The ability to maintain thorough records concerning retention and movement of articles is essential to police operations. In addition, Property Officer Lamb collected 75 cell phones to be provided to the "Call to Protect" program. The Sheboygan Police Department has provided 997 cell phones to this program since 2002. Lamb also provided 116 unclaimed bicycles to the "REBIKE" program.



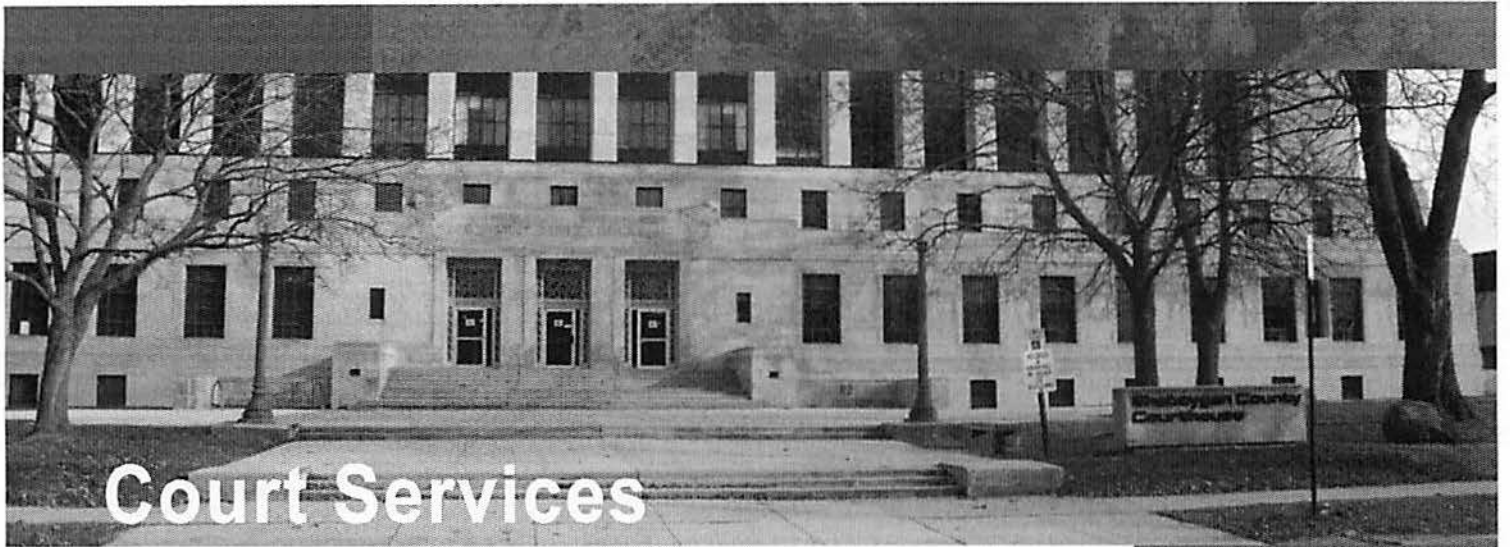
The Property and Evidence section of the Criminal Investigation Division continued to handle the disposition of all evidence and property taken by police personnel in the course of their work. The need for a more effective and efficient method of disposal of abandoned vehicles was recognized and resulted in implementation of an on-line auction website, Wisconsin Surplus, to alleviate excessive vehicles within police custody. This quickly resolved the

overflow issue while eliminating the need for police personnel to conduct an auction that required paid overtime.

In 2013, the program will be examined for the potential of adding additional abandoned items to the list for disposal.

The proper preparation and selection of evidence for the collection of DNA is essential for efficient and effective processing at the Wisconsin State Crime Lab. Due to 2012 updated guidelines concerning DNA evidence, the Sheboygan Police Department hosted a free on-site training session instructed by State Crime Lab personnel concerning practices and procedures required by their organization. This training is designed to decrease submissions of multiple DNA samples and focuses on initially submitting high probability samples thus decreasing the return time of analyzed evidence to a police department.





# Court Services

The Court Services division in the Sheboygan Police department acts as a liaison between the department and the courts, as well as the prosecuting agencies.

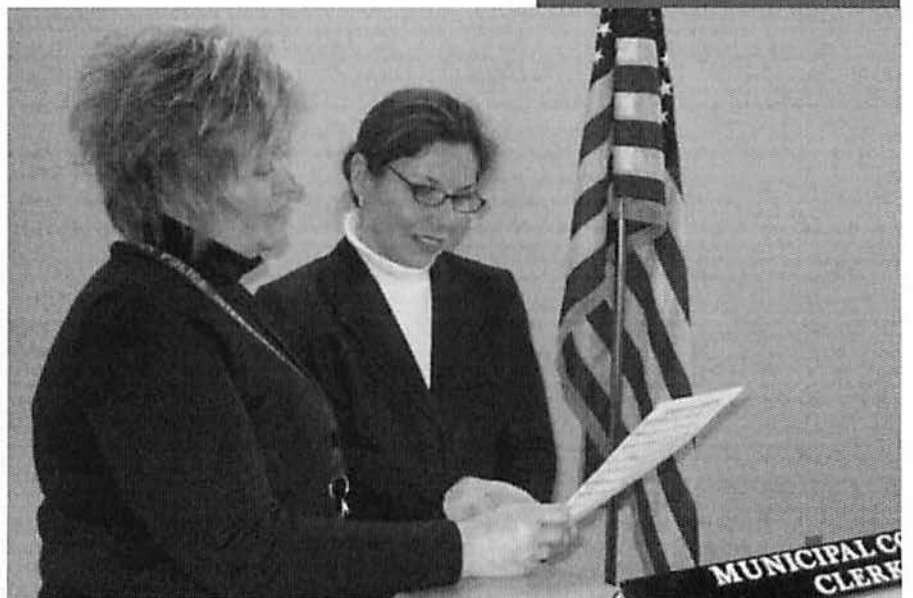
The Court Service Section is served by two civilian employees; Tina Thurs and Cassandra Wohlge-muth. Together, they are accountable for reviewing citations prior to filing them with the appropriate court. They are also responsible for the filing of all municipal and circuit court cases and associated documents generated by the Sheboygan Police Department.

This is very important and detail-oriented work. Any request for evidence or discovery requests that the prosecuting agencies need are filtered through Court Services. They also organize the service of subpoenas to members of the department, as well as working with the Police Volunteers and department personnel to coordinate the service of subpoenas to non-

department witnesses throughout the community.

Court Services also provides officers and detectives proper notice of pending court appearances.

Court Services is also responsible for keeping the court calendar up to date. Notices are primarily made via e-mail. As another important duty, Court Services reviews electronic citations on the computer and electronically transmits to the appropriate court.



The Sheboygan Police Department Communication/Electronics Technician, Russell Schreiner, is responsible for maintaining all of the city wide radio, alarm, video surveillance and telephone communication equipment. When all city wide radio equipment is tallied, Russ currently maintains approximately 238 mobiles, 234 portables, 25 base station radios and six tower sites.

The Communications & Electronics Department is critical to maintaining emergency preparedness. We are lucky to have capable technicians such as Russ Schreiner and George Macias serving the city and county.



In 2012, our technician, Russell Schreiner, re-programmed all VHF communication equipment to narrow band for the City Emergency Communication Center, radio tower sites, and the Sheboygan Fire Department vehicles in order to comply with a January 1, 2013 deadline. Russ assisted his counterpart at the Sheboygan County Sheriff's Department, George Macias, in completing similar work at their agency.

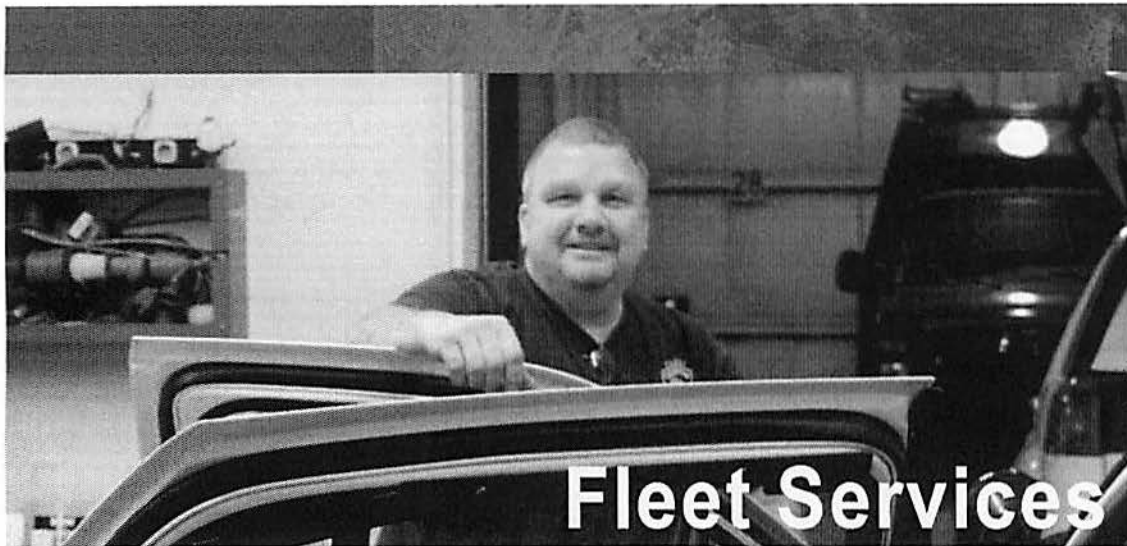
On a daily basis, Russ provides rapid troubleshooting and repair for a variety of our technical systems. These systems include our computers, radios, telephones, alarms and camera systems. Russ can also be relied upon at times to make repairs to other mechanical problems within the police facility. Russ continues to provide communication system maintenance to many police and fire agencies across Sheboygan County.

Russ currently serves as the Chairman of the Sheboygan County Communications Council. In this capacity, he has made numerous presentations to the County Board Supervisors and other committees to assist them in planning for necessary upgrades to

the county-wide radio communication system.

Russ also serves as the Chairman of the 700 Mhz & 800 Mhz Regional Planning Committee for Region 45 which serves over ¾ of the State of Wisconsin. The purpose of this committee is to review and approve applications from agencies within the region for the use of public safety channels in these bands and ensure that their use adheres to the regional plan. Russ also continues to serve on the East Central Regional "SCIP" ( State Communication Interoperability Plan) Implementation Council.

Throughout the past year, Russ has completed training on the use of the State of Wisconsin "E-Sponder" alerting system and has completed training as a "COML" (Communication Leader) under FEMA, Department of Homeland Security. As a COML, Russ is responsible for developing a public safety communication plan and setting up communications systems at any expanding incident. This could include large scale emergencies, disasters or even large sporting events such as PGA or LPGA golf events held within the county.



## Fleet Services

*Sheboygan Chevrolet-Chrysler has donated a mini-van for use in support of our community service officers and other policing activities. We are very appreciative of their generous support.*

The Sheboygan Police Department fleet of vehicles is maintained by our mechanic, David Daniels. This fleet of vehicles includes 16 marked patrol cars, 12 unmarked detective squads, 5 cars assigned to the drug investigation unit, 2 community service officer vehicles, as well as 2 support vehicles assigned to the mechanic and communications technician. David also maintains the Harley Davidson motorcycle and Polaris ATV. He also does service maintenance to 4 vehicles assigned to the Building Inspection Department.

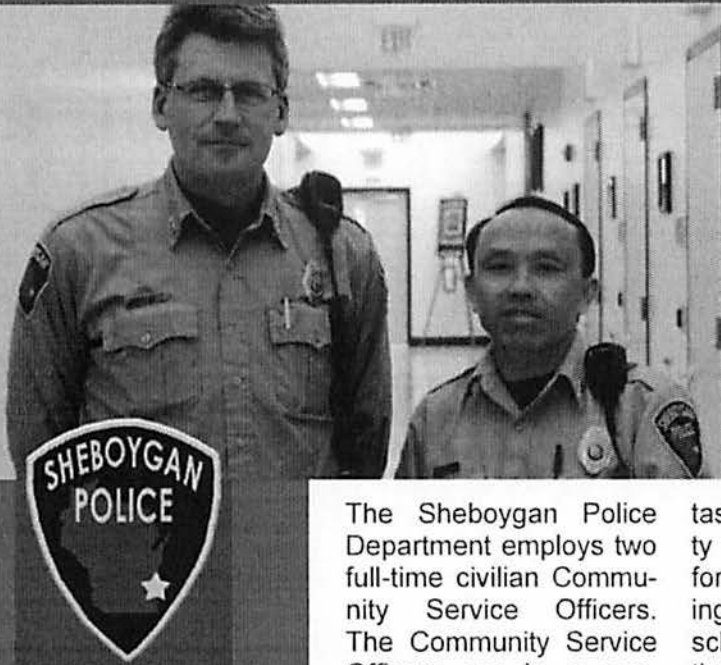
This year, David has entered all of the vehicles into the fleet management portion of the Spillman RMS system. Using this system will provide for a better organized and more accessible record of fleet vehicle maintenance activities and costs.

The police department did not replace any of the fleet vehicles during 2012. In 2013, we anticipate that we will replace 5 marked police

squads and 2 unmarked cars. In anticipation of replacing these vehicles, David assisted in researching the specifications and functionality of the future vehicles. After much research and thought, the department selected the Ford SUV Interceptor as the replacement patrol vehicle for the Ford Crown Victoria which ended production in 2011. The new squads will maintain the black and white color scheme; however, we anticipate a change in the squad graphics to give them a new appearance. David and our communications technician, Russell Schreiner, will be busy in the new year preparing the new cars for service.



# Community Service Officers



The Sheboygan Police Department employs two full-time civilian Community Service Officers. The Community Service Officers are in a non-sworn position, but they do have limited powers of enforcement. Our current two Community Service Officers are CSO Henry Meller and CSO Yeng Yang. For part of the year, Jordan Sucha was with us as a CSO until he accepted a transfer back to the City Engineering Department. Then, CSO Yeng Yang joined our team. They are under the Patrol Division of the Sheboygan Police Department and are supervised by Sergeant Anderson.

They are tasked with a number of duties and responsibilities that assist patrol officers, including parking enforcement, 24-hour parking violations, snow emergency parking violations, and prohibited parking violations.

One of the more critical

tasks that the Community Service Officers perform is enforcing parking restrictions around schools to ensure that the children going to school can be as safe as possible with the congested vehicle traffic around the schools.

They also enforce the City's abandoned vehicle ordinance. This process requires some investigative functions, the following of protocols that are outlined in State Statutes and City Ordinances, working with the contracted Towing Service, Depot Auto Service, and when necessary issuing ordinance citations to violators of these ordinances.

The Community Service Officers recover abandoned bicycles and assist the Sheboygan Police Department Property Officer in storage of these bicycles and other property. They also help in transferring the abandoned bicycles to "ReBike" of Sheboygan

to be reconditioned and given out.

Other tasks include assisting disabled motorists, assisting with traffic control, traffic surveys, data processing, parade duties, posting of parking signs, erecting barricades, assisting with public inquiries for directions and property and helping out with school crossing guard duties.

The Community Service Officers play an important role in promoting neighborhood pride in the city by finding abandoned, junked, and disabled vehicles and overall code enforcement in the neighborhoods of the city.

The Community Service Officers help enforce a quality of life to make the City of Sheboygan attractive to its residents and to its visitors. The Community Service Officers are also funded in part from a federal grant.



# School Crossing Guards

The six School Crossing Guards include:

Mr. Robert Pribbernow, who is stationed at the intersection of Superior Avenue and N. 15th Street helping the children who attend Jefferson Elementary School.

Mr. Robert Schuetty, who is stationed at the intersection of Wilson Avenue and S. 16th Street, helping the children who attend Wilson Elementary School.

Ms. Jane Kunert, who is stationed at the intersection of Superior Avenue and N. 5th Street, helping the children who attend Grant Elementary School and the Elementary School for the Arts and Academics.

Mr. Fernando Escalera and at times his wife, Ms. Debra Escalera, are stationed at the intersection of S. 8th Street and Alabama Avenue, helping children who attend Longfellow Elementary School.

Ms. Donna Reiter who is stationed at the intersection of State Business Highway 42 (Calumet Drive) and N. 20th Street, helping children who attend Cooper Elementary School.

Ms. Helen Zettel, who is stationed at the intersection of S. 14th Street and New Jersey Avenue, helping children who attend Sheridan Elementary School.

Ms. Jennifer Keen is our Substitute School Crossing Guard and she has to be familiar with all of the intersections, willing and available to be called on the day that she is needed to fill in.

The Sheboygan Police Department employs six part-time School Crossing Guards and one substitute School Crossing Guard who fills in during an absence of one of the other School Crossing Guards. The Sheboygan Police Department partners with the Sheboygan Area School District and six of the city's elementary/charter schools that the School Crossing Guards are stationed at. The School Crossing Guards are equipped, trained, and supervised by Sergeant Anderson.

The nature of their duties requires them to work independently to ensure the safety of the children and their parents who walk to and from school. They provide a safe crossing at some of the City's busiest and congested intersections near their assigned schools. Each of the School Crossing Guards follows the schedule of the respective schools that they are stationed at. They easily become well

acquainted with the children, the parents, and staff of their respective schools. When "their" School Crossing Guard is not there due to an absence such as an illness, the children and their parents notice and miss them. It is not uncommon for them to receive colored pictures or cards from the children.

The School Crossing Guards that are stationed at their corners of the intersections are not only helping children cross the street by stopping traffic, but also encouraging and teaching children how to be safe when crossing streets. They keep a watchful eye on the children in the vicinity of their intersection to help ensure their safety as they walk to school. This includes observing any suspicious activity or individuals. They can observe traffic and other violations and are capable of contacting our department for patrol officers to take enforcement action.

All of our School Crossing Guards are balancing the need of children to cross the street safely and of motorists who are traveling on the roadways. The Sheboygan Police Department and the School Crossing Guards always encourage motorists to slow down in school zones when the children are present. Patrol Officers will often stage near the School Crossing Guards to encourage motorists to slow down and obey the directions of the School Crossing Guards. If necessary, Patrol Officers will take enforcement action.





#### 2012 VIPS Staff:

Back row, Left to right:

Connie Mehan

Marilyn Bohren

Jason Lawrence

Ethel Pillman

Tom Riemann

Front row, Left to right:

Kristi Lawrence

Jeanne Pethan

VIPS Coordinator

Penny Weber

Mary Ann Dickfoss



## Volunteers in Police Service

Volunteers in Police Service (VIPS) is one of five Citizen Corps partner programs. The International Association of Chiefs of Police (IACP) manages and implements the VIPS Program in partnership with, and on behalf of, the White House Office of the USA Freedom Corps and the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice.

The Sheboygan Police Department is fortunate to have a cadre of nine volunteers led by VIPS coordinator Penny Weber who provide a wide variety of support services to our department. Volunteers allow law enforcement agencies and officers to focus on policing and law enforcement functions by providing supplemental or support services, such as administrative assistance.

Because of the sensitivity and confidential nature of the police department, the selection process for volunteers is specific. It is designed with the intention of finding those

volunteers who exhibit our core values of: *integrity, leadership, professionalism, competence, accountability and team work.*

Our volunteers have to be a United States citizen, and at least 18 years of age. An application process involves a personal interview, thorough criminal background check and fingerprints. The volunteers that are in VIPS do not receive any compensation for their service.

Our VIPS staff currently provides assistance in the police records and court services area, as well as giving tours of the facility to community groups. They assisted the patrol division by serving 606 subpoenas throughout the city and collecting traffic data.

VIPS provides all collection and sorting from the prescription drug drop off box. During 2012 they collected and disposed of 1,287 pounds of prescription drugs and related items.



# Community Outreach Programs



The Junior Police Academy program continues to provide an eight-week insight into law enforcement for middle school students.

Officer Eric Edson and Officer Patrick Leichtnam, along with the aid of other officers, instruct these evening sessions. The program is supported by local organizations, businesses and individuals.

The program not only provides "hands-on" experiences but focuses on positive character traits, such as generosity, integrity, etc. The officers mentor students during the course and attempt to bridge the

gap between student and police officer.

The JPA site on the Sheboygan Police Department home page has professional video presentations by Officer Edson illustrating the importance of positive contributions required of our youth to the community. Officer Edson was recognized by the National Junior Police Academy organization for his involvement in the program in 2012.

## SAFETY TOWN

Safety Town is a safety education program for children who will be starting Kindergarten in the fall of the following school year. This is a long-standing program sponsored by the Sheboygan Service Club, in partnership with the Sheboygan Area School District's Community Recreation Department and the Sheboygan Police Department.

When the program is finished in July, we start planning for the next year's programs by looking back on what worked and what didn't work. We start planning dates, materials, curriculum, venues, speakers, youth volunteers, spe-

cial accommodations and necessary repairs. Much of this is done by volunteers from the Service Club, with the help of teachers and officers involved in the program.

It teaches safety awareness and accident prevention in a fun, hands-on setting. Taught by a certified teacher, with the assistance of the Sheboygan Police Department, kids practice safety skills both indoors and out on the miniature "Safety Town" Lot and at the pool in James Madison Elementary School.

This year, two sessions were held in June and two more in July. 148

children participated. We bring in the experts to talk about safety including: the Sheboygan Fire Department, St. Nicholas Hospital, Prigge's Bus Service, the Sheboygan County Health Department, the Sheboygan County Dive Team and a dog trainer and pet expert. The Safety Town Program is held at Horace Mann Middle School.

School Resource Officers Patrick Leichtnam and Eric Edson were instrumental in the success of this year's program!

# American Police Officer

Character education for young citizens from the Junior Police Academy



The idea is simple...to truly inspire good character you have to put kids in the room with it. This has been the central philosophy of the Junior Police Academy for 20 years-proactively bringing young people and law enforcement professionals together.

The new course, "American Police Officer: A Course in Character," explores the meaning and consequences of good character as seen through the eyes of law enforcement and those who work in the criminal justice system. Through this course, students will learn both the skills and the virtues

needed to become informed and productive citizens. Nearly 600 police departments nationwide have requested this new course from JPA's national headquarters in Austin, Texas. Starting this fall, only a handful of cities will serve as pilot programs for "American Police Officer," including Austin (TX), Oblong (IL) and Sheboygan (WI). Here in Sheboygan, the program will be offered to sixth graders at Horace Mann Middle School.

Students will be exposed to lessons taught by School Resource Officer Eric Edson, as well as

guest speakers who exemplify one of the key character traits...a "Most Wanted List" of sorts that includes; Justice, Diligence, Courage, Generosity, Integrity, Enthusiasm and Wisdom.

Students will then employ "police investigative tactics" to seek out people in their community who they believe demonstrate these traits as well. Students will recognize these exemplary individuals by asking them to sign a "Good Character Challenge Form." Students who submit completed forms and successfully fulfill the course requirements will receive a commemorative "Challenge Pin," which recognizes the student for demonstrating, what is perhaps the ultimate act of good character—Gratitude.

## LAW ENFORCEMENT



## TORCH RUN FOR SPECIAL OLYMPICS

The mission of the Law Enforcement Torch Run for Special Olympics is to raise funds for and raise awareness of the Special Olympics Movement. Special Olympics is a program which daily reaffirms our belief that with hope and dedication, we can see achievement and self-worth realized by any individual. Specials Olympics shows the community that there are no limits to the human spirit.



This year, on June 7th, 2012, Officer Brian Krueger was inducted into the Wisconsin Law Enforcement Torch Run Dale Brunner Hall of Fame. Over the past 23 years, Officer Krueger has shown exceptional support of Special Olympics through his involvement with the Law Enforcement Torch Run.

In addition to Officer Krueger's daily recruitment efforts, he also organizes Sheboygan's annual

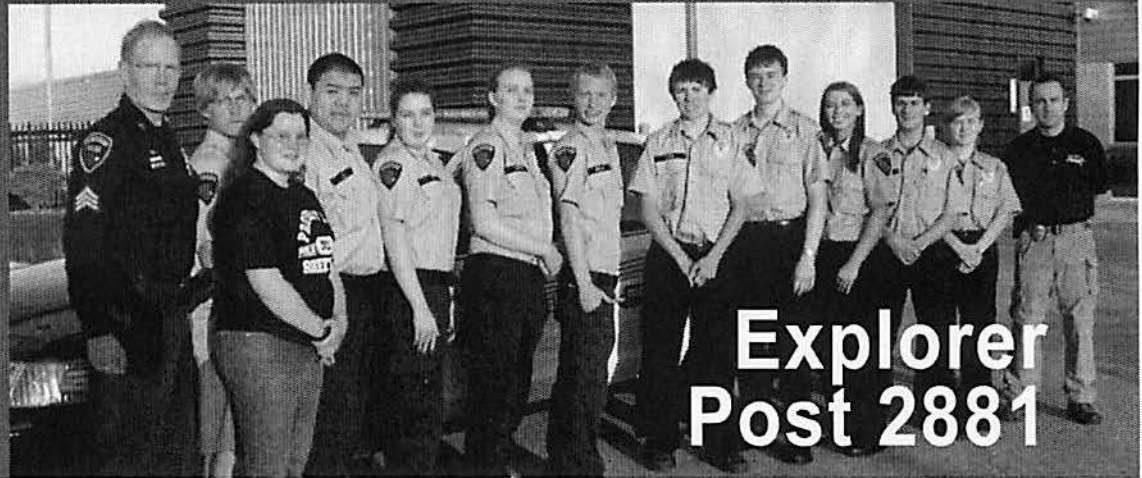
Final Leg, which sees over 50 participants each year and incorporates numerous agencies, including Kohler, Plymouth, Sheboygan and Sheboygan Falls Police Departments, along with the Sheboygan County Sheriff's Office and Corrections Probation and Parole.

"Officer Krueger's attitude is contagious and he lives the true mission of the Law Enforcement Torch Run," said Kathy Walker, Northeastern Regional Director of Development for Special Olympics Wisconsin.

Special thanks go to Officer Brian Krueger and Officer Dean Wendlandt for coordinating this year's run and to everyone who participated.



The Explorer Post saw some changes at the end of 2012. Sergeant Dave Anderson, who led the post for several years, resigned from his position with the group to pursue other areas of interest. Officer Alex Jaeger took over as the lead Post Advisor, with the assistance of Sergeant Kurt Zempel overseeing operations and ensuring compliance with the national office of Learning for Life / Bay Lakes Council.



## Explorer Post 2881

The Sheboygan Law Enforcement Explorer Post averages 20-25 members, who range from age 15 to 21. Most of our members are students of the Sheboygan Area School District. Some members come from Sheboygan Falls High School, Lutheran High School, or even Plymouth and Howards Grove.

The Post participated in several competitions, in which they travel to places like Muskego, West Bend, or Hartford to put the skills they have learned from bi-weekly meetings to test. They compete against other Explorers from around the state and have even come home with several awards, recognizing their excellence. Those awards are on display in the hallway of the Sheboygan Police Department, near the Street Crimes Unit office.

Explorers continue to assist the department by volunteering their time to community functions like the Alzheimer's Walk, Independence Day festivities, and holiday parade duties.

Our "Open House" in October

brought in numerous area youth, who were encouraged to participate in the program by school career counselors, friends, family, and police officers. We retained more than 12 of these attendees as official members, bringing our current roster to nearly 25 active participants.

With the growing number of youth involved, Officers Knez, Walloch, Wilson, Stephen, and Fickett were willing to assist the post and department, by becoming Associate Advisors. The growing workload is now distributed to all involved in leading the post, making our efforts more effective.

A new Explorer Handbook has been created, outlining Explorer responsibilities and details potential promotional opportunities. The Explorers are going to be given opportunities to achieve "ranking positions" like sergeant, lieutenant, and captain. This will turn over many of the leader's responsibilities directly to the Explorers. We hope this will allow for personal and organizational growth.



## 2012 Citizen Academy

Under the direction of Lt. Michael Williams, the 18th annual Citizen Academy began on March 15th, 2012.

The academy encompasses many different facets of law enforcement and provides participants numerous hands-on opportunities in which to gain a better understanding of how and why law enforcement serves the community.

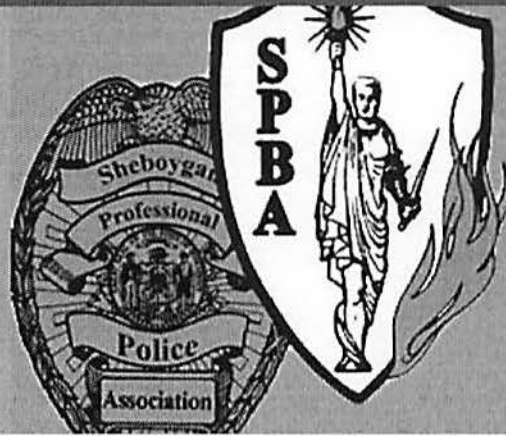
The 11 week course had many joint sessions with the Sheboygan Coun-

ty Sheriff's Department Citizen Academy. A presentation dinner was held at Breaking Bread on May 24th, 2012. Special thanks goes to the officers and deputies who assisted during the 11 weeks.



The Citizen Academy students listened to a special presentation by Detective Joel Clark. They also participated in a "Shoot/Don't Shoot" exercise.

The Sheboygan Police Benevolent Association Awards Ceremony was held on Tuesday, March 13th, 2012 at Breaking Bread Banquet and Meeting Center. The Service Awards recipients were nominated by fellow officers, supervisors and civilian co-workers. They represent those who strive to go above and beyond what is expected of them by their peers and the public. These men and women...our co-workers, friends and family members...did not ask to be put in heroic situations, but rather found themselves in circumstances that allowed them to demonstrate the qualities of a hero.



## 2012 Sheboygan Police Benevolent Association Service Awards

### Police Officer of the Year Award:

Presented to an officer for exemplary service to the community, which involves performance and achievement above and beyond that which is required by an officer's basic assignment.



Detective Matthew Walsh

### Meritorious Service Awards:

Presented to an officer for exceptional performance of outstanding service on behalf of the department, while carrying out an act of great responsibility, or of critical importance to law enforcement.



Officer Charlet Endsley



Officer Brandon Kehoe



Officer Joel Kuszyński



### Life Saving Awards:

Presented to sworn and/or now-sworn individuals for performing an act, through prompt and decisive action, under extraordinary circumstances, that saves or significantly prolongs the life of another.



Officer Spencer Wilson



Officer Matthew Friedl



Officer TJ Hamilton

### Civilian Employee of the Year Awards:

Presented to a non-sworn employee for exemplary service to the community, performance and achievement above and beyond that which is required by the employee's basic assignment.



Paula Haelfrisch



Lori Kanitz

### Citizen's Distinguished Service Awards:

Presented to individuals, who are not members of the police department, who through courageous acts of bravery and/or personal risk have assisted in apprehending a criminal, aiding an officer during a critical incident, or who demonstrated exceptional cooperation with the department in the accomplishment of its mission.



Fong Lee



Penny Weber



## Sheboygan

Police Department

1315 N. 23rd Street  
Suite 101  
Sheboygan, WI 53081  
(920)459-3333  
[www.sheboyganpolice.com](http://www.sheboyganpolice.com)

The Sheboygan Police Department's 2012 Annual Report was produced by Paula Haelfrisch, Mary Danen and Cassandra Wohlgemuth.

Special thanks to all those who submitted information to make this report possible. We also recognize Detective Paul Olsen for his stunning photographs, featured on the front cover and many other pages, as well as Lori Kanitz for the beautiful employee portraits.

## 2012 Annual Report



II

R. O. No.       - 12 - 13. By CITY PLAN COMMISSION. March 18, 2013.

Your Commission to whom was referred R.O. No. 284-12-13 submitting a communication from Amy Valleau, Property Specialist II of SBA Communications Corporation requesting permission from the City of Sheboygan to modify Sprint's current equipment configuration for their upgrade in technology regarding the SBA Tower located at 3333 Lakeshore Drive.; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, March 12, 2013, and after due consideration, recommends approval.

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Development Manager

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II

Other Matters

9.4

R. O. No. 284 - 12 - 13. By CITY CLERK. March 4, 2013.

Submitting a communication from Amy Valleau, Property Specialist II of SBA Communications Corporation requesting permission from the City of Sheboygan to modify Sprint's current equipment configurations for their upgrade in technology regarding the SBA Tower located at 3333 Lakeshore Dr.

*City Plan  
as file  
approve*

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

## Richards, Sue

---

**From:** Amy Valleau [avalleau@sbsite.com]  
**Sent:** Monday, March 04, 2013 12:58 PM  
**To:** Richards, Sue  
**Subject:** SBA Tower located at 3333 Lakeshore Drive  
**Attachments:** WI21282-ML15AL066-Landlord Consent Document.pdf; ML15AL066\_Final Site Plan\_SBA\_1.21.13.pdf

Ms. Richards:

Please see the attached letter asking the City of Sheboygan permission to modify Sprint's current equipment configurations for their upgrade in technology.

If you have any questions or need more information, please feel free to contact me directly.

Thank you!

**Amy Valleau**  
*Property Specialist II*



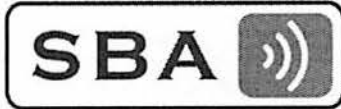
**SBA COMMUNICATIONS CORPORATION**  
5900 Broken Sound Parkway NW  
Boca Raton, FL 33487-2797

**Alternate Address:**  
217 Woodlawn Avenue  
Lansing, MI 48910

517.614.4483 + C  
866.610.1053 + F  
[avalleau@sbsite.com](mailto:avalleau@sbsite.com)

*Your Signal Starts Here.*

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SBA Communications Corporation  
7402 Westshire Drive  
Suite 120  
Lansing, MI 48917

T + 517.622.8448  
F + 517.622.8438

[sbasite.com](http://sbasite.com)

March 4, 2013

Ms. Sue Richards  
City Clerk  
City of Sheboygan  
828 Center Avenue, Suite 100  
Sheboygan, WI 53081

Re: Sprint upgrades on tower located at 3333 Lakeshore Drive

Dear Ms. Richards:

Sprint is a tenant on the telecommunications tower owned by SBA located at 3333 Lakeshore Drive, which leases land from the City of Sheboygan for the tower and compound area. Per our lease agreement with the city, section 11 we are seeking approval to modify the antenna installation and cabinet configuration for our existing tenant.

Please see the attached site plan that depicts the modification in equipment. On page A-2, it depicts the existing plan, the interim plan, and the final plan. Sprint will be adding two new cabinets to the existing platform in the interim period. The period is from six months to one year for testing and integration of the new equipment and system before removing old equipment. Once the testing period is done, the old cabinets will be removed from the platform.

On the tower structure, a similar plan is proposed. Page A-3 shows the current, interim, and final plans for the antenna. Currently Sprint has 6 antenna. For the interim, three of the old antenna will be removed, and three new antenna added, the total will stay, 6 per sector. At the end of the integration period, the 3 old antenna that are left will be removed – making the new count, of three antenna on the tower.

Currently the work is proposed to start in June of this year, but the scheduled could change due to crew and equipment availability. SBA is in the process for a CUP to make this equipment upgrade and modification and hopes to have it on an upcoming agenda.

If someone could sign and date this letter, giving SBA permission to modify the current equipment on the tower as outlined, I would be most appreciative.

Thank you!

A handwritten signature in black ink, appearing to read "Amy Valleau". The signature is fluid and cursive, written over a white background.

Amy Valleau  
Property Specialist II  
SBA Network Services

217 Woodlawn Avenue  
Lansing, MI 48910

THIS IS AN EXISTING SPRINT WIRELESS TELECOMMUNICATION FACILITY NETWORK VISION EQUIPMENT UPGRADE



NEWTORK VISION MMBS LAUNCH

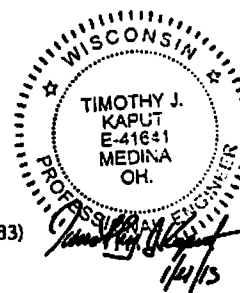
ALAMOSA

ML15AL066

3333 LAKE SHORE DRIVE  
SHEBOYGAN, WI 53083  
SHEBOYGAN COUNTY

LATITUDE: 43.71800 / 43° 43' 4.8" (NAD 83)  
LONGITUDE: -87.70720 / 87° 42' 25.919" (NAD 83)

200' SELF SUPPORT  
WISCONSIN MARKET



WISCONSIN STATE CODE COMPLIANCE:

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITY, NOTED IN THESE PLANS IS TO BE CONSTRUCTED TO MEET WORK NOT CONFORMING TO THESE CODES.

- 2008 IRC
- 2008 NEC
- 2008 IFC
- 2008 IRC
- 2008 NEC

LATEST ADOPTION ADOPTED BY STATE OF WISCONSIN AND LOCAL JURISDICTION BUILDING AUTHORITY

ACCESSIBILITY REQUIREMENTS:

FACILITY IS UNIMPAIRED AND NOT FOR HUMAN INGESTION, HANDICAPPED ACCESS REQUIREMENTS ARE NOT REQUIRED IN ACCORDANCE WITH THE 2008 IBC BUILDING CODE.

CODE BLOCK

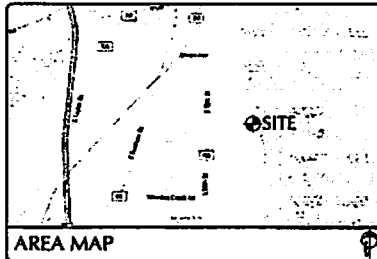
SPRINT PROPOSES TO MODIFY AN EXISTING UNIMPAIRED TELECOMMUNICATIONS FACILITY

- REMOVE (X) EXISTING PANEL JUNCTIONS (2 PER SECTION)
- INSTALL (X) NEW PANEL JUNCTIONS (1 PER SECTION)
- REMOVE (X) POWER AND BATTERY CABINET
- REMOVE (X) MISC. CABINETS
- INSTALL (X) NEW MISC. CABINET
- INSTALL (X) NEW RACK CABINET
- INSTALL (X) NEW PANEL JUNCTION BOX
- REMOVE ALL EXISTING SPRINT ANTENNA COAXIAL CABLES
- INSTALL (X) NEW HYBRID FIBER OPTIC CABLES USING EXISTING COAX ROUTE (1 PER SECTION)
- INSTALL (X) NEW RACK BOX

PROJECT DESCRIPTION

| APPROVAL                 | SIGNATURE | DATE |
|--------------------------|-----------|------|
| SITE ACQUISITION MANAGER |           |      |
| SAMPLING MANAGER         |           |      |
| RF MANAGER               |           |      |
| CREW                     |           |      |
| RF MANAGER               |           |      |
| RF ENGINEER              |           |      |
| PROPERTY OWNER           |           |      |
| SPRINT REPRESENTATIVE    |           |      |
| AWM MANAGER              |           |      |

SIGNATURE BLOCK



VICINITY MAP

FROM MISSOURI AVENUE:  
HEAD NORTH ON S. HOWELL AVE. TURNING R. CORNER W. SUTTERER ON (1.7 MI), TURN LEFT (NORTHWEST) ONTO W. HOWELL AVE. (0.3 MI), TURN RIGHT (EAST) ON TO S-43 NLR-044/45-46 W RAMP (0.4 MI), MAKE RIGHT (EAST) RAMP ON THE LEFT (0.1 MI), TURN LEFT (NORTH) ON S-43 NLR-044/45-46 (0.3 MI), TURN RIGHT (EAST) ONTO S-43 NLR-044/45-46 (0.1 MI), ENTER RIGHT ROUNDABOUT AND TAKE THE 1ST EXIT ONTO WISCONSIN CREEK RD (1.7 MI), TURN LEFT (EAST) ONTO LAKE SHORE ON (1.3 MI), SITE WILL BE ON ROAD (EAST) SIDE OF ROAD.

DRIVING DIRECTIONS

| SHEET | DESCRIPTION                            |
|-------|--|
| T-1   | TITLE SHEET                            |
| B-1   | GENERAL NOTES                          |
| B-2   | GENERAL NOTES                          |
| A-1   | GENERAL SITE PLAN                      |
| A-2   | EQUIPMENT PLANS                        |
| A-3   | ANTENNA PLANS                          |
| A-4   | TOWER ELEVATION                        |
| A-5   | EQUIPMENT DETAILS                      |
| A-6   | EQUIPMENT DETAILS                      |
| A-7   | EQUIPMENT DETAILS                      |
| RF-1  | ANTENNA AND CABLE COLOR CODING DETAILS |
| RF-2  | RF DETAILS                             |
| E-1   | ELECTRICAL PLAN                        |
| E-2   | ONE-LINE DIAGRAM                       |
| E-3   | DC POWER ONE-LINE DIAGRAM              |
| E-4   | ELECTRICAL DETAILS                     |
| E-5   | PANEL SCHEDULE                         |
| G-1   | GROUNDING PLAN                         |
| C-1A  | GROUNDING PLAN                         |
| C-2   | GROUNDING DETAILS                      |
| G-3   | GROUNDING DETAILS                      |

SHEET INDEX

**APPLICANT:**  
SPRINT  
8331 SPRINT PARKWAY  
OVERLAND PARK, KS 66201  
CONTACT: 3033  
PH: (913) 353-3333

**SITE ADDRESS:**  
3333 LAKE SHORE DRIVE  
SHEBOYGAN, WI 53083

**COORDINATES:**  
N 43° 43' 4.8"  
W 87° 42' 25.919"

**ZONING INFORMATION:**  
JURISDICTION: SHEBOYGAN COUNTY  
COUNTY: SHEBOYGAN

**SITE OWNER:**  
PROPERTY OWNER: CITY OF SHEBOYGAN  
ADDRESS: 3333 LAKE SHORE DRIVE  
SHEBOYGAN, WI 53083  
CONTACT: 303  
PH: 303

**PROJECT SUMMARY**

**ARCHITECT & ELECTRICAL ENGINEER:**  
DFO GROUP  
3125 ELMWOOD AVENUE, SUITE 200  
AKRON, OH 44311  
CONTACT: DFO GROUP  
PHONE: (330) 375-2100  
EMAIL: dfo@dfogroup.com

**SITE ACO PROJECT MANAGER:**  
SUN COMMUNICATIONS CORPORATION  
6720 BUCKINGHAM SQUARE PARKWAY NW  
ROCK HILL, SC 29744  
CONTACT: DANIEL BROOKS  
PH: (817) 276-4382

**CONSTRUCTION/PROJECT MANAGER:**  
MUELS SOLUTIONS, INC.  
6717 WASHINGTON STREET, SUITE 2200  
WEST ALLEN, WI 53514  
CONTACT: BOB FOLGOWSKI  
PH: (414) 940-1154

**ELECTRICAL COMPANY:**  
ALLIANT ENERGY  
3729 LAKESHORE DRIVE  
SHEBOYGAN, WI 53081  
PH: (920) 456-6232

**TELCO COMPANY:**  
WISCONSIN BELL CO.  
PH: (800) 324-8822

**PROJECT TEAM**

**Sprint**  
8331 SPRINT PARKWAY  
OVERLAND PARK, KS 66201

**SAMSUNG**

**NEXIUS**  
6737 WASHINGTON STREET, SUITE 2200  
WEST ALLEN, WI 53514

**SBA**  
SBA COMMUNICATIONS CORP.  
6000 BRIDLEWOOD SQUARE PARKWAY NW  
ROCK HILL, SC 29747

**CPD GROUP**  
100 EAST WASHINGTON STREET, SUITE 200  
WEST ALLEN, WI 53514

**PROFESSIONAL ENGINEER**  
DARRIN KOTECKI  
E-41929  
AKRON OH

| REV | DATE     | DESCRIPTION             | BY  |
|-----|----------|-------------------------|-----|
| A   | 10/10/12 | ISSUED FOR BIDDING      | SAV |
| B   | 12/20/12 | ISSUED FOR BIDDING      | JA  |
| C   | 01/14/13 | ISSUED FOR CONSTRUCTION | CAA |

NOT FOR CONSTRUCTION (UNLESS LABELED AS CONSTRUCTION SET)

**PROJECT INFORMATION:**  
NETWORK VISION MMBS LAUNCH

**SITE NUMBER:** ML15AL066  
**SITE NAME:** ALAMOSA  
**SITE ADDRESS:** 3333 LAKE SHORE DRIVE  
SHEBOYGAN, WI 53083  
SHEBOYGAN COUNTY

**CPD REFERENCE INFORMATION:**  
2012778.21282.01

**ISSUE DATE:** 01-14-13

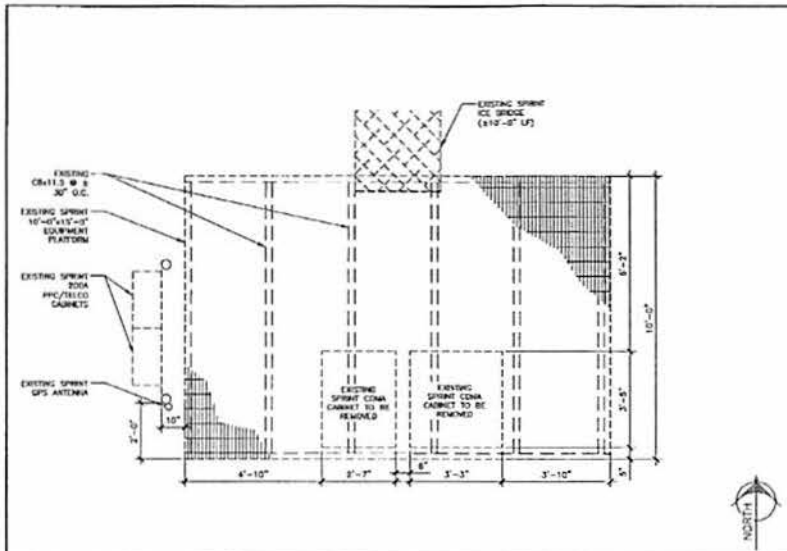
**ISSUED FOR:** CONSTRUCTION

**SHEET TITLE:** TITLE SHEET

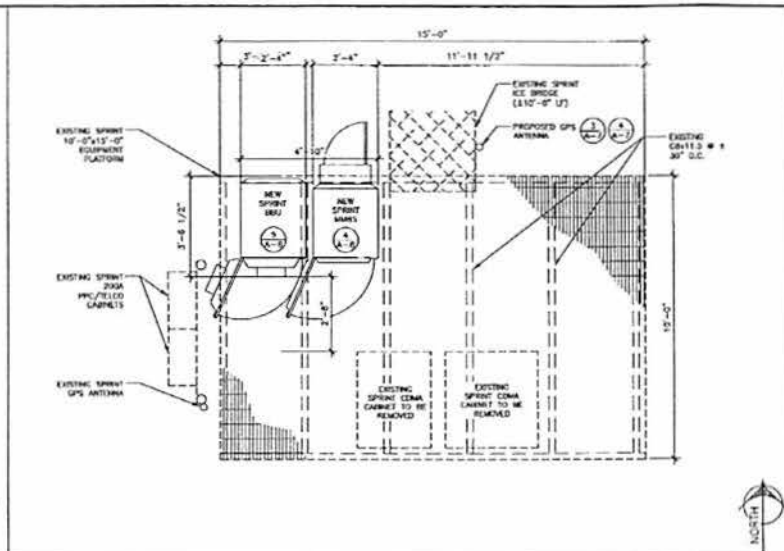
**SHEET NUMBER:** T-1

THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO CARROLL GARRETT IS STRICTLY PROHIBITED.

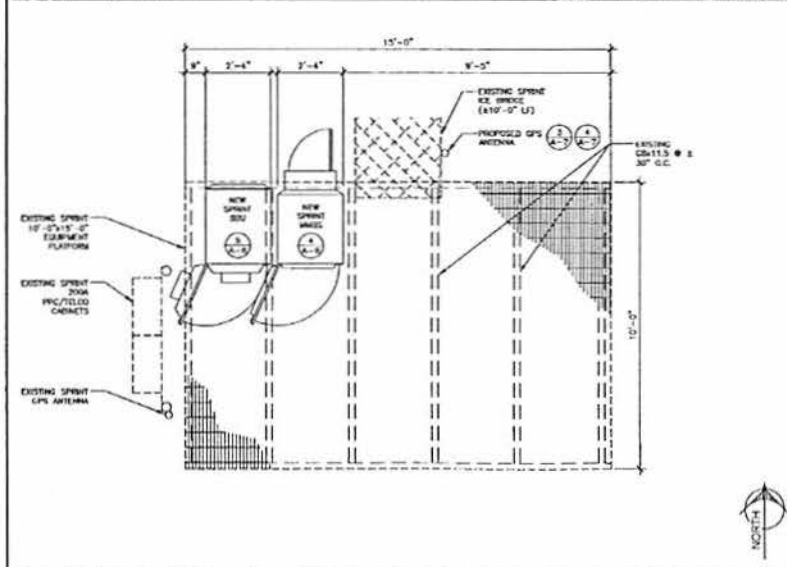




EXISTING EQUIPMENT PLAN 1



NEW TEMP. EQUIPMENT PLAN (INTERIM) 2

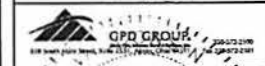


NEW EQUIPMENT PLAN (FINAL) 3

NOTE:  
STRUCTURAL ANALYSIS MUST BE PERFORMED ON ALL ROOFTOPS, FLAGPOLES AND TOWER SITES BEFORE INSTALLATION OF NEW ANTENNAS, NEW RIRLS, & NEW CABINETS/TEMPORARY PLATFORM. STRUCTURAL ANALYSIS PROVIDED BY GENERAL CONTRACTOR.

| EXISTING ITEMS TO BE REMOVED |                          |
|------------------------------|--------------------------|
| CDMA ANTENNA                 | SEE TOTAL, 2 PER SECTION |
| CDMA CABINET                 | 1                        |
| 80U CABINET                  | 1                        |
| MICROWAVE CABINET            | 0                        |
| CDMA CABLE                   | SEE TOTAL, 2 PER SECTION |

NOT USED 4



| REVISIONS |          |                         |          |
|-----------|----------|-------------------------|----------|
| REV       | DATE     | DESCRIPTION             | APPROVED |
| A         | 10/10/12 | ISSUED FOR RISE REVIEW  | SLV      |
| B         | 12/20/12 | ISSUED FOR RISE REVIEW  | JA       |
| C         | 11/14/13 | ISSUED FOR CONSTRUCTION | CHA      |
|           |          |                         |          |
|           |          |                         |          |
|           |          |                         |          |
|           |          |                         |          |
|           |          |                         |          |
|           |          |                         |          |
|           |          |                         |          |

NOT FOR CONSTRUCTION USE UNLESS LABELED AS CONSTRUCTION SET

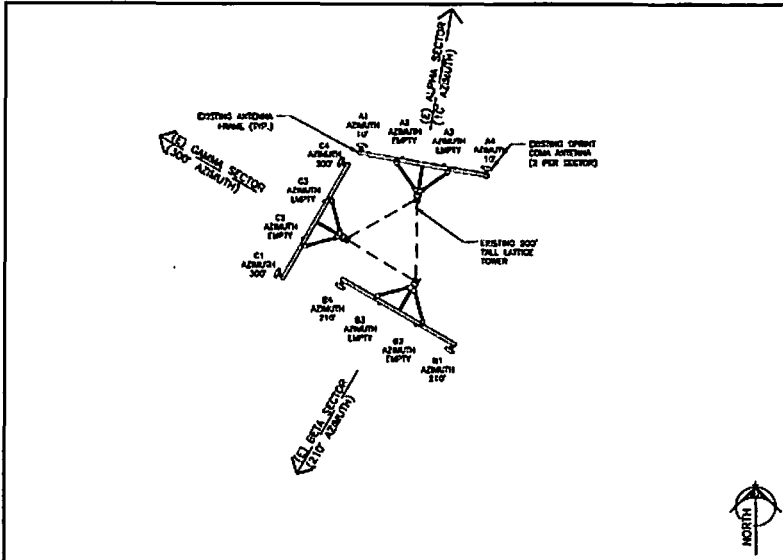
PROJECT INFORMATION:  
NETWORK VISION MMTS LAUNCH  
SITE NUMBER: ML15AL066  
SITE NAME: ALAMOSA  
SITE ADDRESS: 3333 LAKE SHORE DRIVE  
SHEBOYGAN, WI 53083  
SHEBOYGAN COUNTY

GRID REFERENCE INFORMATION:  
2012778.21282.01  
ISSUE DATE: 01-14-13

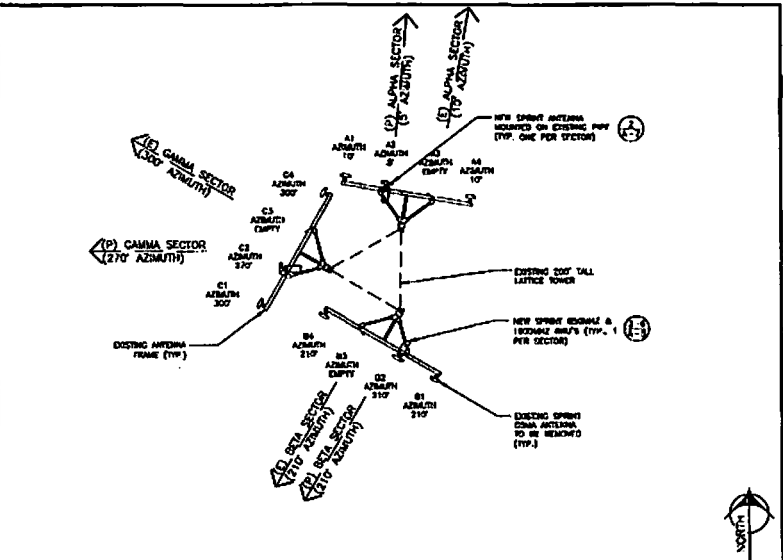
ISSUED FOR:  
CONSTRUCTION

SHEET TITLE:  
EQUIPMENT PLANS

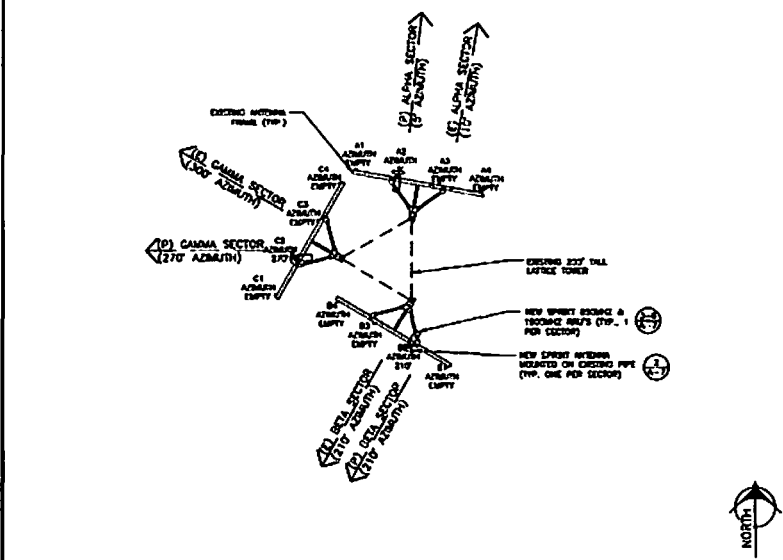
SHEET NUMBER:  
A-2



N.T.S. EXISTING ANTENNA PLAN 1



N.T.S. NEW TEMP. ANTENNA PLAN (INTERIM) 2



N.T.S. NEW ANTENNA PLAN (FINAL) 3

**NOTES:**  
 STRUCTURAL ANALYSIS MUST BE PERFORMED ON ALL ROOFTOP, FLAGPOLES AND TOWER SITES BEFORE INSTALLATION OF NEW ANTENNAS, NEW Masts, A NEW GUYWIRE/TEMPORARY PLATFORM. STRUCTURAL ANALYSES PROVIDED BY GENERAL CONTRACTOR.  
 EXISTING ANTENNAS ARE COMMON UNLESS NOTED OTHERWISE.  
 NEW SPIRIT ANTENNAS INCLUDE RESPECTIVE SITES WHICH SHALL BE MOUNTED ON THE PIPE BEHIND THE ANTENNA CLEARER TO THAT SHOWN ON DETAIL 1, SHEET A-8 PRIOR TO INSTALLATION OF RECEIVERS. PRIOR TO ATTACHING RECEIVERS AND RECEIVING SECTORS EXISTING TOWER AND TOWER FOUNDATIONS MUST BE ANALYZED BY A LICENSED STRUCTURAL ENGINEER TO VERIFY TOWER IS CAPABLE OF SUPPORTING THE NEW LOADS. REFER TO STRUCTURAL ANALYSIS BY GENERAL CONTRACTOR. CONTRACTOR SHALL REFER TO TOWER STRUCTURAL CALCULATIONS FOR RECEIVERS, LOADS, NO DECREASE OF MODIFICATION OF TOWER SHALL BE MADE WITHOUT APPROVAL OF STRUCTURAL ENGINEER.  
 FIELD VERIFY EXISTING AZIMUTH BEFORE RELOCATING THE ANTENNA, IF REQUIRED PRIOR APPROVAL FROM SPRINT TO BE OBTAINED BEFORE RELOCATION OF ANTENNAS.  
**NOTES:**  
 ALL ANTENNAS ARE TO BE ESTABLISHED CLEARANCE FROM THE TRUE NORTH MAGNETIC. CONTRACTOR SHALL VERIFY NEW ANTENNA END CENTER AND ORIENTATION WITH SPRINT GPS PRIOR TO INSTALLATION OF RECEIVERS. PRIOR TO ATTACHING RECEIVERS AND RECEIVING SECTORS EXISTING TOWER AND TOWER FOUNDATIONS MUST BE ANALYZED BY A LICENSED STRUCTURAL ENGINEER TO VERIFY TOWER IS CAPABLE OF SUPPORTING THE NEW LOADS. REFER TO STRUCTURAL ANALYSIS BY GENERAL CONTRACTOR. CONTRACTOR SHALL REFER TO TOWER STRUCTURAL CALCULATIONS FOR RECEIVERS, LOADS, NO DECREASE OF MODIFICATION OF TOWER SHALL BE MADE WITHOUT APPROVAL OF STRUCTURAL ENGINEER.

NOTES & ANTENNA SCHEDULE 4

**Sprint**  
 6301 SPRINT PARKWAY  
 OVERLAND PARK, KS 66201

**SAMSUNG**

**NEXIUS**  
 6733 WASHINGTON STREET, SUITE 2200  
 WEST ALLEN, MO 64314

**SBA**  
 SBA COMMUNICATIONS CORP.  
 5600 BRINKER SOUND PARKWAY NW  
 BOCA RATON, FL 33487

**GPDGROUP**  
 2100 South Main Street, Suite 200, Akron, OH 44308  
 330.292.9400

MEASURED  
**CARRIK KOTECKI**  
 E-41929  
 AKRON  
 OH  
 PROFESSIONAL ENGINEER  
 12/1/13

| REV | DATE     | DESCRIPTION             | BY  |
|-----|----------|-------------------------|-----|
| A   | 12/10/13 | ISSUED FOR ICE REVIEW   | JAW |
| B   | 12/20/13 | ISSUED FOR ICE REVIEW   | JAW |
| C   | 01/14/14 | ISSUED FOR CONSTRUCTION | CHM |

NOT FOR CONSTRUCTION UNLESS  
 LABELED AS CONSTRUCTION SET

PROJECT INFORMATION:  
 NETWORK: VISION MMS LAMINA  
 SITE NUMBER: ML15AL066  
 SITE NAME: ALAMOSA  
 SITE ADDRESS: 3333 LAKE SHORE DRIVE  
 SHEBOYGAN, WI 53083  
 SHEBOYGAN COUNTY

GPO REFERENCE INFORMATION:  
 2012778.21282.01

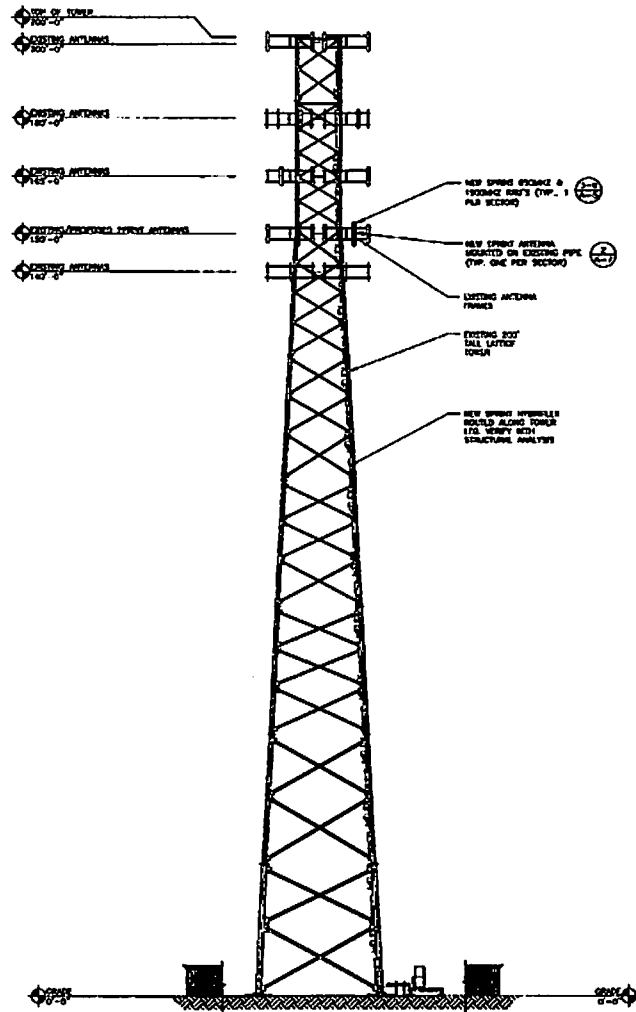
ISSUE DATE: 01-14-13

ISSUED FOR: CONSTRUCTION

SHEET TITLE:  
**ANTENNA PLANS**

SHEET NUMBER:  
**A-3**

THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DEVELOPMENT OTHER THAN THAT WHICH RELATES TO CARRIER SERVICES IS STRICTLY PROHIBITED.



NO SCALE

TOWER ELEVATION 1

THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY BY SPRINT. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO OWNER SERVICES IS STRICTLY PROHIBITED.



| REV | DATE     | DESCRIPTION             | BY |
|-----|----------|-------------------------|----|
| A   | 10/16/12 | ISSUED FOR BEE REVIEW   | JA |
| B   | 12/25/12 | ISSUED FOR BEE REVIEW   | JA |
| C   | 01/14/13 | ISSUED FOR CONSTRUCTION | CM |
|     |          |                         |    |
|     |          |                         |    |
|     |          |                         |    |
|     |          |                         |    |
|     |          |                         |    |

NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET

PROJECT INFORMATION:  
 NETWORK VISION AMBS LAUNCH  
 SITE NUMBER: ML15AL066  
 SITE NAME: ALAMOS  
 SITE ADDRESS: 3333 LAKE SHORE DRIVE  
 SHEBOYGAN, WI 53083  
 SHEBOYGAN COUNTY

GPD REFERENCE INFORMATION:  
 2012778.21282.01

ISSUE DATE:  
 01-14-13

ISSUED FOR:  
 CONSTRUCTION

SHEET TITLE:  
 TOWER  
 ELEVATION

SHEET NUMBER:  
 A-4

**III**

Res. No. \_\_\_\_\_ - 12 - 13. By Alderperson Hammond. March 18, 2013.

A RESOLUTION confirming the exercise of police power in making an assessment for those benefited properties against which assessments are proposed for Parking Assessment District I.

RESOLVED: That the assessments and schedule for the proposed assessments prepared by the City of Sheboygan for Parking Assessment District I, are hereby confirmed, and the City Clerk is authorized and directed to publish the notices required by law.

\_\_\_\_\_

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

Res. No. \_\_\_\_\_ - 12 - 13. By Alderperson Hammond. March 18, 2013.

A RESOLUTION confirming the exercise of police power in making an assessment for those benefited properties against which assessments are proposed for Parking Assessment District V.

RESOLVED: That the assessments and schedule for the proposed assessments prepared by the City of Sheboygan for Parking Assessment District V, are hereby confirmed, and the City Clerk is authorized and directed to publish the notices required by law.

\_\_\_\_\_

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

Res. No.          - 12 - 13. By Alderperson Hammond. March 18, 2013.

A RESOLUTION confirming the exercise of police power in making an assessment for those benefited properties against which assessments are proposed for Parking Assessment District IV.

RESOLVED: That the assessments and schedule for the proposed assessments prepared by the City of Sheboygan for Parking Assessment District IV, are hereby confirmed, and the City Clerk is authorized and directed to publish the notices required by law.

\_\_\_\_\_

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**

Res. No. \_\_\_\_\_ - 12 - 13. By Alderperson Hammond. March 18, 2013

A RESOLUTION confirming the exercise of police power in making an assessment for those benefited properties against which assessments are proposed for Parking Assessment District II.

RESOLVED: That the assessments and schedule for the proposed assessments prepared by the City of Sheboygan for Parking Assessment District II, are hereby confirmed, and the City Clerk is authorized and directed to publish the notices required by law.

\_\_\_\_\_

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.       - 12 - 13      . By FINANCE. March 18, 2013.

Your Committee to whom was referred R. O. No. 276-12-13 by the City Clerk submitting a claim from Joseph D. Vanderpuy for alleged damages to his home when there was a sewer backup into his basement; recommends that the claim be denied and to direct the City Attorney to send a Notice of Disallowance.

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

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

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

II

4.5

R. O. No. 276-12-13. By CITY CLERK. February 18, 2013.

Submitting a claim from Joseph D. Vanderpuy for alleged damages to his home when there was a sewer backup into his basement.

*Finance  
denys.*

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

CITY OF SHEBOYGAN NOTICE OF DAMAGE OR INJURY

**INSTRUCTIONS: TYPE OR PRINT IN BLACK INK**

- 1. Notice of death, injury to persons or to property must be filed not later than 120 days after the occurrence.
- 2. Attach and sign additional supportive sheets, if necessary.
- 3. This notice form must be signed and filed with the Office of the City Clerk.

**4. TWO ESTIMATES MUST BE ATTACHED IF YOU ARE CLAIMING DAMAGE TO A VEHICLE.**

- 1. Name of Claimant: Joseph D. Vanderpuy
- 2. Home address of Claimant: 1510 Eisner Ave.
- 3. Home phone number: 920 946 8311
- 4. Business address and phone number of Claimant: \_\_\_\_\_

5. When did damage or injury occur? (date, time of day) 1/18/13 12:00 PM

6. Where did damage or injury occur? (give full description) Residential basement

7. How did damage or injury occur? (give full description) Sanitary sewer overflow

8. If the basis of liability is alleged to be an act or omission of a City officer or employee, complete the following:

(a) Name of such officer or employee, if known: \_\_\_\_\_

(b) Claimant's statement of the basis of such liability: \_\_\_\_\_

9. If the basis of liability is alleged to be a dangerous condition of public property, complete the following:

(a) Public property alleged to be dangerous: \_\_\_\_\_

(b) Claimant's statement of basis for such liability: \_\_\_\_\_

CC: ATTY'S OFFICE, JIM AMODEO, DAVE BIEBEL, CHIEF HERMANN, LAURIE SUHRKE, WATER UTILITY

*Scanned 2-17-13*

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").

See below

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) \$ 106.00

TOTAL \$ 106.00

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 VEHICLE, LOCATION OF INDIVIDUALS, ETC.

NOTE: If diagrams below do not fit the situation, attach proper diagram and sign.

Continued from Item 10 - Sewer backup at 13<sup>th</sup> and Eisner resulted in sewage backup at 1510 Eisner. Reimbursement is being sought for the rental of cleanup equipment and labor required to correct sewage backup situation.

Rental of sewer auger @ \$46.00  
Three hours of labor @ \$20.00 hour = \$60.00

SIGNATURE OF CLAIMANT



DATE 2/6/13

BY SIGNING THIS I ACKNOWLEDGE I HAVE READ AND UNDERSTAND THE INSTRUCTIONS

DATE RECEIVED 2-4-13

RECEIVED BY L.S. Schaefer

CLAIM NO. 31-12


CLAIM

|                      |                        |                       |                               |
|----------------------|------------------------|-----------------------|-------------------------------|
| Claimant's Name:     | Joseph D. Vanderpuy    | Auto                  | \$ _____                      |
| Claimant's Address:  | 1510 Eisner Ave. _____ | Property              | \$ <u>106.00</u> _____        |
|                      | _____                  | Personal Injury       | \$ _____                      |
| Claimant's Phone No. | 920 946 8311 _____     | Other (Specify below) | \$ _____                      |
|                      |                        | <b>TOTAL</b>          | <b>\$ <u>106.00</u></b> _____ |

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

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 \$ 106.00

SIGNED 

DATE: 2/6/13

ADDRESS: 1510 Eisner Ave. Sheboygan WI 53083

BY SIGNING THIS I ACKNOWLEDGE I HAVE READ AND UNDERSTAND THE INSTRUCTIONS.

# Willard Quasius Equipment, Inc.

TOOL & EQUIPMENT SALES, SERVICE, & RENTAL  
 1938 Union Avenue Sheboygan, WI 53081  
 (920) 452-7368 Fax (920) 452-9489 WWW.QRENTS.COM

INVOICE #

44987

INVOICE DATE

To:

PAPER BOX & SPECIALTY CO  
 1505 SIBLEY CT

SHEBOYGAN WI

53081

Customer Nbr 42750  
 Phone Nbr (920) 459-2440  
 Purchase Order  
 Job Name 4 HRS

|          |          |         |  |
|----------|----------|---------|--|
| Date Out | 01/18/13 | Date In |  |
| Time Out | 11:31    | Time In |  |

Date and Time Due In 1/18/13 at 15:31

| QTY | RENTAL EQP ID # | RENTAL EQUIPMENT DESCRIPTION                 | MINIMUM RATE | DAY RATE | WEEK RATE | 4 WEEK RATE | TOTAL |
|-----|-----------------|--|--------------|----------|-----------|-------------|-------|
| 1   | 80 200 3        | 4" SEWER AUGER #3<br>WITH 2 SPOOLS AND TOOLS | 46.00/4HRS   | 68.00    |           |             |       |

|                     |                |                |           |
|---------------------|----------------|----------------|-----------|
| Rentals             | Equip Sales    | Sales          | Sub-Total |
| Pickup and Delivery | Damage Charges | Cleanup Charge |           |
| Total               |                |                |           |
| Deposits            |                |                |           |
| Balance             |                |                |           |
| Refund              |                |                |           |

I We the undersigned, do hereby rent and accept the above listed equipment and acknowledge that it is in good working condition and agree to pay a stipulated rental. If a credit card was used in payment of the deposit, I hereby authorize Quasius Equipment to apply any balance due to that same credit card. In the event that this rental contract is with a corporate entity of any type, the undersigned agrees to be personally responsible for all obligations and charges incurred herein. I agree to take care of all said equipment and to use it in a responsible manner for which the equipment was made and manufactured for. We further agree that in the event any rental equipment is lost, stolen, or destroyed before it is returned, to pay the rental company the full replacement value of said equipment in cash and if damaged, to pay all reasonable costs related to repair of same equipment. I further do hereby exonerate, indemnify, and save harmless the company, its owners, and all employees from all claims or liabilities to all parties for loss or damage to any person, persons, or property in any way arising out of or during the use of said equipment. I agree that in the event it becomes necessary for Quasius Equipment to retain legal counsel to effectuate the return of rental equipment wherever the same may be found and remove the same or to collect any amounts due here under, that I will be fully responsible for and agree to pay actual reasonable attorney fees and costs. The company or its agent shall in no way be liable for any claims or damage or injury in the removal of said equipment.

It is understood that the rental period commences at the date and time hereof and ends only when rented equipment is returned at the office, shop, or place designated during regular business hours.

Customer agrees to assume the risks of, and hold dealer harmless for, property damage and personal injuries caused by the goods or arising out of the use of the equipment rented (or sold) hereunder.

There is no warranty that the equipment is suited for the customer's intended use or that it is free of defects.

There are no warranties of merchantability or fitness whether express or implied which extend beyond the description on the face hereof.

Renter is hereby referred to provisions of section 943.20 of Wisconsin criminal code.

Signature X \_\_\_\_\_

Pay This Amount



PICKUP RECEIPT

VII

R. C. No.       - 12 - 13      . By LAW AND LICENSING. March 18, 2013.

Your Committee to whom was referred, pursuant to R. O. No. 277-12-13 by the City Clerk, submitting license applications for the period ending June 30, 2013 and June 30, 2014; recommends granting contingent upon the application being corrected, and with a warning to include all violations on future applications.

"CLASS B" LIQUOR LICENSE (June 30, 2014)

| <u>No.</u> | <u>Name</u>   | <u>Address</u>        |
|------------|---------------|-----------------------|
| 2966       | Beyond Sunset | 434 Pennsylvania Ave. |

TAXICAB OPERATOR'S LICENSE (June 30, 2013)

| <u>No.</u> | <u>Name</u>           | <u>Address</u>                     |
|------------|-----------------------|------------------------------------|
| 7320       | Lahner, Ryan D.       | 1515 N. 8 <sup>th</sup> St.        |
| 9883       | Mischler, Jessica L.  | 931 Clara Ave.                     |
| 9886       | Sonnemann, Scott A.   | 1226 S. 19 <sup>th</sup> St.       |
| 9876       | Van Sluys, Darrell L. | 1427 N. 10 <sup>th</sup> St., #321 |

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

VII

R. C. No.     - 12 - 13. By LAW AND LICENSING. March 18, 2013.

Your Committee to whom was referred, pursuant to R. O. No. 287-12-13 by the City Clerk, submitting license applications for the period ending June 30, 2013 and June 30, 2014; recommends that the following licenses be granted:

CHANGE OF AGENT

Robert Scheibl is being replaced by Anthony Fechter as agent effective March 14, 2013 for the SheVegas Nightclub.

CHANGE OF PREMISE

| <u>No.</u> | <u>Name</u>     | <u>Address</u>   |
|------------|-----------------|--|
| 2914       | T & L Northstar | 3004 N. 8 <sup>th</sup> St. - one-day event to be held 4/20/13 to include the concrete area on the south side of the building. |

"CLASS B" LIQUOR LICENSE (June 30, 2014)

| <u>No.</u> | <u>Name</u>    | <u>Address</u>  |
|------------|----------------|-----------------|
| 2969       | Hacienda Vieja | 1423 Union Ave. |

BEVERAGE OPERATOR'S LICENSE (June 30, 2014)

| <u>No.</u> | <u>Name</u>            | <u>Address</u>               |
|------------|------------------------|------------------------------|
| 7987       | Graff, Jeremiah D.     | 2010 N. 40 <sup>th</sup> St. |
| 9892       | Guyton, Jenna Leigh M. | 1103 Marshall St., Manitowoc |
| 9891       | Kiehl, Tanya L.        | N6891 Charter Rd.            |
| 9894       | Ledeboer, Morgan M.    | 42 South Ave., Oostburg      |
| 8866       | Marzahl, Nicolaus J.   | 1034 Bell Ave.               |
| 2456       | McDaniel, Michelle LD  | 2250A Calumet Dr.            |
| 8869       | Richards, Theresa M.   | 741 Killdeer Ln., Plymouth   |
| 4876       | Westenberger, Kevin J. | 1902 S. 15 <sup>th</sup> St. |

TAXICAB OPERATOR'S LICENSE (June 30, 2013)

| <u>No.</u> | <u>Name</u>            | <u>Address</u>              |
|------------|------------------------|-----------------------------|
| 9888       | Faulkner, Andria Paige | 1516 N. 9 <sup>th</sup> St. |
| 7410       | Wheeler, Rick N.       | 427A Wisconsin Ave.         |

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

VI

R. C. No.     - 12 - 13. By LAW AND LICENSING. March 18, 2013.

Your Committee to whom was referred R. O. No. 263-12-13 by the City Clerk, submitting license applications for the period ending June 30, 2013 and June 30, 2014; recommends that the following license be granted:

BEVERAGE OPERATOR'S LICENSE (June 30, 2014)

| <u>No.</u> | <u>Name</u>       | <u>Address</u>               |
|------------|-------------------|------------------------------|
| 9384       | Macedo, Robert A. | 1536 N. 35 <sup>th</sup> St. |

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

|       |            |
|-------|------------|
| _____ | _____      |
| _____ | _____      |
| _____ | _____      |
|       | 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

五

# II

## Other Matters

7.1

R. O. No. 263 - 12 - 13. By CITY CLERK. February 4, 2013.

Submitting various license applications for the period ending June 30, 2013 and June 30, 2014.

*Law & Lic.*  
*2/18/13 - grant all lic except deny Loya or call in Macedo, Orville, Oakley, West*  
*3/4/13 - hold Macedo, deny Orville, Oakley, West*  
*3/18/13 - grant Macedo*

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

BEVERAGE OPERATOR'S LICENSE (June 30, 2014)

| <u>No.</u> | <u>Name</u>                 | <u>Address</u>                  |
|------------|-----------------------------|---------------------------------|
| 9869       | Alexandroni, Dustin J.      | 828 N. Water St.                |
| 9864       | Boden, Dylan S.             | 1549 N. 23 <sup>rd</sup> St.    |
| 9863       | Brulla, William D.          | 1920 N. 9 <sup>th</sup> St., #A |
| 8888       | Buelow-Williams, Jessica A. | 111 E Rhine St., Elkhart Lake   |
| 9868       | Eisold, Derric D.           | 3414 Sheridan Ave.              |
| 6185       | Kiley, Dean H.              | 1518 N. 26 <sup>th</sup> St.    |
| hold 9384  | Macedo, Robert A.           | 1536 N. 35 <sup>th</sup> St.    |
| hold 9873  | Orville, Joshua C.          | 315 Limrick Ln.                 |
| 9867       | Petersen, Jessica M.        | 1818 N. 9 <sup>th</sup> St.     |
| 9871       | Thompson, David E.          | 6714 North Ave., Cleveland      |
| 9866       | Wargo, Mandy J.             | 1225 S. 19 <sup>th</sup> St.    |
| 2317       | Wine, Betsy                 | 2201 Erie Ave., #C208           |

TAXICAB OPERATOR'S LICENSE (June 30, 2013)

| <u>No.</u> | <u>Name</u>      | <u>Address</u>               |
|------------|------------------|------------------------------|
| deny 9127  | Loya, Abraham    | 1535 John Ct.                |
| 9872       | Loya, Janie      | 1535 John Ct.                |
| hold 9865  | Oakley, Renee A. | 830 N. 10 <sup>th</sup> St.  |
| hold 9870  | West, Derrick D. | 4246 N. 22 <sup>nd</sup> St. |

VII

R. C. No. \_\_\_\_\_ - 12 - 13. By LAW AND LICENSING. March 18, 2013.

Your Committee to whom was referred, pursuant to R. O. No. 277-12-13 by the City Clerk, submitting license applications for the period ending June 30, 2013 and June 30, 2014; recommends that Taxicab Driver's License #9882 application be placed on file as the application has been withdrawn.

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



**IX**

R. C. No.        - 12 - 13. By LAW AND LICENSING. March 18, 2013.

Your Committee to whom was referred Gen. Ord. No. 52-12-13 by Alderpersons VanderWeele, Matichek, Kath, Lessard and Lewandoske amending Section 130-61 of the City of Sheboygan Municipal Code so as to create and clarify regulations related to taxicabs in the city (fares); recommends that the 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

~~V~~

7.4

Gen. Ord. No. 52- 12 - 13. By Alderpersons VanderWeele, Matichek, Kath, Lessard and Lewandoske. March 4, 2013.

AN ORDINANCE amending Section 130-59 of the City of Sheboygan Municipal Code so as to create and clarify regulations related to taxicabs in the city.

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

Section 1. Section 130-59 of the Sheboygan Municipal Code entitled "Regulations" is hereby repealed and recreated in subsection (d)(2) thereof to read as follows:

"Sec. 130-59. *Regulations.*

. . .

(d) Fares.

. . .

(2) No person may operate a taxicab, nor may any holder of a taxicab business license permit the operation of a taxicab, unless a schedule of charges is posted within said taxicab corresponding to the statement of fares and charges filed with the city clerk and in effect. The posted schedule shall be posted in such a way so as to allow any passenger or passengers being conveyed to readily read such fares or charges. The schedule shall specifically list all charges, including the rate per 1/8 mile traveled, any charge for waiting time, and any additional charges including any extra charges for luggage, packages, grocery bags, and additional passengers."

Section 2. Section 130-59 of the Sheboygan Municipal Code entitled "Regulations" is hereby repealed and recreated in subsection (d)(5) thereof to read as follows:

"Sec. 130-59. *Regulations.*

. . .

(d) Fares.

. . .

(5) Each taxicab shall at all times be equipped with an accurate and dependable taxi meter designed or intended to

*[Signature]*  
approve

measure the distance traveled in increments of 1/8 mile, register the time the vehicle is in waiting, and to record the charge or fare therefor. Such taxi meter must be placed as to be readily visible to passengers and shall be maintained in good operating condition at all times. Each taxi meter is subject to the standards and fees set forth in Chapter 138 of this Code. No person may operate a taxicab, nor may any holder of a taxicab business license permit the operation of a taxicab, unless the required taxi meter is installed and operational."

Section 3. Section 130-59 of the Sheboygan Municipal Code entitled "Regulations" is hereby repealed and recreated in subsection (d)(6) thereof to read as follows:

"Sec. 130-59. *Regulations.*

. . .

(d) *Fares.*

. . .

(6) No person may operate a taxicab, nor may any holder of a taxicab business license permit the operation of a taxicab, unless and until the taxi meter has been properly inspected, certified, and sealed, or to use such vehicle when the taxi meter license has been suspended or revoked. The removal of a taxi meter from a vehicle, the breaking of the seal, or the use of a taxi meter in a vehicle different than the vehicle in which the meter was inspected, certified, and sealed, is prohibited."

Section 4. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

\_\_\_\_\_  
*Scott Lewandowski*  
\_\_\_\_\_  
*Dusan J. Lissard*  
\_\_\_\_\_  
*Julie Kath*  
\_\_\_\_\_  
*[Signature]*

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

**IV**

R. C. No. \_\_\_\_\_ - 12 - 13. By LAW AND LICENSING. March 18, 2013.

Your Committee to whom was referred Gen. Ord. No. 53-12-13 by Alderpersons VanderWeele, Matichek, Kath, Lessard and Lewandoske amending Section 130-61 of the City of Sheboygan Municipal Code so as to create and clarify regulations related to taxicabs in the city (issuance); recommends that the 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

~~IX~~

7.5

Gen. Ord. No. 53 - 12 - 13. By Alderpersons VanderWeele, Matichek, Kath, Lessard and Lewandoske. March 4, 2013.

AN ORDINANCE amending Section 130-61 of the City of Sheboygan Municipal Code so as to create and clarify regulations related to taxicabs in the city.

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

Section 1. Section 130-61 of the Sheboygan Municipal Code entitled "Issuance" is hereby repealed and recreated in subsection (b) to read as follows:

"Sec. 130-61. *Issuance.*

. . .

(b) Beginning on January 1, 2014, the license year under this division shall commence on January 1 and shall end on December 31 of any year. To accommodate the date change, the license year that began on July 1, 2012 shall end on December 31, 2013."

*[Signature]*  
approve

Section 2. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

\_\_\_\_\_  
*Scott Lewandowski*  
\_\_\_\_\_  
*Susan J. Spoor*  
\_\_\_\_\_  
*Julie Kath*  
\_\_\_\_\_

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



R. C. No. \_\_\_\_\_ - 12 - 13. By PUBLIC PROTECTION AND SAFETY. March 18, 2013.

Your Committee to whom was referred Com. No. 15-12-13 from Andrea Yakich regarding her concerns over the accidents that have occurred at the corner of 1002 Mead Ave.; recommends that the document be placed on file.

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

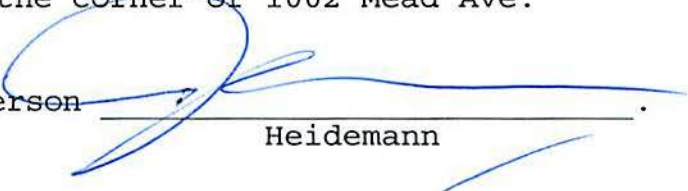
Approved \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, Mayor

I

3.1

Com. No. 15 - 12 - 13. February 18, 2013.

Submitting a communication from Andrea Yakich regarding her concerns over the accidents that have occurred at the corner of 1002 Mead Ave.

Presented to the Common Council by Alderperson .  
Heidemann

~~PP+5~~  
Jill

## Richards, Sue

---

**From:** Alderperson Joseph Heidemann  
**Sent:** Monday, February 11, 2013 2:38 PM  
**To:** Richards, Sue  
**Subject:** FW: 4 way stop on 10th & mead ave.

Sue,

Please make sure this gets to our next Council meeting. Thank you. Also she will be notified when it come to committee?

Joe Heidemann

---

**From:** Ayakich [ayakich81@gmail.com]  
**Sent:** Monday, February 11, 2013 1:35 PM  
**To:** Alderperson Joseph Heidemann  
**Subject:** 4 way stop on 10th & mead ave.

Mr. Heidemann or whom it may concern,

My name is Andrea Yakich, I live at 1002 mead ave. I've lived at this address for just over 3 years now, and my concern is the accidents that have occurred on this corner. I can recall at least three accidents within this time, plus multiple occasions of people running the stop sign just missing a bad crash. The latest accident occurred last week, and one driver was taken by ambulance! I would like to see a four way stop, with stop ahead signs. With having the church, and the park, there are always a lot of cars and children crossing street. I hope I never have to witness a fatal crash while at my home. Please help make our neighborhood safe.

If there is anything I need to do, please feel free to contact me via email, or phone (920)627-2278

Thank you,  
Andrea Yakich

Sent from my iPad

**VI**

R. C. No.           - 12 - 13          . By PUBLIC PROTECTION AND SAFETY. March 18, 2013.

Your Committee to whom was referred Com. No. 18-12-13 from Tracy Nelson stating concerns over the confusion on her needing a Clearwater Certificate; recommends that the document be placed on file.

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

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

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

I

3.2

Com. No. 18 - 12 - 13. March 4, 2013.

Submitting a communication from Tracy Nelson stating concerns over the confusion on her needing a Clearwater Certificate.

Presented to the Common Council by Alderperson



Heidemann

~~PP#5.~~  
Jue

**Richards, Sue**

---

**From:** Alderperson Joseph Heidemann  
**Sent:** Monday, February 25, 2013 12:08 PM  
**To:** Richards, Sue  
**Subject:** FW: Clearwater Certificate

Sue,

I want this item to come to committee. Thank you.

Joe Heidemann

---

**From:** Tracy Nelson [tnelson3373@att.net]  
**Sent:** Monday, February 25, 2013 10:40 AM  
**To:** Alderperson Joseph Heidemann  
**Cc:** Alderperson Joseph Heidemann  
**Subject:** Clearwater Certificate

Dear Alderman Heidemann,

I am writing to discuss a letter I received from the building inspection department dated Feb. 18, 2013. It stated that I sold, transferred, or conveyed a property that a Clearwater Certificate was not obtained. I however, did for some time have my house on the market, but when was unable to sell it, took it off. My ex-husband and I then decided to have me refinance the house and his name would be taken off the mortgage. I have lived in this house for 15 years, during which we had the "great flood" and had been since hooked up to storm sewers. So I see no need for the buiding inspector to come out and issue such a permit. Thankyou for your time.

Sincerely,

Tracy Nelson  
920.918.7731  
[tnelson3373@att.net](mailto:tnelson3373@att.net)

**VI**

R. C. No.            - 12 - 13. By PUBLIC PROTECTION AND SAFETY. March 18, 2013.

Your Committee to whom was referred R. O. No. 288-12-13 by Building Inspection Department submitting their report for the month of January 2013; recommends that the document be accepted and placed on file.

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

II

4.1

R. O. No. 288 - 12 - 13. By BUILDING INSPECTION DEPARTMENT. March 4, 2013.

We hereby submit the report of the Building Inspection report for the month of January 2013.

PP-5  
acc file

*Susan Richards*

---

City Clerk

| CASH RECEPITS                     | NUMBER OF PERMITS  |                    |
|-----------------------------------|--------------------|--------------------|
|                                   | 2013               | 2012               |
| Contractors Licenses              | \$4,400.00         | \$10,585.00        |
| Building Permits                  | \$6,035.80         | \$13,130.00        |
| Projecting Sign Fees              |                    |                    |
| Electrical Permit Fees            | \$8,355.00         | \$6,685.00         |
| Heating Permit Fees               | \$2,480.00         | \$3,710.00         |
| Sales Tax                         | \$1.09             | \$0.90             |
| Plumbing Permit Fees              | \$1,288.00         | \$1,864.00         |
| Sewer Permit Fees                 |                    |                    |
| Occupancy Permit Fees             | \$750.00           | \$150.00           |
| Board of Appeals                  |                    |                    |
| Misc. General Revenue             | \$24.41            | \$38.10            |
| Plan Examining Fees               | \$700.00           | \$1,300.00         |
| Code Books                        |                    |                    |
| State Stamps                      |                    |                    |
| Rooming House Permits             | \$260.00           |                    |
| Erosion Control Fees              |                    |                    |
| Penalty Fees                      | \$930.00           | \$41,175.00        |
| Cash Over, Short or Refund        | (\$7.00)           | (\$45.00)          |
| Contractors Escrow                | (\$1,316.00)       | (\$484.00)         |
| Weights & Measure License         | \$6,925.00         | \$5,393.00         |
| Clearwater Inspection Fees        | \$4,720.00         | \$960.00           |
| <b>GRAND TOTALS OF THE ABOVE:</b> | <b>\$35,546.30</b> | <b>\$84,462.00</b> |

| CLASSIFICATIONS                    | NUMBER OF PERMITS |            | COST OF CONSTRUCTION |                        | PERMIT FEES         |                     |
|------------------------------------|-------------------|------------|----------------------|------------------------|---------------------|---------------------|
|                                    | 2013              | 2012       | 2013                 | 2012                   | 2013                | 2012                |
| One-Family Residence               |                   |            |                      |                        |                     |                     |
| Two-Family Residence               |                   |            |                      |                        |                     |                     |
| Condominium                        |                   |            |                      |                        |                     |                     |
| Garages, Carports                  |                   |            |                      |                        |                     |                     |
| New Commercial                     |                   |            |                      |                        |                     |                     |
| New Misc - Non Residential         |                   |            |                      |                        |                     |                     |
| Storage Bldgs - Residential        |                   | 1          |                      | \$ 1,600.00            |                     | \$ 50.00            |
| Storage Bldgs - Commerical         |                   |            |                      |                        |                     |                     |
| Alterations & Add'ns - Residential | 42                | 54         | \$ 305,430.00        | \$ 492,099.00          | \$ 3,685.80         | \$ 5,550.00         |
| Alterations & Add'ns - Commercial  | 9                 | 9          | \$ 93,469.00         | \$ 909,900.00          | \$ 1,070.00         | \$ 6,680.00         |
| Wrecking                           | 1                 | 1          | \$ 1,000.00          | \$ 650.00              | \$ 50.00            | \$ 50.00            |
| Moving                             |                   |            |                      |                        |                     |                     |
| Signs                              | 11                | 7          | \$ 54,774.00         | \$ 21,425.00           | \$ 980.00           | \$ 700.00           |
| Fences/Pools/Decks/Driveways       |                   | 1          |                      | \$ 4,100.00            |                     | \$ 50.00            |
| Tanks                              |                   |            |                      |                        |                     |                     |
| Miscellaneous                      | 4                 | 1          |                      |                        | \$ 250.00           | \$ 50.00            |
| <b>TOTALS</b>                      | <b>67</b>         | <b>74</b>  | <b>\$ 454,673.00</b> | <b>\$ 1,429,774.00</b> | <b>\$ 6,035.80</b>  | <b>\$ 13,130.00</b> |
| <b>PERMIT TYPES</b>                |                   |            |                      |                        |                     |                     |
| Electrical                         | 57                | 32         | \$ 243,951.40        | \$ 244,275.00          | \$ 8,355.00         | \$ 6,685.00         |
| Heating                            | 46                | 45         | \$ 150,103.00        | \$ 188,717.25          | \$ 2,480.00         | \$ 3,710.00         |
| Plumbing                           | 25                | 26         |                      |                        | \$ 1,288.00         | \$ 1,864.00         |
| Sewer                              |                   |            |                      |                        |                     |                     |
| <b>TOTALS</b>                      | <b>128</b>        | <b>103</b> | <b>\$ 394,054.40</b> | <b>\$ 432,992.25</b>   | <b>\$ 12,123.00</b> | <b>\$ 12,259.00</b> |
| <b>GRAND TOTALS OF THE ABOVE:</b>  | <b>195</b>        | <b>177</b> | <b>\$ 848,727.40</b> | <b>\$ 1,862,766.25</b> | <b>\$ 18,158.80</b> | <b>\$ 25,389.00</b> |

**VI**

R. C. No. \_\_\_\_\_ - 12 - 13. By PUBLIC PROTECTION AND SAFETY. March 18, 2013.

Your Committee to whom was referred R. O. No. 289-12-13 by the City Clerk submitting a communication from the Rockets for Schools program confirming the dates for the annual Rockets for Schools Program at Blue Harbor resort; recommends that the document be accepted and placed on file and to confirm the dates.

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

II

Other Matters

9.2

R. O. No. 289 - 12 - 13. By CITY CLERK. March 4, 2013.

Submitting a communication from Frank Nobile, Board Member of the Rockets for Schools program confirming the dates for the annual Rockets for Schools Program at the Blue Harbor Resort. The event will begin Friday morning, May 3<sup>rd</sup> and end at 6 p.m. on Saturday, May 4, 2013.

PP+5  
↓  
Pub. Wks.  
approve

Susan Richards  
City Clerk

## **Richards, Sue**

---

**From:** maxq3@aol.com  
**Sent:** Sunday, March 03, 2013 8:00 PM  
**To:** Richards, Sue; "<SRichards">@ci.sheboygan.wi.us  
**Subject:** Rockets for School  
**Attachments:** Sheboygan Police.doc; Fire Department.doc

Hi Sue,

My name is Frank Nobile. I'm on the board of the Rockets for Schools program. It was understood by Daniel Bateman that you will be coordinating our request for city attention to the Rockets for School program this year. I have an attachment that I've used in the past to notify the city fire dept, city police. I generally personally called the parks Dept office to request for the rest rooms to be open by the Blue Harbor parking area, barricades and sandbags (need 30 bags this year)

Please give me a call if you need more details

Thank you,

Frank Nobile  
262-227-9283

March 4, 2013

To the Sheboygan, WI Police Department.

Dear Captain Cobb,

I am confirming the following dates for the annual Rockets for Schools Program at the Blue Harbor Resort. This year's event will begin Friday morning, May 3<sup>rd</sup> and end at 6 pm on Saturday, May 4 2013.

As requested in the past we will need the north and the south pier closed for fishing and recreational use beginning at 6 am Saturday, May 4<sup>th</sup>. The student's rocket will be launched from the south pier beginning around 8am.

We appreciate your services and hope this year's event is safe and successful.

Thank you,

Frank Nobile  
Rockets for Schools  
3468 George Court  
West Bend, WI 53095  
262-227-9283

March 4, 2013

To the Sheboygan, WI Fire Department.

Dear Mr. Butler,

I am notifying you as requested that, our Annual Launch for the Rockets for Schools Program will be taking place this year at the South Pier at 9 am located near the Blue Harbor Resort on Saturday, May 4<sup>th</sup>, 2013.

As in the past if available, we would like one of your departments available near the south pier.

Thank You,

Frank Nobile  
Rockets for Schools - Committee  
262-227-9283

**IX**

R. C. No. \_\_\_\_\_ - 12 - 13. By PUBLIC PROTECTION AND SAFETY. March 18, 2013.

Your Committee to whom was referred Gen. Ord. No. 49-12-13 by Alderperson Van Akkeren creating parking limits so as to add a 15-minute parking limit on the north side of St. Clair Ave. between N. 7<sup>th</sup> St. and N. 6<sup>th</sup> St.; recommends that the 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

**X**

7.2

Gen. Ord. No. 49 - 12 - 13. By Alderperson Van Akkeren. February 18, 2013.

AN ORDINANCE creating parking limits so as to add a 15-minute parking limit on the north side of St. Clair Avenue between N. 7th Street and N. 6th Street.

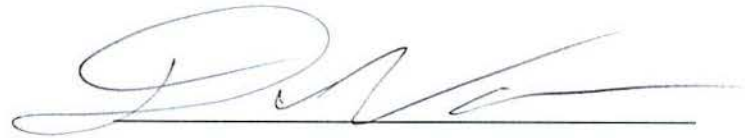
THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Pursuant to Section 118-126 of the Municipal Code entitled, "Prohibitions and Restrictions Authorized", parking on the north side of St. Clair Avenue from 95 feet west of the west curb line of N. 6<sup>th</sup> Street to 15 feet east of N. 7<sup>th</sup> Street shall be limited to 15 minutes.

Section 2. The Department of Public Works and the Police Department are hereby authorized and directed to install the signs to give notification of the aforementioned parking restriction.

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.

*PP+5  
approve*



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

**VII**

R. C. No. \_\_\_\_\_ - 11 - 12. By PUBLIC WORKS. March 18, 2013.

The Public Works Committee met and discussed authorizing the appropriate City Officials to give permission to Harold Biebel, "Pop's Corn", to operate a popcorn stand in Fountain Park during the calendar year 2013, in accordance with City Code Section 74-54. (see attached agreement)

As the park system is intended for the benefit of the general public, authorization for vending is limited to services consistent with this intent and the vendor is required to strictly adhere to the rules set up by the Dept. of Public Works.

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

March 5, 2013



TO: Harold Biebel  
2442 Cross Creek Drive  
Sheboygan, WI 53081

This constitutes permission to operate a popcorn stand in Fountain Park during calendar year 2013, in accordance with City Code Section 74-54.

As the park system is intended for the benefit of the general public, authorization for vending is limited to services consistent with this intent and the vendor is required to strictly adhere to the conditions as follows.

1. **Transient Merchant License:** A City of Sheboygan transient merchant license shall be obtained from the office of the City Clerk.
2. **Location:** The permit to vend in Fountain Park is approved as the land use in the area of the park is consistent with commercial activity. The cart will be allowed in the area shown on the attached site map. The cart shall not obstruct pedestrian movement. The Public Works Department may require temporary relocation to accommodate special events in the park. To the extent the services provided remain consistent with the activities in the park, the department will provide the location and electrical outlet.
3. **Vending:** The permit is approved for the activities outlined in your correspondence of February 16, 2010 (attached). As indicated the popcorn cart shall be designed with a function and aesthetic consistent with the park setting. The cart shall be removed within one week of the discontinuance of sales.
4. **Hours of Operation:** The vending cart may be operated during the regular City park hours. The stand shall be open for business a sufficient number of hours to demonstrate ongoing service to the public. An indication, including that demonstrated by operating hours, that the permit is used only to gain access to or compete for revenue with special events authorized in Fountain Park will be reason to revoke the permit.
5. **Cancellation:** The Public Works Department retains the right to revoke the permit for non-compliance with the conditions, failure to maintain the cart and site or any disruption to the general use of the Park that the vending may cause.
6. **Insurance:** The vendor shall provide proof of liability insurance.

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David H. Biebel,  
Director of Public Works

---

Acknowledgement of Conditions

**VI**

R. C. No. \_\_\_\_\_ - 12 - 13. By PUBLIC WORKS. March 18, 2013.

Your Committee to whom was referred a copy of R. O. No. 289-12-13 by the City Clerk submitting a communication from the Rockets for Schools program confirming the dates for the annual Rockets for Schools Program at the Blue Harbor resort; recommends that the document be accepted and placed on file and to confirm the dates.

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

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

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

II

Other Matters

9.2

R. O. No. 289-12-13. By CITY CLERK. March 4, 2013.

Submitting a communication from Frank Nobile, Board Member of the Rockets for Schools program confirming the dates for the annual Rockets for Schools Program at the Blue Harbor Resort. The event will begin Friday morning, May 3<sup>rd</sup> and end at 6 p.m. on Saturday, May 4, 2013.

PP+5

Pub-works

As a file  
approve

Susan Richards  
City Clerk

## **Richards, Sue**

---

**From:** maxq3@aol.com  
**Sent:** Sunday, March 03, 2013 8:00 PM  
**To:** Richards, Sue; "<SRichards"&@ci.sheboygan.wi.us  
**Subject:** Rockets for School  
**Attachments:** Sheboygan Police.doc; Fire Department.doc

Hi Sue,

My name is Frank Nobile. I'm on the board of the Rockets for Schools program. It was understood by Daniel Bateman that you will be coordinating our request for city attention to the Rockets for School program this year. I have an attachment that I've used in the past to notify the city fire dept, city police. I generally personally called the parks Dept office to request for the rest rooms to be open by the Blue Harbor parking area, barricades and sandbags (need 30 bags this year)

Please give me a call if you need more details

Thank you,

Frank Nobile  
262-227-9283

**March 4, 2013**

**To the Sheboygan, WI Police Department.**

**Dear Captain Cobb,**

**I am confirming the following dates for the annual Rockets for Schools Program at the Blue Harbor Resort. This year's event will begin Friday morning, May 3<sup>rd</sup> and end at 6 pm on Saturday, May 4 2013.**

**As requested in the past we will need the north and the south pier closed for fishing and recreational use beginning at 6 am Saturday, May 4<sup>th</sup> . The student's rocket will be launched from the south pier beginning around 8am.**

**We appreciate your services and hope this year's event is safe and successful.**

**Thank you,**

**Frank Nobile  
Rockets for Schools  
3468 George Court  
West Bend, WI 53095  
262-227-9283**

March 4, 2013

To the Sheboygan, WI Fire Department.

Dear Mr. Butler,

I am notifying you as requested that, our Annual Launch for the Rockets for Schools Program will be taking place this year at the South Pier at 9 am located near the Blue Harbor Resort on Saturday, May 4<sup>th</sup>, 2013.

As in the past if available, we would like one of your departments available near the south pier.

Thank You,

Frank Nobile  
Rockets for Schools - Committee  
262-227-9283

**VI**

R. C. No. \_\_\_\_\_ - 12 - 13. By PUBLIC WORKS. March 18, 2013.

Your Committee to whom was referred R. O. No. 290-12-13 by the City Clerk submitting a communication from Hameister Architects, Inc., requesting permission to modify the roadway median in the Washington Ave. right-of-way between Taylor Dr. and Greenwing Dr. (American Orthodontics South Plant); recommends that the document be accepted and placed on file and to approve the request.

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

4.3

R. O. No. 290-12-13. By CITY CLERK. March 4, 2013.

Submitting a communication from Hameister Architects, Inc., requesting permission to modify the roadway median in the Washington Ave. right-of-way between Taylor Dr. and Greenwing Dr. (American Orthodontics South Plant).

*PW.*  
*see file*  
*& approve*

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

FEB 27 '13 PM 4:52

American Orthodontics South Plant  
3524 Washington Avenue  
Sheboygan, Wisconsin 53081

Dear Mr. Mayor Van Akkeren and Common Council Members:

We hereby request permission to modify the roadway median in the Washington Avenue Right-of-Way between Taylor Drive and Greenwing Drive. See attached Miller Engineers and Scientists drawings "South Central Entrance" sheet 1 of 1 and sheet 1 of 2 dated 26 February 2013, including 9 sheets of specifications. Also attached, for reference purposes only, is Hameister Architects' American Orthodontics "Overall Site Plan" dated, 26 February 2013.

Narrative describing proposed modifications:

- Median Modification and Round-About on American Orthodontics Property: Entrance Drives and Round-About relocated to Align with center of Entrance to American Orthodontics Building. This change will increase traffic safety by designating divided lanes for entering and exiting from Washington Avenue.
- Median Cut Relocation on Washington Avenue. This change will increase traffic safety by being further from South Taylor Drive and allowing for additional stacking lane length.

Sincerely,



DuWayne R. Hameister, AIA—Hameister Architects, Inc.

## Bituminous Pavement Mix Design Requirements

The contractor shall install the following mainline and intersection mixtures using the following table:

| <b>Street</b>                 | <b>Mainline Mix</b> | <b>Intersection Mix</b> | <b>Binder</b> |
|-------------------------------|---------------------|-------------------------|---------------|
| N & S 13 <sup>th</sup> Street | E-3                 | E-3                     | PG 64-22      |
| New Jersey Avenue             | E-10                | E-10                    | PG 64-28      |
| High Avenue                   | E-1                 | E-1                     | PG 64-22      |
| Washington Avenue             | E-10                | E-10                    | PG 64-28      |
| S. Business Drive/Cty Trk OK  | E-10                | E-10                    | PG 64-28      |
| Union Ave.                    | E-3                 | E-3                     | PG 64-22      |

- The thickness of each bituminous layer is specified in the finished cross-sections of the plan set.

### **Bridge (Cty Trk OK)**

See technical specifications for R-50, sealer and tack coat.

**5. Cleaning**

Before any pavement mixtures are laid, the existing base shall be thoroughly cleaned of all soil, clay or loose and foreign matter by brooming and/or water under pressure.

**MILLING OF EXISTING ASPHALTIC SURFACES WHERE SPECIFIED**

**1. Equipment**

This item shall consist of milling the asphalt surface course with approved equipment.

**2. Traffic Management During Milling**

Two lanes of traffic shall be maintained at all times.

**3. Milled Material**

All millings shall become the property of the City of Sheboygan. The contractor shall haul the millings to the site known as the "7-up site" (generally located off of S. 32<sup>nd</sup> St. between Washington Ave. and Crocker Ave). Also the contractor will be required to push the milling into a pile as large as practical.

**4. Payment for Milling**

Payment shall be by the square yard of surface milled. The unit bid price for milling shall include hauling, depositing and piling the material.

**TACK COAT**

**1. Material**

A tack coat consisting of standard SS I Emulsion or approved equal shall be applied at contract surfaces along the face of curbs and at joints where new sheet asphalt will be "feathered out" at termination of work.

**2. Rate of Application**

A tack coat consisting of standard SS I Emulsion or approved equal shall be applied on all ground or planed surfaces at the rate of .025 to .05 gallon per square yard.

**3. Payment**

Payment shall be by the gallon.

**BINDER COURSE**

**1. Material Type and Thickness**

The pavement shall be brought to grade by using binder courses, each course not to exceed two (2") inches in thickness.

Binder shall conform to the State Highway Commission of Wisconsin, Standard Specifications for Highway and Structure Construction, 2003 Edition, Section 450.

## **2. Recycled Asphalt**

Recycled asphalt may be used in the binder course under this contract. It is the responsibility of the contractor to blend the material with new aggregates and bituminous mixture to meet the specifications for bituminous binder mixture.

## **3. Bitumen**

Payment for bitumen shall be included in the price of binder course.

## **4. Mixing and Laydown Equipment**

The contractor shall use an acceptable batch type asphalt plant that meets the requirements of Section 450 and related sections. All pavers, rollers and other laydown equipment shall meet the pertinent requirements of Section 450, 455, 460 and 465 of the Specifications.

## **5. Construction Methods**

Bituminous material shall be applied only during daylight hours and when the air temperature is 40 deg. F. or more, and when the surface of the previously prepared roadbed, base or existing surface is dry and free of loose dirt, dust or other foreign matter. It shall not be applied when the weather or roadbed conditions are unfavorable, or prior to impending rains when it appears probable that the material may be exposed to the rains during the penetration period.

## **6. Payment for Bituminous Material**

The contractor shall deliver to the City's representative a receipt for each truck load of bituminous material delivered to the job site, showing the type of material, weight, and location of placement.

# **ADJUST UTILITIES**

## **1. Structures to be Adjusted**

Wherever present structures, such as manhole frames, surface inlets, water valve boxes, etc., are not at the correct elevation, the contractor shall adjust such structure to the new grade. The use of cast iron manhole adjusting rings will not be permitted. Private utilities, such as telephone, gas and electric companies, shall adjust or relocate all privately owned facilities to fit the new construction. Adjustment of water stop boxes

in the pavement will be paid at unit price for water valve adjustment. Stop box adjustments behind the front face of the curb shall be incidental to the contract.

## **2. Construction Methods**

Specifications for Underground Utility Work Section 8.A., items 1, 2, 3, and 4 shall apply to adjustments of utilities.

## **SURFACE COURSE**

### **1. Time of Placement**

It is the intent of these specifications that all binder courses on all project locations be completed before any surface course be placed at any project location, except that the contractor may employ a second full paving crew to place surface courses while the primary crew is placing the binder course. Asphalt surface courses shall be placed on locations only after underground utility work and curb and gutter repairs are completed.

### **2. Material Type and Thickness**

Surface course shall be 1-1/2" thick and shall conform to the Highway Commission of Wisconsin, Standard Specifications for Highway and Structure Construction, 2003 Edition, Section 460, using the mix design for the specified mix.

### **3. Additional Requirements**

Section F, items 3, 4, 5, and 6 shall also apply for Surface Course material and placement.

## **ASPHALTIC CONCRETE PAVEMENT, SUPERPAVE**

### **1. Description**

This work shall consist of designing, mixing, placing and compacting a Superpave asphaltic concrete pavement consisting of 1/2" nominal maximum size mixture for the single layer on the approved existing surface in accordance with the specifications and in reasonably close conformity with the lines, grades, thicknesses and typical cross sections shown on the plans or established by the engineer.

The requirements of Section 460, Asphaltic Concrete Pavement and Section 450-465, Plant Mixed Asphaltic Bases, Surfaces and Pavements – General Requirements, shall be applicable to this work, except as hereinafter otherwise stipulated. If any inconsistencies exist, the requirements of AASHTO MP2, Standard Specification for Superpave Volumetric Mix Design and AASHTO PP28, Standard Practice for Designing Superpave HMA shall govern.

### **2. Materials**

General: All materials used in this work shall conform to the requirements designated in Sections 450-465 for the particular material specified, except as hereinafter otherwise or additionally stipulated.

### 3. Aggregates

The aggregates shall meet the following properties:

| Characteristic   | Requirement                      | Test Method                   |
|--|----------------------------------|-------------------------------|
| Coarse Aggregate Angularity, % Crushed Particles, (by count); min. | 75% one face                     |                               |
| Flat, Elongated Particles, % (by weight); max.                     | 10%                              | ASTM D4791                    |
| Fine Aggregate Angularity, % Air Voids; min.                       | 40%                              | AASHTO TP 33<br>Test Method A |
| Clay Content, Sand Equivalent; min.                                | 40%                              | AASHTO T 176                  |
| Los Angeles Abrasion, % Wear; max.                                 | 45% @ 500 rev.<br>13% @ 100 rev. | AASHTO T 96                   |
| Soundness of Aggregates, % Loss; max.                              | 12%                              | AASHTO T 104                  |
| Deleterious Materials, % (by weight); max.                         | 1%                               | AASHTO T 112                  |

### 4. Aggregate Gradation Master Range

The aggregates, including mineral filler when required, shall conform to the following gradation requirements.

The gradation values listed are the extreme limits for design purposes. Production testing tolerances may allow mixture production values that exceed the aggregate master range.

#### Gradation\*

| Sieve Size | 12.5 mm  |
|------------|----------|
| 25.0 mm    |          |
| 19.0 mm    | 100      |
| 12.5 mm    | 90 – 100 |
| 9.5 mm     | 90 max.  |
| 4.75 mm    |          |
| 2.36 mm    | 28 – 58  |
| 1.18 mm    |          |
| 600 µm     |          |
| 300 µm     |          |
| 75 µm      | 2 – 10   |

\*Percent passing of total aggregate weight

**5. Antistripping Additives**

Antistripping additives shall conform to the requirements of Subsection 460.2.4.2.

**6. Asphaltic Material**

The asphaltic material shall be Asphalt Type PG as specified in the contract.

**7. Composition of Pavement Mixtures**

The asphaltic mixture shall be composed of a homogeneous mixture of coarse aggregate, fine aggregate and asphaltic material.

The contractor shall submit, for each course and for the engineer's review, an asphaltic mixture design meeting all necessary criteria consistent with Section 460 of the Standard Specifications and shall be signed by a Certified Asphaltic Technician Level III. The Department will review the quality of the aggregate, the asphaltic mixture design and issue a report. The asphaltic mixture design shall be in effect until the contractor requests changes in writing and approved by the engineer.

**8. Design Criteria**

The design criteria used for the design of the 12.5 mm nominal size mixture for the single layer shall be based on a 20 year design. ESAL count as specified in the table.

**9. Asphaltic Concrete Pavement, Superpave Density**

Density will be determined according to Subsection 460.3.3 following the requirements for Asphaltic Concrete Pavement, Type E-1, E-3 or E-10.

**10. Method of Measurement**

Asphaltic Concrete Pavement, Superpave will be measured by the ton in accordance with Subsection 405.4. Asphaltic materials required for and incorporated into the mixture will be measured by the gallon or ton as delineated in Subsection 405.4.

**11. Basis of Payment**

Asphaltic Concrete Pavement, Superpave will be paid for in accordance with Subsection 460.4 following the requirements for Asphaltic Concrete Pavement, Type HMA.

**INSTALLATION OF PAVEMENT MARKINGS**

- 1. General Requirements - Reflectorized preformed cold plastic pavement markers**

16. **Curb Ramp Detectable Warning Field - The City of Sheboygan will supply the curb ramp detectable warning field. The contractor will be responsible for the installation and rebar reinforcement (see miscellaneous construction detail on the plan).**
17. **Stamped Concrete Sidewalk, 6-inch, Herringbone Pattern**
  1. **The colored and stamped colored concrete shall be poured in one layer. All colored concrete within a single "area" and shall be poured in no more than two (2) consecutive work days in a single "area".**
  2. **An experienced contractor who has installed a minimum of 30,000 square feet of stamped concrete shall install stamped concrete. The contractor shall submit written documentation of stamped concrete work to the Owner's Representative prior to the start of construction.**
  3. **At least fifteen (15) working days prior to the start of colored/colored and stamped concrete installation, the contractor shall prepare on-site two (2) 3-foot x 3-foot walk panel samples; one sample of the colored concrete and one sample of the colored stamped concrete. The final color and stamp pattern is to be approved by the Owner's Representative prior to placement of any colored stamped concrete in the field. The color is to match existing stamped concrete located in the area.**
  4. **The stamp used to make the special pattern in the concrete sidewalk shall become the property of the City of Sheboygan after completion of the Project.**
  5. **All colored concrete shall have the same source and shall originate from the same batch plant. Supplier shall submit manifest to confirm material origination prior to authorization for placement on-site.**
  6. **All colored concrete shall be prepared using the same sand, cement, aggregate and water source. No calcium chloride and no accelerators with chloride ions will be used. Colorant shall all come from same colorant lot. Supplier shall submit documentation as to proof of all colored concrete ingredients for all colored and all stamped colored concrete material. Coloring material shall be added as a dye during mixing at the batch plant; no shake-on coloring will be allowed.**
  7. **The stamped color concrete will be Butterfield U317 Terra Cotta Unimix integral concrete color**
  8. **The release agent will be Butterfield R12 Storm Gray release.**
  9. **The curing compound and sealer will be Butterfield Clear Guard. Two (2) applications are required.**

10. The unit price of the stamped concrete sidewalk, 6-inch, Herringbone will include the cost of the 6-inch gravel base (material and labor).
18. The travel lanes of Washington Ave. shall be rubblized in accordance with the Rubblization Specifications (pages RS-1 to RS-2). After the rubblization, two (2) 1-¾" lifts of bituminous binder course shall be placed. Tack shall be applied between the two lifts of binder. After the placement of the binder, 4" of the curb face shall be exposed. This may require a second pass with the rubblizer along the curb flange to butt the first lift of binder against. The second pass shall be incidental to the contract.
19. All adjusting rings on the catch basins shall be replaced; this shall be paid as adjusting castings. As part of the adjusting item, slots shall be sawn in the back of the castings so as to adjust the curb head to the 4-inch exposure required. Also, three (3) ½" weep holes shall be placed on top of the precast boxes; one on each side of the box that is in the pavement. The weep holes shall be a ½" I.D. Schedule 40 PVC conduit, 8" long. ¾" clear stone shall be placed around these weep holes. After the installation of the weep holes and the adjustment of the casting, twelve (12") inches of crushed aggregate base shall be placed to match the existing pavement grade.
20. Pavement, curb and gutter shall be removed and replaced along the project as marked by the Engineer and paid by the unit bid prices.
21. The contractor shall be responsible for all traffic control.
22. Excavating below subgrade shall mean removing rubblized pavement and the material under the rubblized pavement as required by the Engineer.

The bid price shall include removing the rubblized pavement.

23. Street Lighting

State Wage Rates shall apply to this section.

Street lighting for Washington Avenue shall conform to the general Ornamental Street Lighting specifications (pages OSL-1 to OSL-10), modified as follows:

Description:

The lighting system shall consist of four (4) discrete lighting circuits, consisting of seven (7) twin units and nine (9) single units.

Lighting Units – Materials:

a. Street Lighting (Single)

- Luminaires: Luminaires shall be single units, 240 V operation, 250-watt high-pressure sodium vapor. Units shall be: Gardco

Outdoor Lighting "CA221-3-250-HPS-240" configured as a single luminaire.

- Poles shall be a round-tapered aluminum suitable for a single Type I light fixture at a wind velocity of 90 mph and a gust factor of 30 percent. Pole shall be: Gardco "RA5-30H-D1-BRA" with an anodized bronze finish to match the luminaires. The tenon will be seven (7') feet (C863700). Each pole shall be installed per Gardco specifications.
- Lamps shall be clear high-pressure sodium from recognized manufacturers, compatible with the ballasts, and rated 24,000+hours.

b. Street Lighting (Twin)

- Luminaires: Units shall be twin units, 240 V operation, 150-watt high-pressure sodium vapor. Units shall be: Gardco Outdoor Lighting "CA222-3-150-HPS-240" configured as twins set at an angle or 180-degrees between units.
- Poles shall be a round-tapered aluminum suitable for a twin Type 1 light fixture mounted 180 degrees apart at a wind velocity of 90 mph and a gust factor of 30 percent. Pole shall be: Gardco "RA5-30H-D2-BRA" with an anodized bronze finish to match the luminaires. The tenon will be seven (7') feet (C863700). Each pole shall be installed per Gardco specifications.
- Lamps shall be clear high-pressure sodium from recognized manufacturers, compatible with the ballasts, and rated 24,000+hours.

24. Traffic Signal Relocation:

- Washington Avenue/S. Business Drive
  - Washington Avenue/Washington Square Shopping Center Entrance
- a. Work for this item will include all labor, equipment and materials to relocate five (5) existing traffic signal poles (three Type 1 and two Type 3), and the pull boxes to a new location behind the new curb line.
  - b. The contractor shall install the new concrete bases at a location determined by the Engineer.
  - c. Conduit and miscellaneous hardware to reattach the signal standards to the new base shall be considered incidental to the unit cost.
  - d. The contractor shall remove the existing signal bases and dispose of them. The resulting hole shall be filled in with compacted granular material.
  - e. All existing cables shall be reused if possible; the City will supply additional cable if the length is not adequate.

VIII

R. C. No. \_\_\_\_\_ - 12 - 13. By PUBLIC WORKS. March 18, 2013.

Your Committee to whom was referred the following:

1. R. O. No. 291-12-13 by the Purchasing Agent submitting bids for the purchase of (2) dual-fuel hybrid vehicles for the Wastewater Treatment facility; and
2. Res. No. 152-12-13 by Alderperson Heidemann authorizing the Purchasing Agent to enter into contract for the purchase of (2) dual-fuel hybrid vehicles for the Wastewater Treatment facility;

recommends that the Report of Officer be accepted and placed on file and the Resolution 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

IIIIV

III

5.6

Res. No. 152- 12 - 13. By Alderperson Heidemann. March 4, 2013.

A RESOLUTION authorizing the Purchasing Agent to enter into contract for the purchase of (2) dual-fuel hybrid vehicles for the Wastewater Treatment Facility.

WHEREAS: The City is well aware of advances in hybrid vehicle technology to allow for engines to use either gasoline and/or compressed natural gas that allow for cleaner, more efficient vehicle operation and;

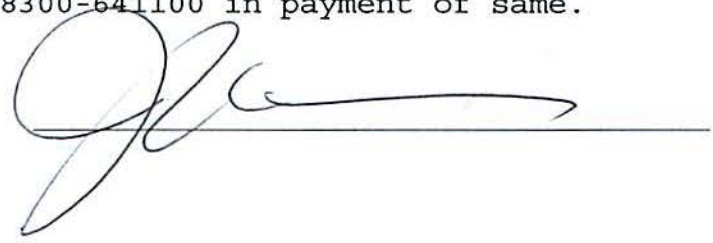
WHEREAS: The Public Works Committee included adequate funding in the 2013 budget for the purchase of these hybrid vehicles for the Wastewater Treatment Facility and these vehicles were put to public bid and:

WHEREAS: The bids received from solicitation #1734-13-2 have been reviewed and the bids have been confirmed to meet all specifications and will result in both an economic savings and increased awareness of environmental responsibility:

RESOLVED: That the Purchasing Agent is hereby authorized to enter into contract with Ewald's Hartford Ford. Inc. for the purchase of two vehicles as specified including license and title;

BE IT FURTHER RESOLVED: That the appropriate City Officials are hereby authorized to draw orders in the amount of \$76,791.00 on the 2013 Wastewater Treatment Facility Budget Account #60138300-641100 in payment of same.

*D. W.  
approve*



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

II

4.5

R. O. No. 291 12 -13. By PURCHASING AGENT. March 4, 2013.

Submitting an evaluation of Request for Bids #1734-13-2 received on February 21, 2013 for the purchase of TWO (2) Hybrid Dual- Fuel Vehicles for the Wastewater Treatment Facility.

4WD Pickup with Plow and Salter (Dual-Fuel Hybrid)  
(Lead time 5 to 6 months)

| <u>BIDDER</u>                            | <u>MAKE/MODEL</u>        | <u>DELIVERED PRICE</u>       |
|--|--------------------------|------------------------------|
| Sheboygan. Chevrolet<br>Ewald's Hartford | Chevrolet Silverado      | \$ 44,144.44                 |
| Ford<br>Badger Truck Center              | Ford F-250<br>Ford F-250 | \$ 43,616.50<br>\$ 44,151.50 |

Ford Transit Connect Passenger Wagon (Dual-Fuel Hybrid)  
(Lead time is 8-9 Months)

|                                      |                                 |              |
|--------------------------------------|---------------------------------|--------------|
| Ewald's Hartford<br>Ford             | 2013 Transit Connect            | \$ 33,944.50 |
| Badger Truck Center                  | 2013 Transit Connect            | \$ 32,574.50 |
| Ewald's Hartford Ford<br>(Alternate) | <u>New</u> 2012 Transit Connect | \$ 33,174.50 |

The recommendation on the pickup truck is to purchase the vehicle and equipment as bid by Ewald's Hartford Ford. In regard to the Transit Connect, given the long lead time, we are hereby recommending that the City purchase the existing 2012 vehicle, so as to enjoy the economic and environmental benefits immediately.

Both vehicles will replace existing vehicles that will be sold at auction at a later date. All prices include license and title.

*D.W.  
Ac. File*

Respectfully submitted,

Bernard R. Rammer

II

R. O. No. \_\_\_\_\_ - 12 - 13. By PURCHASING AGENT. March 18, 2013.

The City of Sheboygan is seeking approval by the Common Council to issue a Request for Bids to firms engaged in the installation, connection and start-up of the thermal drying equipment for the dewatering of Biosolids. The purchase of the Drying equipment was approved by the Common Council in June of 2012 and is currently being manufactured by Huber Technologies of Huntersville, NC at a cost of \$2,799,417.00.

The projected cost to modify the buildings, install, connect and start up the equipment was originally estimated at \$ 5,500,000.00 to \$6,000,000.00

It should be noted that the funding mechanism for these improvements are being provided through a loan program from the Clean Water Fund.

Respectfully,  
Bernard R. Rammer  
Purchasing Agent

II

R. O. No.     - 12 - 13. By CITY PLAN COMMISSION. March 18, 2013.

Your Commission to whom was referred Gen. Ord. No. 51-12-13 amending the City's zoning map to establish the Use District Classification of recently annexed property located west of Taylor Drive and north of Indiana Avenue to PPUD Pre-Planned Unit Development.; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, March 12 2012, and after due consideration, recommends approval of the General Ordinance.

---

Development Manager

II



7.1

Gen. Ord. No. 5/ - 12 - 13. By Alderperson Kath. March 4, 2013.

AN ORDINANCE amending the City of Sheboygan Official Zoning Map of the Sheboygan Zoning Ordinance to establish the Use District Classification of recently annexed property located west of Taylor Drive and north of Indiana Avenue.

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

Section 1. Appendix A, Chapter 15, of the Sheboygan Zoning Ordinance establishing zoning districts and prescribing zoning standards and regulations is hereby amended by changing the Official Zoning Map thereof and establishing the Use District Classification of the following described annexed lands as Class PPUD Pre-Planned Unit Development Classification.

That plat of Schuchardt Area annexation parcel located in Sections 21 and 28, T15N, R23E

Schuchardt annexation description:

Lot 25 except the north 112', and all of lot 26 of the Plat of Greendale Park, and part of the NW 1/4 of the SE 1/4, part of the SE 1/4, part of the SW 1/4 of the SE 1/4, part of the NE 1/4 of the SW 1/4, part of the SE 1/4 of the SW 1/4, all located in Section 21, Town 15 North, Range 23 East, also part of the NE 1/4 of the NE 1/4, and part of the NE 1/4 of the NW 1/4, all located in Section 28, Town 15 North, Range 23 East, Town of Sheboygan, Sheboygan County, Wisconsin, described as follows:

Commencing at the southwest corner of said section 21, thence N.87°50'19"E. along the south line of the SW 1/4 of said section 21, 564.90' to the east line of Greendale road, said point being the point of beginning, thence N.00°44'43"E. along said east line 217.70', thence S.89°30'03"E., 757.66' to the west line of the east 1/2 of the SW 1/4 of section 21, thence N.00°31'13"E. along said west line 1712.90' to a point 10' south of the south line of Erie Avenue, thence easterly 294.94' along the arc of a curve 10 feet south of and parallel to said south right of way having a radius of 1940.65' and a chord bearing N.77°58'12"E. 294.62' to a point 10 feet west of the west line of a certified survey map recorded in volume 13 of page 258 of certified survey's, thence S.00°16'21"E. 10 feet west of and parallel to the west line of said C.S.M. 674.13', thence N.85°08'16"E. 10 feet south of and parallel to the south line of said C.S.M. 1210.79' to a point 10' west of the southwesterly right of way for South Taylor Drive, thence S.32°44'10"E. parallel to said southwesterly line 93.39', thence S. 78°05'25"E. parallel to said southwesterly line 80.02', thence S.34°33'07"E. parallel to said southwesterly line 492.85', thence S.00°26'28"W. parallel to said southwesterly right of way 186.09', thence S.62°37'27"E. parallel to said southwesterly right of way 14.52', thence S42°42'19"W. 481.55', thence S.01°16'53"W. 294.76 to the south line of the SE 1/4 of said section 21, thence S.88°43'07"E. along said south line 310.00, thence N.01°16'53"E. 599.99', thence N.42°16'19"E., 55.81' to a point 10' southwest of the southwesterly right of way for South Taylor Drive, thence S.62°37'27"E. 10 feet southwesterly of said southwesterly line 128.01', thence S.34°34'43"E. 10 feet southwesterly of said southwesterly right of way line 236.15', thence N.55°26'47"E. 10.00' to the southwesterly right of way for South Taylor Drive, thence S.34°34'43"E. along said right of way

City Plan

263.82', thence S.47°56'01"E. along said southwesterly right of way 129.27', to a point of non-tangent curve, thence southeasterly along said southwesterly line 385.17' along the arc of a curve to the right having a radius of 2078.59', a chord bearing of S.29°16'20.5"E. and a chord length of 384.62' to the east line of NW ¼ of the NE ¼ of said section 28, thence S.00°37'12"W. along said east line 1112.18' to the southerly line of the Union Pacific Railroad, thence N.76°17'45"W. along said southerly line 40.00', thence S.13°52'15"W. 215.00', thence S.22°18'15"W. 585.00 more or less to the centerline of the Sheboygan River, thence westerly along the centerline of said Sheboygan River to north line of Indiana Avenue, thence northwesterly along said north line of Indiana Avenue 442 feet more or less, thence N.83°12'46"W. along said north line 101.98', thence N.71°54'10"E. along said north line 510.01' to the point of curve of an arc with a radius of 2954.79' and a chord that bears N.80°03'53"W. 838.97', thence along the arc of said curve 841.82', thence N.33°41'32"W. along the north line of said Indiana Avenue 32.81', thence S.63°38'18"W. along said north line 58.46', thence S.47°59'20"W. along said north line 58.14' thence N.88°52'10"E. along said north line 61.80', thence S.81°28'57"W. along said north line 101.43', thence N.88°52'10"E. along said north line 85.84', thence N.01°07'50"E. 167.00', thence N.88°52'10"W. 280.00', thence S.01°07'50"W. 120.00' to the north right of way line for Indiana Avenue, thence N.88°52'42"W. along said north right of way line 184.15' to the southeast corner of a Certified Survey Map recorded in volume 15 page 330 of Certified Surveys, thence N.02°43'45"E. along the east line of said Certified Survey Map, 270.00', thence N.57°16'16"W. along the northeasterly line of said C.S.M. 544.05' extended to the north line of the Union Pacific Railroad, thence N.60°47'39"E. along said north line 52.91' to a point of curve to the right having a radius of 2365.02' and a chord bearing N.76°23'14"E. 1272.98', thence along the arc of said curve 1288.87', thence N.02°10'05"E. 734.36' to the north line of the NW ¼ of said section 28, thence S.87°50'19"W. along said north line 1095.50' to the point of beginning. except that portion taken for railroad right of way. Said tract contains 175.46 acres more or less.

Section 2. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

Julie Kath

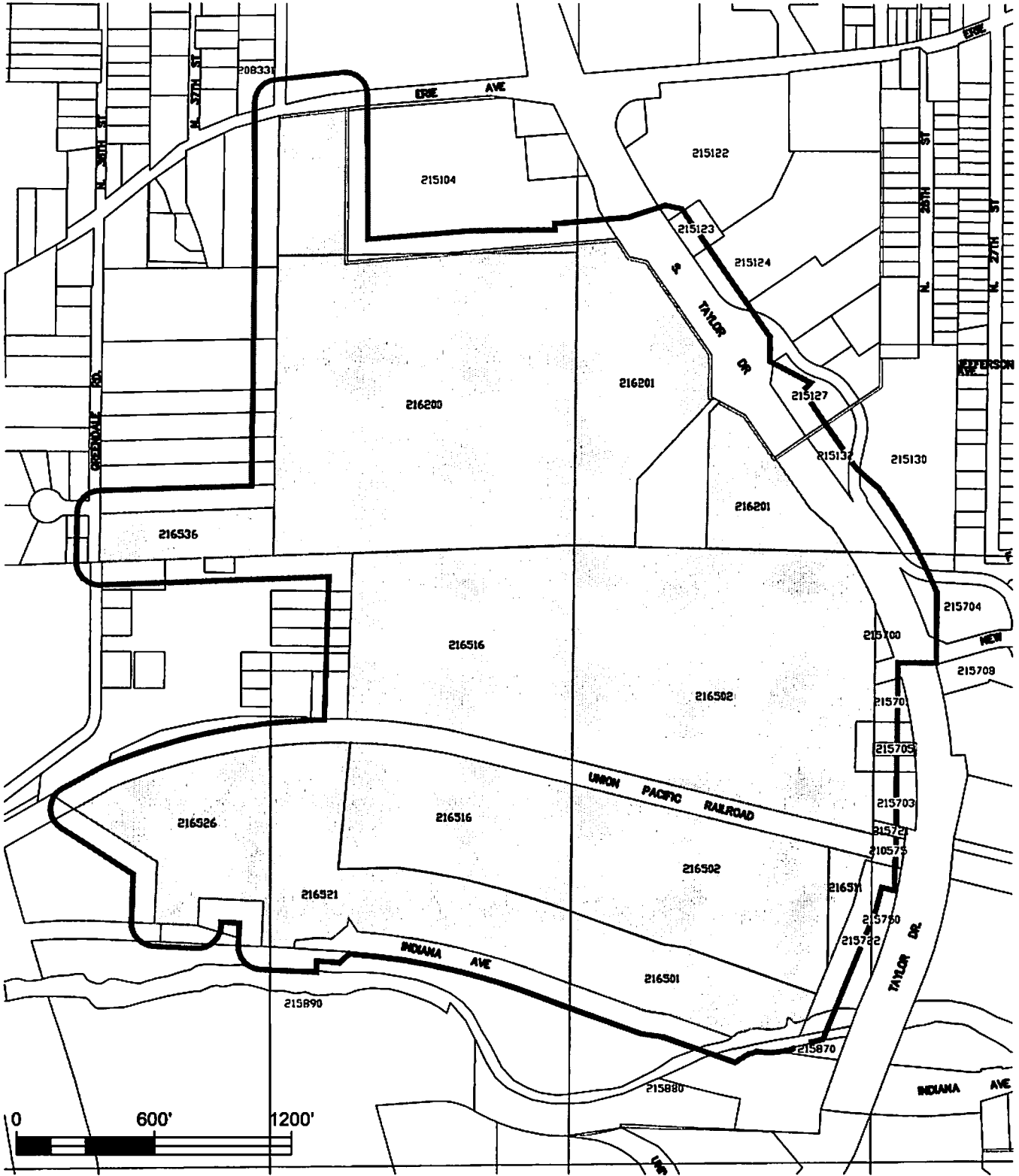
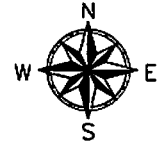
I HEREBY CERTIFY that the foregoing Ordinance was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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

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



# ESTABLISHING ZONING CLASSIFICATION PRE-PLANNED UNIT DEVELOPMENT SECTIONS 21 & 28, T. 15 N., R. 23 E.



II

R. O. No. \_\_\_\_\_ - 12 - 13. By CITY CLERK. March 18, 2013.

Submitting a claim from Jerry L. Finger for alleged damages to the bottom of his vehicle caused by a pothole.

  
\_\_\_\_\_  
City Clerk

DATE RECEIVED 3-11-13

RECEIVED BY L.S. Schaefer

CLAIM NO. 33-12

CITY OF SHEBOYGAN NOTICE OF DAMAGE OR INJURY

INSTRUCTIONS: TYPE OR PRINT IN BLACK INK

MAR 11 10 40 AM '13

1. Notice of death, injury to persons or to property must be filed not later than 120 days after the occurrence.
2. Attach and sign additional supportive sheets, if necessary.
3. This notice form must be signed and filed with the Office of the City Clerk.
4. **TWO ESTIMATES MUST BE ATTACHED IF YOU ARE CLAIMING DAMAGE TO A VEHICLE.**

TO CITY OF SHEBOYGAN

1. Name of Claimant: Jerry L Finger
2. Home address of Claimant: 1334 Geele Ave.
3. Home phone number: 920-287-7672
4. Business address and phone number of Claimant: N/A

5. When did damage or injury occur? (date, time of day) 3/11/13 9:30 A.M.

6. Where did damage or injury occur? (give full description) North 15<sup>th</sup>  
pothole knock off exhaust tip.

7. How did damage or injury occur? (give full description) Car bottom out in  
pothole.

8. If the basis of liability is alleged to be an act or omission of a City officer or employee, complete the following:

(a) Name of such officer or employee, if known: City Hall

(b) Claimant's statement of the basis of such liability: Pothole should  
have been fixed.

9. If the basis of liability is alleged to be a dangerous condition of public property, complete the following:

(a) Public property alleged to be dangerous: Not a danger.

(b) Claimant's statement of basis for such liability: Fix the road.

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").

Right exhaust tip was lost because of  
pot hole.

11. Name and address of any other person injured: ~~Patricia C.~~ Patricia C.  
Baumbach / 1334 Geele Ave, Sheboygan, WI 53083

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

Auto: \$ ~~24.99 + TAX~~ 16.79  
Property: \$ \_\_\_\_\_  
Personal injury: \$ NIA  
Other: (Specify below) \$ 1

TOTAL 16.79

Damaged vehicle (if applicable)

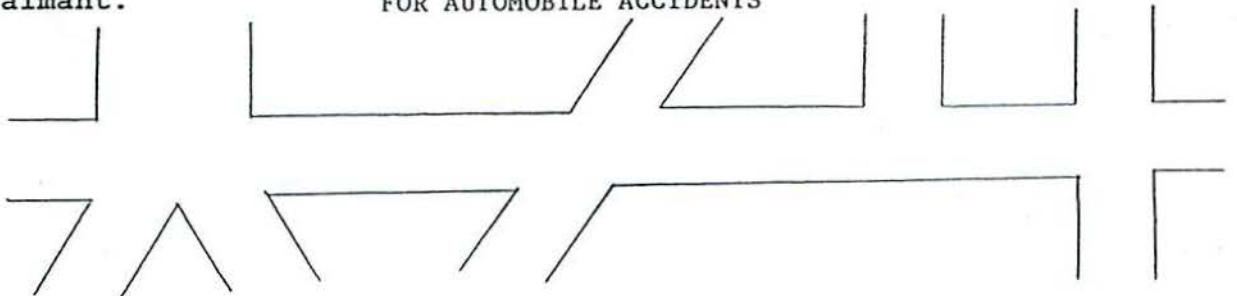
Make: LINCOLN Model: Towncar Year: 1994 Mileage: 225,000

Names and addresses of witnesses, doctors and hospitals: NIA

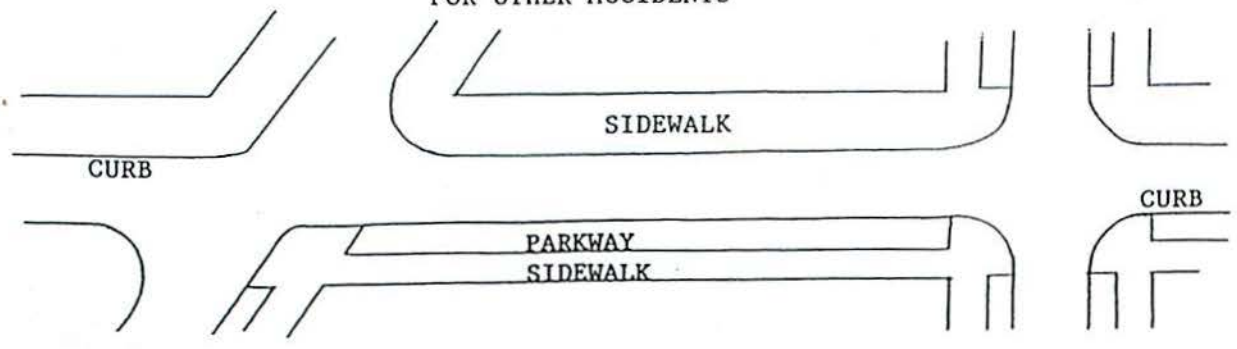
FOR ALL ACCIDENT NOTICES, COMPLETE THE FOLLOWING DIAGRAM IN DETAIL. BE SURE TO INCLUDE NAMES OF ALL STREETS, HOUSE NUMBERS, LOCATION OF VEHICLES, INDICATING WHICH IS CITY VEHICLE (IF APPLICABLE), WHICH IS CLAIMANT'S VEHICLE, LOCATION OF INDIVIDUALS, ETC.

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: Joseph & Loren

Date: 3/1/13

DATE RECEIVED 3-11-13

RECEIVED BY L S Shredde

CLAIM NO. 33-12

CLAIM

Claimant's Name: JERRY L Finger

Auto \$ 15.99 tax

Claimant's Address: 1334 Coele Ave,

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

Sheboygan, WI 53083

Personal Injury \$ \_\_\_\_\_

Claimant's Phone No. 920-287-7672

Other (Specify below) \$ \_\_\_\_\_

TOTAL 16.79

MAR 11 '13 AM 11:31

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

WARNING: IT IS A CRIMINAL OFFENSE TO FILE A FALSE CLAIM.  
(WISCONSIN STATUTES 943.395)

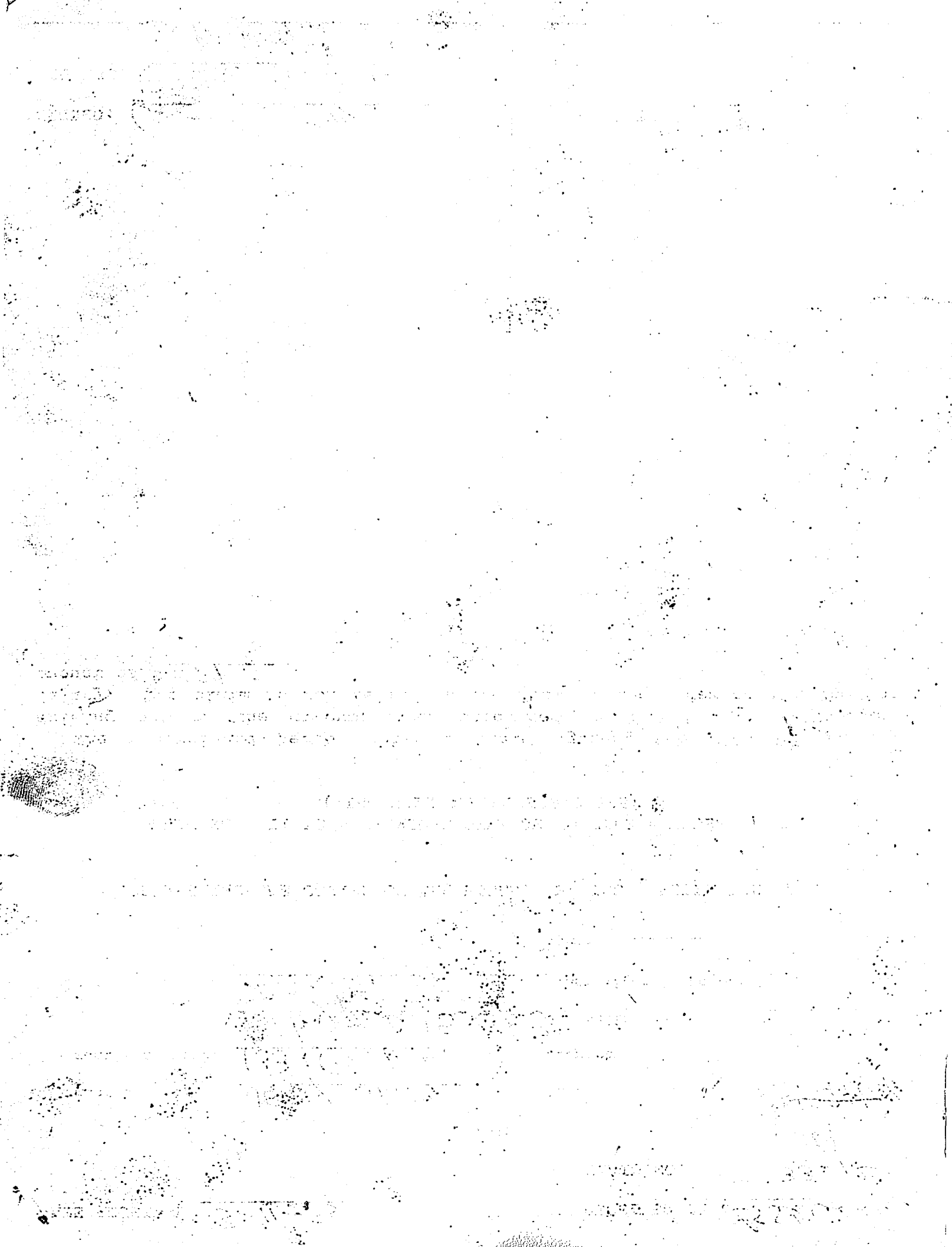
The undersigned hereby makes a claim against the City of Sheboygan arising out of the circumstances described in the Notice of Damage or Injury. The claim is for relief in the form of money damages in the total amount of \$ 16.79.

SIGNED: Jerry L Finger

DATE: 3 11 13

ADDRESS: 1334 Coele Ave,

Sheboygan, WI 53083





II

R. O. No. \_\_\_\_\_ - 12 - 13. By CITY CLERK. March 18, 2013.

Submitting a Notice of Circumstances giving rise to claim for damages pursuant to Sec. 893.80, Wis. Stats. to the Redevelopment Authority and the City of Sheboygan.

  
\_\_\_\_\_  
City Clerk

III

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**NOTICE OF CIRCUMSTANCES GIVING RISE TO CLAIM  
FOR DAMAGES PURSUANT TO § 893.80, WIS. STATS.**

To: The Redevelopment Authority of the City of Sheboygan  
Attn: Chairperson Roberta Filicky-Peneski  
828 Center Avenue, Suite 203, City Hall  
Sheboygan, Wisconsin 53081

And

City of Sheboygan  
Attn: Mayor Terry Van Akkeren  
828 Center Avenue, Suite 301, City Hall  
Sheboygan, Wisconsin 53081

Process Server *RJW*  
Date: 3/11/13 11:18 AM PM  
Served City of Sheboygan  
Address: 828 Center Ave, Sheboygan  
Personal Substitute Corporate 7

PLEASE TAKE NOTICE that The Bon-Ton Department Stores, Inc (hereinafter "Bon-Ton"), by its attorneys, claims the circumstances giving rise to a claim are as follows:

On or about October 18, 1983, The Redevelopment Authority of the City of Sheboygan (hereinafter "Municipality") entered into a Parking Agreement (hereinafter "Agreement") with H.C. Prange Company. The provisions of the Agreement are binding upon and inure to the benefit of the parties to the Agreement and their respective successors and assigns. Bon-Ton is a successor and assign of H.C. Prange Company.

The Agreement imposed certain obligations on the Municipality in the operation, maintenance and repair of certain parking lots (hereinafter "Parking Lots") referenced in the Agreement. These obligations have at all relevant times included, but not limited to, the following:

Municipality covenants and agrees that, at all times during the term of this agreement, it shall operate and maintain the "Parking Lots" as follows:

- (1) in accordance with the terms and provisions of this agreement and in a clean, safe and sightly manner, properly drained and reasonably free from snow and ice, consistent with the standards of other first-class shopping center parking lots in the State of Wisconsin;

\*\*\*\*

- (4) provide that the "Parking Lots" (including, without limitation, all other equipment in the "Parking Lots") shall be kept and maintained in good and safe condition, repair and appearance.
- (5) with reasonable promptness cause to be made all structural and non-structural, foreseen and unforeseen, and ordinary and extraordinary changes and repairs of every kind and nature which may be required to be made upon or in connection with the "Parking Lots" or any part thereof, in order to keep and maintain the "Parking Lots" in good, safe, slightly and sanitary condition and appearance . . . .

Bon-Ton has notified the Municipality that the Parking Lots have been improperly draining, resulting in water and moisture reaching a structure occupied by Bon-Ton. The occurrence of such improper drainage caused damages to components of the structure occupied by Bon-Ton. Such damage will require significant repairs. In addition, the water and moisture that has reached the structure occupied by Bon-Ton has also caused damage to its contents. Bon-Ton notified the Municipality that the Municipality had failed to fulfill its maintenance and repair obligations pursuant to the Agreement. Bon-Ton also notified the Municipality that it was responsible for the aforesaid damages pursuant to the Agreement. Bon-Ton and the Municipality subsequently engaged in discussions and investigation regarding the aforesaid improper drainage and damage.

By a letter dated January 4, 2013, the Municipality informed Bon-Ton that it would not undertake or pay its proportionate share of the necessary repairs associated with the aforesaid improper drainage and related damage. Consequently, the Municipality has committed a breach and default of the provisions of the Agreement.

As relief, Claimant seeks payment of damages resulting from the aforesaid breach and default by the Municipality of its obligations pursuant to the Agreement. Those damages will be detailed separately in a claim document containing an itemized statement of the relief sought. This Notice should be construed as a notice of injury only and not as a notice of claim.

Dated this 8<sup>th</sup> day of March, 2013.

**MURPHY DESMOND S.C.**

Attorneys for Claimant The Bon-Ton  
Department Stores, Inc.

By: 

Lawrence E. Bechler

State Bar No. 1016711

Mario D. Mendoza

State Bar Number: 1023879

33 East Main Street, Suite 500

P.O. Box 2038

Madison, WI 53701-2038

(608) 257-7181

cc: City Attorney Stephen G. McLean  
City Clerk Sue Richards

4824-1823-4131, v. 1

II

R. O. No.        - 12 - 13. By CITY CLERK. March 18, 2013.

Submitting a communication and a petition from David Sommer et al., requesting that the Quality Addiction Management Clinic be removed from the Greater Sheboygan Area.

  
\_\_\_\_\_  
City Clerk

II

Handwritten text, possibly a signature or name, located in the lower-left quadrant of the page.

David Sommer 458 2980

To City of Sheboygan

My name is David Sommer; I did not plan on writing a letter so excuse my grammar and spelling.

I personally gathered signatures on this petition; "Remove the Q.A.M. (Quality Addiction Management) Clinic from the Greater Sheboygan Area".

From the dates 3-6-13 to 3-13-13

I got over 50 signatures, I work from 6am to 2:30 so I did not have much time. The citizens are unaware that a Methadone clinic is in Sheboygan, when they hear about it they are concerned, their voice must be heard as well.

There is a clinic in six other cities already Waukesha (262) 549-6600

West Milwaukee (414) 672-3801

Racine (262) 598-1392

Green Bay (920) 337-6740

Madison (608) 250-2512

Beloit (608) 361-7200

If there is one in Milwaukee and Green Bay why do we need one in Sheboygan? My reason for being concerned is that



this clinic is bringing addicts from the surrounding area to Sheboygan that would normally go to Milwaukee or Green Bay, they dose ~~with~~ morphine, Oxycodon and Herion addicts from the hours of 5:30 Am to 9:00 Am, these are the hour my children are on the street waiting for thier bus to go to school, the biggest problem with people taking Methodone is they pass out at the wheel of thier car. The most recent accident happened in Madison. A person recieved thier ~~th~~ dose passed out while driving, drove down a bike path and hit a tree. I am not going to wait for a "smoking gun". I want to remove this clinic and get all the addicts from Sheboygan and the surrounding areas back to Milwaukee or Green Bay for treatment. I'm not saying addicts cant or sould not be treated. I'm simply asking no, begging please do not treat them in our city which I still have hope for, SHEBOYGAN. D.S.



# PETITION

To the Mayor and Common Council of the City of Sheboygan:

The petition of the undersigned residents of the City of Sheboygan respectfully represents: That your petitioners are residents of said city, and that each of them resides at the address written below after their names.

AND they petition your honorable body to Remove the Q. A. M.  
(Quality Addiction Management) Clinic from the  
Greater Sheboygan Area.

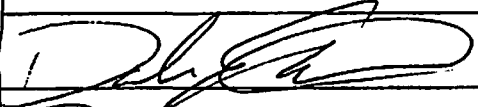

| SIGNATURE OF PETITIONER | ADDRESS<br>STREET & NUMBER         | DATE OF SIGNING |
|-------------------------|------------------------------------|-----------------|
| Jennifer J. Popul       | 2040A N. 13 <sup>th</sup> St.      | 3-6-13          |
| Wendy Boelen            | 546 Sunset Maple                   | 3-6-13          |
| Robin Roerdink          | 316 MICHIGAN AVE                   | 3/6/13          |
| Jan Schoening           | 316 Michigan Ave                   | 3/6/13          |
| Karl Kempainen          | 1909 Broadway Ave                  | 3-8-13          |
| Angela Herman           | 1909 Broadway Ave                  | 3-8-13          |
| Douglas Lauchild        | 1121A N. 10 <sup>th</sup> St       | 3-11-13         |
| Dan Meyer               | 1430 Virginia Ave                  | 3-11-13         |
| Susan Wolfgram          | 2332 Carmen Ave                    | 3-11-13         |
| Jesse Wolfgram          | 2332 Carmen Ave                    | 3-11-13         |
| Tanya D. Reimer         | 2412 S 7 <sup>th</sup> St          | 3-11-13         |
| Mike Reimer             | 2123 S. 8 <sup>th</sup> St         | 3-11-13         |
| Alan Reimer             | 336 Superior Avenue, Sheboygan, WI | 3-11-13         |

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Greater Sheboygan Area.

| SIGNATURE OF PETITIONER   | ADDRESS<br>STREET & NUMBER          | DATE OF SIGNING |
|---|-------------------------------------|-----------------|
|   | 1540 N. 19 <sup>th</sup> St.        | 3/6/13          |
| Jessie Engstrom   | 1540 N. 19 <sup>th</sup> Sheboygan  | 3/6/13          |
| Dan S.  | 2332 Carmen Ave Apt 6               | 3/6/13          |
| Maria Limer   | 111 FRIEDRICH DR.                   | 3/12/13         |
| Glenn Bellamy   | 724 N. Evans                        | 3-12-13         |
| Lynn Loring   | 217 Monroe Falls                    | 3-12-13         |
| John R. Rupp  | Glenbeulah, WI                      | 3-12-13         |
| Judge Jekewicz  | 1543 N. 26, Sheboygan, WI           | 3-12-13         |
| Bob Rupp  | 640 Dartmouth Dr<br>Sheboygan Falls | 3-12-13         |
| Ante Bracy  | 2534 Lakeshore Dr                   | 3-12-13         |
| Juanita D.  | 1732 N. 13                          | 3-12-13         |
| Pachi Yang  | 2434 Camelot Blvd                   | 3/12/13         |
|  | Mike N. Hest                        | 3/12/13         |

# PETITION

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Greater Sheboygan Area.






| SIGNATURE OF PETITIONER | ADDRESS<br>STREET & NUMBER                         | DATE OF SIGNING |
|-------------------------|--|-----------------|
| <i>[Signature]</i>      | 1722 N 11 St<br>Sheboygan WI                       | 03-8-13         |
| <i>[Signature]</i>      | 2832 Carmen Ave. Apt. 64<br>Sheboygan, WI          | 03-9-13         |
| <i>[Signature]</i>      | 428 Ontario Ave.<br>Sheboygan, WI                  | 3-9-13          |
| <i>[Signature]</i>      | 1225 Eric Ave<br>Sheboygan                         | 3-9-13          |
| <i>[Signature]</i>      | 1617A N 11 <sup>th</sup> St.<br>Sheboygan WI 53081 | 3-9-13          |
| <i>[Signature]</i>      | 1014A Huron Ave 53081<br>Sheboygan WI              | 3-9-13          |
| <i>[Signature]</i>      | 2412 57th St.<br>Sheboygan WI 53081                | 3-11-13         |
| <i>[Signature]</i>      | 1020 Huron Ave<br>Sheboygan, WI 53081              | 3-11-13         |
| <i>[Signature]</i>      | 1011 Bluff Ave Sheboygan WI                        | 3/12/13         |
| <i>[Signature]</i>      | 1609 North Blvd Street Sheboygan                   | 3/12/13         |
| <i>[Signature]</i>      | 2831 S. 16 <sup>th</sup> St 53081                  | 3/12/13         |
| <i>[Signature]</i>      | W2593 Woodland Rd.                                 | 3/12/13         |
| <i>[Signature]</i>      | 6278 Dogwood Lane                                  | 3/12/13         |

# PETITION

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AND they petition your honorable body to Remove the Q. A. M.  
(Quality Addiction Management) Clinic from the  
Greater Sheboygan Area.

| SIGNATURE OF PETITIONER   | ADDRESS<br>STREET & NUMBER     | DATE OF SIGNING |
|---|--------------------------------|-----------------|
|   | 324 Goele Ave                  | 3/12/13         |
| Diana B. Batorini   | 2234 A.S. 14 <sup>th</sup> St. | 3/12/13         |
| Mrs. Ruth   | 1405 N. 2ND ST.                | 3/12/13         |
|  | 11033 Humboldt Ave             | 3/13/13         |
|  | 2522 N. 9th St                 | 3/13/13         |
| Donna Tebert  | 5423 Shovel Rd                 | 3/13/13         |
|  | 3220 N. 13th                   | 3/13/13         |
| Brian Hall  | 1358 West Washington           | 3/13/13         |
| Mary E. Gill  | NON Resident                   | 3/13/13         |
| Kathryn Williams  | 718 WILSON AVE.                | 3/13/13         |
| Jody Myemiller  | 1429 W. 28th St.               | 3/13/13         |
|  | 4315 Liberty Court             | 3/13/13         |
| Charlotte Bausam  | 2528C Camelot Blvd             | 3/13/13         |
| Jamie Dietrich  | 427 Bluff Ave                  | 3/13/13         |



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**qAM**  
**QUALITY ADDICTION MANAGEMENT**

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**METHADONE INDUCTION FACT SHEET**

The induction phase of methadone treatment consists of adjusting the initial dose to reach a level of tolerance. This therapeutic level results in elimination of cravings and withdrawal symptoms, as well as a blocking of the euphoric effects of other opiates. Methadone does **not** block the intoxication effects of alcohol or other sedatives (Valium, Xanax, Klonopin, etc.) or stimulants (cocaine, methamphetamine, etc.). Alcohol and other sedatives must be avoided during methadone treatment unless medically necessary. The majority of deaths associated with methadone are the result of the use of sedatives, including alcohol, with methadone. These deaths typically occur in the first 3-10 days of treatment. The clinic must be aware of all medications being taken, including herbal supplements, as there can be dangerous interactions.

The pharmacological properties of methadone are similar to other opioids. When ingested orally, methadone is released slowly into the blood stream allowing for once daily dosing. The initial dose of methadone is based on state guidelines and clinical judgment. Even if the dose is held constant, blood levels of methadone increase over 5-7 days until a "steady state" is reached. Therefore, at times, the dose will be held constant until the blood level stabilizes and the patient can be reevaluated.

Dose increases are made or denied based on: 1) how the patient is feeling, 2) how the patient looks physically, 3) laboratory data (if necessary), and 4) clinical judgment. The physician then reviews this information. Necessary increases are made as rapidly as is safely possible. All patients should be aware of signs and symptoms of methadone toxicity (nodding, feeling intoxicated, double vision, slow/shallow breathing). If these symptoms are experienced, seek medical assistance immediately.

Each person is unique in the dosage that is required to achieve a level of tolerance. There is not a direct correlation with the severity of withdrawal symptoms and the amount of methadone that will be required. Open and honest lines of communication between the patient and staff will shorten the duration and ease the process.

Points to remember:

- Initial dose starts low and is increased as rapidly as is safely possible.**
- Deaths are often attributed to the combination of methadone and sedatives.**
- Methadone dose increases take 5-7 days to reach stable level in the blood stream.**

Waukesha ▪ West Milwaukee ▪ Racine ▪ Green Bay ▪ Madison ▪ Beloit ▪ Sheboygan

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qAM  
QUALITY ADDICTION MANAGEMENT

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METHADONE WITHDRAWAL

*"Nobody ever gets off methadone."* This is a familiar complaint, even though it is not true. At least 50% of all patients decrease their doses over the course of a year, and 10-20% withdraw completely from methadone each year.

The decision to withdraw from methadone is a very personal one and involves physical, psychological and social changes. It *should not* become an ordeal.

*Detoxification or "detox"* refers to the process of rapidly eliminating a drug or toxic substance from the body. In reference to methadone, detoxification is a 14-21 day process, wherein the physical and emotional discomfort is maximized. *"Cold turkey"* is the most rapid form of detoxification. An *"FDA detox"* is a 21-day withdrawal from opiates, using decreasing doses of methadone, which is required by law for those patients who have been addicted for less than 12 months (and probably to smaller amounts of opiates) from long-term exposure to methadone maintenance.

*Withdrawal* is the correct term for any other longer process of eliminating a drug from the body. If it takes a patient longer than 21 days to come off of an opiate, the process is withdrawal, not detoxification. Withdrawal is a general process of discontinuing the administration or use of a drug. It consists of gradual decreases in dose. The discomfort and physical and emotional symptoms can be *minimized* by making decreases in dose small and appropriately spaced. This is to help the body adjust to each change completely and adapt to the smaller amount of drug in the body.

The severity of withdrawal symptoms depends on the amount of drug to which an individual is tolerant or physically dependent, the length of time that the individual has been addicted and the rate of withdrawal.

During the process of withdrawal, the general rule of thumb is "the slower the better." The slower the process, the better chance the body has of adjusting to the lower dose and the idea is to make the process as comfortable and painless as possible. In general, your methadone dose should not be decreased by more than 3-5 percent of your dose per week. For most patients, this is a decrease of no more than 2-5 mgs per week. It may even be better to allow 10-14 days between decreases. Towards the end of the withdrawal period, the dose may be decreased by as little as 1-2mgs every two weeks. It is also a good idea to "stop and re-stabilize" each time you reach a halfway point for a period of two to four weeks (e.g. if the stabilization dose is initially 50 mgs, one should restabilize at 25 mgs, then at 13 mgs, then 7 mgs).

OVER

Experience indicates that the slower the rate of withdrawal, with periodic rest stops, the chances of a successful completion of withdrawal and maintaining a drug free life are increased. The entire process may take a year or more, depending on each individual's progress through the withdrawal process.

The decision to withdraw from methadone maintenance is highly individualized. Premature withdrawal is associated with a high rate of return to narcotic use. One should *never* withdraw solely because someone else is requesting that they do so. While withdrawing, close contact should be continued with your counselor and physician at the clinic. Fears, anxieties, as well as old and new feelings, will occur. Share these feelings and any concerns with the clinic staff. Once withdrawal is complete, stay in contact with the clinic, as the first few months after withdrawal completion can be the toughest with regards to resisting the temptation to use an illicit opiate once again.

Remember that withdrawal is part of the process of recovery and if you don't make it the first time, don't lose hope. Re-stabilize and try again at the appropriate time.

Waukesha • West Milwaukee • Racine • Green Bay • Madison • Beloit • Sheboygan

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**qAM**  
**QUALITY ADDICTION MANAGEMENT**

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**METHADONE AND BREASTFEEDING**

During your pregnancy, you will most likely consider the possibility of breastfeeding your newborn. Concerns about potential benefits and safety are common. You may receive differing advice about breastfeeding since the medical thinking on this topic has changed over time. This information sheet is intended to inform you of the current consensus of medical opinion on this subject as it relates to methadone.

To appreciate the impact of breastfeeding it is important to understand Neonatal Abstinence Syndrome (NAS). Neonatal Abstinence Syndrome is essentially opioid withdrawal in a newborn. If you have been maintained with methadone during your pregnancy, your physician and other medical staff will monitor your child for the possible development of NAS. Should NAS occur, the baby's physician will want to continue to observe, and may treat, the infant with medication. Studies have suggested that breastfed infants have lower NAS scores (less withdrawal) and are likely to be discharged earlier from the hospital than non-breastfed infants treated with medication.

From 1983 through 2001, the medical community believed that methadone-maintained mothers could only breastfeed if the mother was receiving no more than 20mg. of methadone per day. In September of 2001, the American Academy of Pediatrics removed the dose restriction.

The barrier for methadone-maintained mothers to breastfeed no longer exists; It is a personal decision to be made by the mother.

Reference: Philipp BL, Merewood A, O'Brian S. Methadone and Breastfeeding: New Horizons. Pediatrics 2003; 111; 1429-1430

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## TREATMENT SERVICES

### Medical

- Initial intake history and physical exam.
- Prescribe and dispense methadone.
- Treatment plan review.
- Appropriate health counseling.
- Yearly physical exam.
- Urine drug testing.
- Comfortable detox.

### Counseling

- Psychosocial assessment.
  - Treatment planning and review.
  - Individual Counseling
  - Family Education
- 

### MEDICAL STAFF:

Michael S. Goldstone, M.D.  
*Medical Director*

Charles J. Engel, M.D.  
*Medical Director*

*Physicians Certified by  
American Society of  
Addiction Medicine -ASAM*

**Waukesha**  
(262) 549-6600

**West Milwaukee**  
(414) 672-3801

**Racine**  
(262) 598-1392

**Green Bay**  
(920) 337-6740

**Madison**  
(608) 250-2512

**Beloit**  
(608) 361-7200

**Sheboygan**  
(920) 458-6527



## Quality Addiction Management

# qAM

- ❖ Private - Low Cost
- ❖ Physician Directed
- ❖ Methadone
- ❖ Convenient
- ❖ Confidential

Website: [qam-inc.com](http://qam-inc.com)

Community/Professional  
Education Available  
Upon Request



## What Is Narcotic Maintenance?

Narcotic maintenance is an accepted medical treatment for opiate dependence. It is regulated by State and Federal agencies.

Methadone is a synthetic opiate administered orally on a daily basis. Craving and withdrawal are suppressed for at least 24 hours. After stabilization on a fixed dose, methadone doesn't produce the rush or high associated with opiate abuse. The duration of action is much longer than other opiates.

## Why is Narcotic Maintenance Such a Controversial Treatment?

**Stigma.** The truth is, decades of treatment experience and research have proven narcotic maintenance to be the safest and most effective treatment for opiate addiction. (Institute of Medicine [1990], Treating drug Problems, Vol. 1.)

## There Are Minimal Side Effects

Methadone is generally well tolerated. Side effects are usually mild and easily managed.

## Treatment Philosophy

Opiate dependence is a chronic progressive illness which affects an individual physically, emotionally, socially and psychologically. Goals of the qAM narcotic maintenance program are:

- ◆ Relieve craving and eliminate drug use;
- ◆ Improve life functioning - employment, family relationships, physical and emotional health;
- ◆ Recovery from all other substances of abuse.

---

*We take pride in offering high quality narcotic maintenance within the confidential environment of a private medical practice.*

---

## Accredited and Licensed By:

Wisconsin Dept. of Health and Human Services

United States Drug Enforcement Administration/DEA

Center for Substance Abuse Treatment/CSAT

Substance Abuse and Mental Health Services Administration/ SAMHSA

Council On Accreditation/COA

**qAM**



II

R. O. No. \_\_\_\_\_ - 12 - 13. By CITY CLERK. March 18, 2013.

Submitting a communication from Mary Bermke stating that the fire hydrants should be marked with a red, flexible flag and is concerned about the streets and alleys regarding how they are deteriorating.

  
\_\_\_\_\_  
City Clerk



Handwritten text, possibly a signature or initials, located in the lower-left quadrant of the page.

4586224



Mrs. Mary Bernke  
1507 S 14th St.  
Sheboygan, WI 53081-5255

3-1-2013

Common Council & Mayor of Sheboygan  
First off = let me commend the City of  
Sheboygan's fire dept. I called at 5 PM  
on 2/28/13 & within a 1/2 hr they came &  
& located & dug out from the snowbanks a fire  
hydrant on Solig & Clara. I had used an  
ice chopper & poked & poked in the snow but  
could not locate the hydrant. Because I would  
have shoveled it out as I have done many times  
before - the resident living there is 20 years younger  
than I ~~am~~ am! (83 1/2) The fire inspector was  
a very nice gentleman & I did call this AM  
to thank him & his crew.

2nd = Why can't Sheboygan do as a lot of other  
areas I have noticed who mark their  
hydrants with a red rod or flexible, with  
a hydrant logo or something to denote a hydrant  
I was told #1 - insufficient funds & some people  
consider it an "eyesore"?? yet these same  
people would be the first to complain if they  
had to wait a 1/2 hr or less for the firemen  
had to find & dig out the hydrant -

These are the same people who don't mind  
their yards, sidewalks & street are strewn  
with their trash & garbage - I know, I  
go out & pick it up by the bags!  
because I take pride in the neighborhood  
If wasteful spending was discontinued we

3-1-73

could have these hydrants marked.

Keep our City juiman, police & drug units - they are important - cut Council & mayor members if necessary!

We need our police, fire & drugs now more then ever due to the riff raff coming into Sheboygan & bringing their drugs with them. No, I'm not being racial or anything, it is just a fact!

Idea = If your Council & mayor would walk more around the city streets & Alleys they would really see our City is deteriorating!!! Good exercise & its better then paying \$ at the YMCA - just think of the fresh air you could benefit from & see our City as it is really interesting!!! yes, it does get reported but the landlords dont keep track of their? tenants upkeep of property!! Maybe its time to start re-making land lords licenses for rentals? V out so 13-14 between

Berkeley, Mary Georgia ave, & Bradburn  
1507 to 14 4586224 & see the "surprises in the back yards & alley



3/2/13

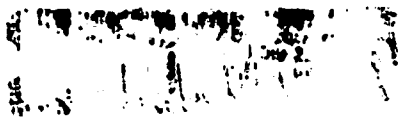
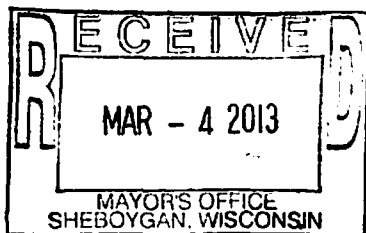
~~PG 3~~  
Ms. Mary Bermke

Another thing  
is a person who  
revamps a whole  
house inside <sup>on his</sup> own  
but only gets a  
permit for the  
roof — no permits  
were ever posted  
excepted roof

**Support Our Troops**  
**Remember Our Veterans**

194)  
you have to be  
afraid to report  
them for fear of  
retaliation of  
some sort —

Mary Bernke



2


This landlord  
won't ~~fix~~ the  
bill - he is  
another Mattin

Gary/mike  
School

landlord  
& he gets by  
with his so  
called "repairs"

One nail or screw  
& it's passed as OK

---





3/2/13

Ms. Mary Bermke

an added note -  
1517-1517A & 14  
City had to come  
out & dump 2 or  
3 "cat" tractor  
loads of salt on  
these walks - we  
the taxpayers pay  
for it - I'm sure

**Support Our Troops  
Remember Our Veterans**

3/2/13

Mayor & Council -

I ne good

ordinance to pass  
to clear our streets  
for snow <sup>City</sup> plowers &  
street <sup>City</sup> markers in Sheboygan

All of the people who

have an alley & room  
for 3 or 4 or even 1 or

2 Cars should have to  
clean out these parking  
Areas & get multiples  
of Cars off the streets

(2) as well as private homes

Landlords should  
have that as part of  
their rental properties  
& enforce it! No it  
would not be an  
invasion of privacy it  
would just be a  
Common Courtesy of  
every citizen -

1517-1517 A So. 14  
to name just one  
doesn't shovel their walks  
& NEVER shoveled out  
for car parking -

LA 27 is the ward!

Mary Bernbe  
1507 So 14

II

R. O. No. \_\_\_\_\_ - 12 - 13. By CITY CLERK. March 18, 2013.

Submitting a communication from Mary Bermke addressing several concerns regarding getting cars off of the street during a snow storm to allow Public Works to plow and checking when people renovate the insides of their homes and don't get any permits.

  
\_\_\_\_\_  
City Clerk

II

Handwritten text, possibly a signature or name, in blue ink.

III

Res. No. \_\_\_\_\_ - 12 - 13. By Alderperson Heidemann. March 18, 2013.

A RESOLUTION authorizing the Purchasing Agent to issue a Request for Bids for the Sheboygan Regional Wastewater Treatment Facility Biosolids Dewatering and Drying Improvements Project.

WHEREAS: The City of Sheboygan is in the final stages of preparing to let bids for the installation of Biosolids dewatering and drying equipment approved for purchase in 2012 and currently in production and;

WHEREAS: The next step in the process is to identify a Contractor for the installation of the equipment along with preparation of the various building and infrastructure components necessary to accommodate the process machinery and;

WHEREAS: The City and its engineering firm, Donohue and Associates intend to have the final plans and specifications ready for issue in late March 2013 and;

WHEREAS: It is appropriate to seek Common Council approval to solicit the bids for a project of this significant dollar value while assuring Council that said approval does not encumber the City in any fashion;

RESOLVED: That the Purchasing Agent is hereby authorized to solicit public bids for the aforementioned project and return to council in the future for ultimate approval of the bids and award of the contract;

BE IT FURTHER RESOLVED: That the funding mechanism to be used to finance this project will be through the use of borrowed monies from the Clean Water Fund, the use of which was previously approved by the council.

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

Res. No. \_\_\_\_\_ - 12 - 13. By Alderperson VanderWeele. March 18, 2013.

A RESOLUTION authorizing the City Attorney to engage the services of special outside legal counsel to represent the Law & Licensing Committee and Common Council with regard to a quasi-judicial hearing regarding the suspension/revocation of Taxicab Operator License No. 9748 (Roxanna M. Ramirez), and authorizing payment for said services.

RESOLVED: That the Common Council hereby authorizes the City Attorney to engage the services of special outside legal counsel to represent the Law & Licensing Committee and Common Council with regard to a quasi-judicial hearing regarding the suspension/revocation of Taxicab Operator License No. 9748 (Roxanna M. Ramirez), and authorizes payment for said services.

BE IT FURTHER RESOLVED: That the Finance Department is hereby authorized and directed to draw on the City Attorney's Judgments & Settlement Expense Account No. 10119100-590400 in payment for said services.

\_\_\_\_\_

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



Res. No. \_\_\_\_\_ - 12 - 13. By Alderpersons Hammond, Dekker, Carlson, Donohue and Roeseler. March 18, 2013.

A RESOLUTION authorizing a contribution to the Sheboygan County Economic Development Corporation for business development.

RESOLVED: That the Common Council hereby authorizes the contribution of \$100,000 to the Sheboygan County Economic Development Corporation for business development:

BE IT FURTHER RESOLVED: That the Sheboygan County Economic Development Corporation will report on their activities, pertaining to the City of Sheboygan, to the Finance Committee once per quarter. This meeting can/may be done via closed session where appropriate. Any member of the Sheboygan County Economic Development Corporation Executive Committee is welcome to make this quarterly presentation to the Finance Committee.

BE IT FURTHER RESOLVED: That the payment is authorized to be drawn on Account No. 10112100-521900 in payment of said contribution.

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

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



Res. No. 12 - 13. By Alderperson Hammond. March 18, 2013.

A RESOLUTION authorizing the Chief Administrative Officer to enter into contract for data modeling of real property data in the Assessor's Office.

WHEREAS, the City has implemented Market Drive software in the Assessor's office, and

WHEREAS, the City is required by the Wisconsin Department of Revenue to complete a revaluation of properties, and

WHEREAS, Grota Appraisals LLC has agreed to perform everything required to be performed, and to complete in a professional manner everything required to be completed to comply with Wisconsin State Statutes regarding the Data Modeling of Real Property.

NOW THEREFORE BE IT RESOLVED: That the Chief Administrative Officer is hereby authorized to enter into contract with Grota Appraisals LLC for Data Modeling at a cost not to exceed \$25,600.

BE IT FURTHER RESOLVED: That the appropriate City officials are authorized to draw the funds from the City Assessor's professional services Account No. 10116100-521900 in payment thereof.

\_\_\_\_\_

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

Res. No. \_\_\_\_\_ - 12 - 13. By Alderperson Hammond. March 18, 2013.

A RESOLUTION to authorize a transfer of appropriations in the 2013 Budget.

RESOLVED: That the Finance Director be and is hereby authorized and directed to make the following transfers of appropriations in the 2013 Budget for the purposes of:

Establishing estimated revenue and appropriation for donation from the Sheboygan Sudzzer's to the Sheboygan Police Department for use with the Police Department teddy bear Patrol Program:

| <u>FROM</u>  | <u>TO</u>  | <u>AMOUNT</u> |
|--|--|---------------|
| General Fund<br>Police Department<br>Contribution<br>10121100-467101 | General Fund<br>Police Department<br>Public Relations<br>10121100-530260-00035 | \$1,000       |

Establishing appropriation for 2013 Sidewalk Program:

| <u>FROM</u>  | <u>TO</u>                                    | <u>AMOUNT</u> |
|--|--|---------------|
| Special Assessment Fund<br>Interfund contribution<br>28581400-811401 | Capital Fund<br>Sidewalks<br>40033190-631300 | \$75,000      |

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

**VII**

R. C. No.        - 12 - 13. By LAW AND LICENSING. March 18, 2013.

Your Committee to whom was referred, pursuant to R. O. No. 277-12-13 by the City Clerk, submitting license applications for the period ending June 30, 2013 and June 30, 2014; recommends that Taxicab Driver's License #4943 be denied based on her record of unlawful and improper involvements.

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

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

VII

R. C. No. \_\_\_\_\_ - 12 - 13. By LAW AND LICENSING. March 18, 2013.

Your Committee to whom was referred, pursuant to R. O. No. 287-12-13 by the City Clerk, submitting license applications for the period ending June 30, 2013 and June 30, 2014; recommends that Taxicab Driver's License #9127 be denied based on his record of violations related to the licensed activity and a negative recommendation from the Sheboygan Police Department.

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

VIII

R. C. No. \_\_\_\_\_ - 12 - 13. By SALARIES AND GRIEVANCES. March 18, 2013.

Your Committee to whom was referred Res. No. 141-12-13 by Alderpersons Roeseler, Donohue and VanderWeele modifying the City's residency requirement for all non-represented employees (excluding department heads); recommends that the attached Substitute Resolution 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

III

Subs. Of Res. No. 141 - 12 - 13. By Alderpersons Roeseler, Donohue, and VanderWeele. March 18, 2013.

A RESOLUTION repealing the City's residency requirement for all non-represented employees (excluding Department Heads).

WHEREAS, a quality workforce enhances the efficiency and effectiveness of the City to complete its mission;

WHEREAS, we encourage our employees to live in Sheboygan because we believe that Sheboygan is a great place to live, work and play; however, recognizing that may not always be possible for various reasons;

WHEREAS, by requiring employees to live within the City, we significantly reduce the talent pool from which to select qualified candidates;

WHEREAS, by hiring the most qualified candidates, not just the most local, the City is able to deliver the highest possible service to the taxpayer, thus enhancing our ability to continue to provide the services necessary within the constraints of budget reduction;

THEREFORE, BE IT RESOLVED: That the current residency requirement for all non-represented employees as set forth in Res. No. 50-08-09 adopted July 7, 2008, is hereby repealed in its entirety.

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

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

**II**

5.1  
8.1

Res. No. 141 - 12 - 13. By Alderpersons Roeseler, Donohue and VanderWeele. February 18, 2013.

A RESOLUTION modifying the City's residency requirement for all non-represented employees (excluding department heads).

WHEREAS, a quality workforce enhances the efficiency and effectiveness of the City to complete its mission;

WHEREAS, we encourage our employees to live in Sheboygan because we believe that Sheboygan is a great place to live, work and play; however, recognizing that may not always be possible for various reasons;

WHEREAS, by requiring employees to live within the City, we significantly reduce the talent pool from which to select qualified candidates;

WHEREAS, by hiring the most qualified candidates, not just the most local, the City is able to deliver the highest possible service to the taxpayer, thus enhancing our ability to continue to provide the services necessary within the constraints of budget reduction;

WHEREAS, by implementing a 2-year timeframe to move into the city limits, we provide new employees time to evaluate the housing market, the school systems, and to have ample time to prepare their relocation, and at the same time, the City will have a larger pool from which to recruit;

WHEREAS, by assigning a 2% fee of base earnings for those not relocated within the 2 year time frame, the City will be able to be at a cost-neutral point as the funds a resident would have paid to the city in the form of a real estate tax or other fees received from residents;

*Lies over*  
*Boken/Versey*  
*Refer to 5+6 of the new*  
*Council last*  
*Ayes: 5*  
*BAWTT.*  
*Boken/Donohue*  
*Refer to 5+6 for immediate*  
*action for the next Council meeting (3/18/13)*  
*Ayes: 14*  
*Mays: 2*  
*Van Akkeren, Dekker*

WHEREAS, non-rep employees (other than Department Heads), who were employed prior to January 1, 2012 were grandfathered from the residency requirement;

NOW, THEREFORE BE IT RESOLVED: That the current residency requirement for employees hired on or after January 1, 2012 (other than Department Heads) is rescinded and replaced with a 2-year relocation requirement which requires non-represented employees (excluding Department Heads) to have 2% of their base salary deducted bi-weekly until they successfully relocate to the City of Sheboygan.

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

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

VIII

R. C. No. \_\_\_\_\_ - 12 - 13. By FINANCE. March 18, 2013.

Your Committee to whom was referred Res. No. 150-12-13 by Alderperson Hammond AUTHORIZING AMENDMENTS TO \$2,750,000 CITY OF SHEBOYGAN, WISCONSIN INDUSTRIAL DEVELOPMENT REVENUE BONDS, SERIES 2010 (TORGINOL, INC. PROJECT) ISSUED ON DECEMBER 30, 2010; recommends that the Resolution 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

III

5.4

Res. No. 150 - 12 - 13. By Alderperson Hammond. March 4, 2013.

A RESOLUTION AUTHORIZING AMENDMENTS TO \$2,750,000 CITY OF SHEBOYGAN, WISCONSIN INDUSTRIAL DEVELOPMENT REVENUE BONDS, SERIES 2010 (TORGINOL, INC. PROJECT) ISSUED ON DECEMBER 30, 2010.

WHEREAS, the City of Sheboygan, Wisconsin (the "Issuer") has heretofore entered into a Bond Agreement (the "Bond Agreement") by and among the Issuer, Torginol, Inc., a Wisconsin corporation (the "Borrower"), U.S. Bank National Association, as original purchaser (the "Original Purchaser"), and U.S. Bank National Association, as trustee (the "Trustee") dated December 1, 2010, relating to the issuance of \$2,750,000 City of Sheboygan, Wisconsin Industrial Development Revenue Bonds, Series 2010 (Torginol, Inc. Project) (the "Original Bonds"); and

WHEREAS, the Issuer loaned the proceeds of the Original Bonds to the Borrower for the purpose of financing a project on behalf of the Borrower consisting of the (i) acquisition of an approximately 100,000 square foot facility located at 4617 South Taylor Drive in the City of Sheboygan, Wisconsin (the "Facility") to be used by the Borrower to manufacture specialty coating and resinous flooring media, (ii) acquisition and installation of equipment at the Facility, (iii) rehabilitation of the Facility and (iv) payment of professional fees and costs; and

WHEREAS, the Borrower and the Original Purchaser wish to amend the interest rate provisions of the Original Bonds pursuant to the First Amendment to Bond Agreement dated as of March 1, 2013 (the "Amendment"), and to give effect to such modification, the Borrower and the Original Purchaser have requested the Issuer to reissue the Original Bonds (as reissued, the "Bonds"); and

WHEREAS, it is a requirement of the Bond Agreement that any such amendment of the Bond Agreement be approved by the Issuer.

NOW THEREFORE, BE IT RESOLVED by the governing body of the Issuer as follows:

Section 1. Findings and Determinations.

It is hereby found and determined that under the provisions of the Act, the Bonds shall remain limited obligations of the Issuer, and the Bonds do not constitute an indebtedness of the Issuer within the meaning of any state constitutional or statutory provision, and do not constitute nor give rise to a charge against its general credit or taxing powers or a pecuniary liability of the Issuer.

*Finance*  
*approve*

Section 2. Approvals and Authorizations; Authentication of Transcript.

2.01. There is hereby approved the reissuance by the Issuer of its industrial development revenue bonds in an aggregate principal amount not to exceed \$2,598,875, for the purpose of refunding the Original Bonds, which is treated as a current refunding for purposes of federal income tax.

2.02. The Amendment is hereby approved. The Mayor and the City Clerk are hereby authorized and directed in the name and on behalf of the Issuer to execute the Amendment, to which the Issuer is a party, and either one of them or both of them are authorized and directed to execute such other documents, agreements, instruments or certificates as are deemed necessary or desirable by the Issuer's counsel and bond counsel, including an Internal Revenue Service Form 8038.

2.03. The Issuer shall proceed to reissue the Original Bonds, which reissued Bonds shall be in the form and upon the terms set forth in the Amendment, which terms, including without limitation, interest rates, redemption provisions and maturity, are for this purpose incorporated in this resolution and made a part hereof. The Mayor and the City Clerk are authorized and directed to execute and seal the Bonds as prescribed in the Amendment and to deliver them to the Trustee (together with a certified copy of this resolution and any other documents required by the Indenture) for authentication and delivery to the Trustee.

2.04 The Issuer hereby elects to have the provisions of Section 144(a)(4)(A) of the Internal Revenue Code of 1986, as amended, apply to the Bonds.

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

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

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



A handwritten signature in black ink, appearing to be 'DAJ', is written over a horizontal line.

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





\* General Receipt \*

Receipt No. 697599  
Date 03/13/13  
Received By LAS

Received From

TORGINOL INC  
4617 S TAYLOR DR  
SHEBOYGAN WI 53081

Memo: 0 REFINANCING

Fees:

|                 |        |
|-----------------|--------|
| I R B BOND FEES | 500.00 |
| Total           | 500.00 |

VIII

R. C. No. \_\_\_\_\_ - 12 - 13. By FINANCE. March 18, 2013.

Your Committee to whom was referred Res. No. 151-12-13 by Alderperson Heidemann requiring a two-thirds vote for adoption of new fees and increases or extensions of existing fees by the Common Council; recommends that the Resolution 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

III

5.5

Res. No. 151 - 12 - 13. By Alderperson Heidemann. March 4, 2013.

A RESOLUTION requiring a two-thirds vote for adoption of new fees and increases or extensions of existing fees by the Common Council.

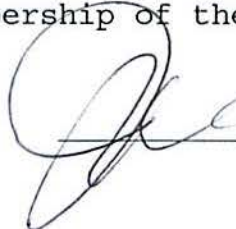
WHEREAS, as a result of the state-imposed constraints on municipal tax levy increases the City of Sheboygan has been facing for the past several years, there appears to be a growing tendency to find ways to increase revenues by circumventing the tax levy constraints; and

WHEREAS, it is in the best interests of the taxpayers of the City of Sheboygan that it be made more difficult for the Common Council to circumvent tax levy limitations by adopting new fees and increasing or extending existing fees which further burden City residents; and

WHEREAS, requiring an affirmative vote of two-thirds of the membership of the Common Council for adoption of new and increased fees will promote the public policy of limiting the increased financial burden of government on its citizens.

NOW, THEREFORE, BE IT RESOLVED: That all new fees or increases or extensions of existing fees proposed to the Common Council, which are not mandated by the state or federal government, shall require an affirmative vote of two-thirds of the entire membership of the Council for adoption.

*Final  
approve*

  
\_\_\_\_\_

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

VIII

R. C. No. \_\_\_\_\_ - 12 - 13. By PUBLIC WORKS. March 18, 2013.

Your Committee to whom was referred Res. No. 153-12-13 by Alderperson Heidemann authorizing the appropriate City Officials to execute the Management Services Agreement regarding Quarryview Park; recommends that the Resolution be passed along with the "amended" agreement attached.

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

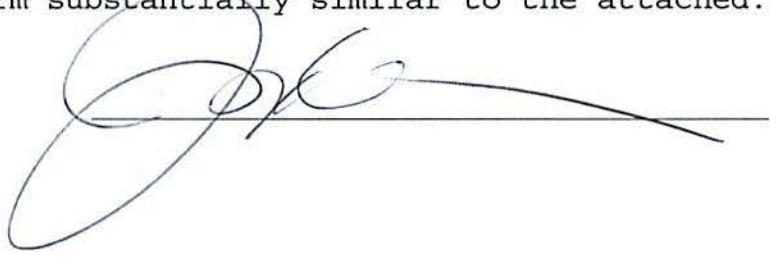
IV

# III

Res. No. 153 - 12 - 13. By Alderperson Heidemann. March 4, 2013.

A RESOLUTION authorizing the appropriate City officials to execute the Management Services Agreement regarding Quarryview Park.

RESOLVED: That the Mayor and City Clerk are hereby authorized to execute the Management Services Agreement in form substantially similar to the attached.



Pub-Works  
or  
Bd of Marina,  
Parks & Forestry

Approve Res  
&  
amend agmt

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

## MANAGEMENT SERVICES AGREEMENT

THIS MANAGEMENT SERVICES AGREEMENT (this "Agreement") is entered into as of March \_\_\_\_, 2013, by and between the City of Sheboygan, a municipal corporation of the State of Wisconsin ("City"), and Empire Recreation Management, LLC, a Wisconsin limited liability company ("Manager"), collectively, the "Parties."

### RECITALS

WHEREAS, City owns Quarryview Park, a public park located at 3401 Calumet Drive, Sheboygan, Wisconsin (the "Quarry Park"); and

WHEREAS, the City finds that the Quarry Park beach, water areas and Quarryview Community Center located in Quarry Park are feature-rich assets which have been underutilized by the public; and

WHEREAS, Manager desires to provide certain management services at Quarry Park, and the City is willing to have Manager provide certain management services at Quarry Park; and

WHEREAS, Manager is experienced in the operation of seasonal, water-based family entertainment centers and desires to manage and operate the quarry beachfront, water areas, the Quarryview Community Center and other ancillary areas for the City (hereinafter known as the "Quarry"); and

WHEREAS, the City desires to obtain the benefits of Manager's expertise in the operation and management of seasonal, water-based family entertainment centers by turning over to Manager the operation and management of the Quarry; and

WHEREAS, subject to the terms and conditions hereof, City desires to engage the Manager, and the Manager desires to be engaged, to provide personnel and certain management services to the Quarry in connection therewith.

NOW, THEREFORE, in consideration of the Recitals herein set forth and the mutual promises made herein, the sufficiency of which is acknowledged by the Parties hereto, it is hereby agreed as follows:

ARTICLE I  
ENGAGEMENT OF MANAGER; THE SERVICES

1.1 Engagement of Manager. Subject to the terms and conditions of this Agreement, City hereby engages Manager, and Manager hereby accepts such engagement, to provide the Services (as defined below) at the Quarry, within the area identified in Exhibit "A" attached hereto. In addition, City agrees to provide Manager access to the public parking lot at the Quarry for its operations.

1.2 The Services. The Manager shall provide the City with, or make arrangements for the delivery to City of, the following services during the term of this Agreement, all at no cost to the City (collectively, the "Services"):

(a) Provide management expertise and consulting services with respect to recommending and implementing improvements to the Quarry facilities, programs, offerings and attractions;

(b) Manage and operate all aspects of the Quarry and the Quarryview Community Center, including, without limitation, staffing, reservations, reception, concessions, sales, bookkeeping, administration, marketing, advertising and promotion;

(c) Manager shall be responsible for all day-to-day expenses and normal maintenance involved with operations. Manager shall finance all personnel, operations and the proposed new equipment involved with its operations.

(d) Manage and coordinate recreational programs, facilities and equipment for Quarry users. Select and provide products appropriate for the different water depths in the Quarry, as well as different demographic groups. Select and provide site amenities to enhance guest comfort and create a unique destination that will broaden Quarryview Park's appeal and stimulate repeat visits;

(e) Hours of operation for the Quarry beach shall be 10 a.m. to 7 p.m., seven days per week from Memorial Day through Labor Day 2013. The Parties may mutually agree to adjust the hours of operation based upon the weather and demand;

(f) Manager shall provide an on-site manager and two to ten additional staff members depending on weather, capacity and planned events;

(g) Such other services incidental to the operations of the City's Quarry and Quarryview Community Center as may be reasonably requested by City from time to time.

(h) Manager shall institute and maintain reasonable safety measures and procedures to include, but not be limited to the following:

(i) Utilize inflatable safety buoys to segregate the shallow-water free zone from any pay-for-play areas;

(ii) All users will need to pass a swim test and receive a wristband as an identifier to use any deep water activity area;

(iii) Lifejackets and wristbands will be required for all activities in deep water areas, including stand-up paddleboards, pedal boats and kayaks;

(iv) Utilize the existing dock also for the safety stations.

1.3 Scope. The scope of the Services under this Agreement may be enlarged, reduced, or altered from time to time by mutual agreement of the Parties and written amendment of this Agreement. City shall be responsible for any agreed-upon capital improvements, major site cleanup, and major repairs required on existing facilities and structures.

1.4 Personnel.

(a) Manager shall provide all personnel reasonably necessary for Manager to perform the Services. Such personnel shall at all times be employees or contractors of Manager (collectively, the "Personnel"). Manager, in its sole discretion, shall be responsible for all aspects of the hiring and employment of its employees, including, without limitation, retirement and welfare plans, conduct policies, workers compensation insurance and compensation. Manager shall conduct criminal background checks on all prospective hires and condition employment on successful passage of drug screen.

(b) City shall have the right, at any time upon at least fourteen (14) days' notice to Manager, to declare any Personnel no longer eligible to perform the Services for City under this Agreement.

(c) Manager may from time to time delegate its obligations hereunder to any person. City reserves the right to approve or disapprove any such delegation.

(d) All of Manager's employees shall undergo a thorough orientation and training program, with key emphasis on customer service skills and safety. All employees shall possess and maintain appropriate licensing and/or certification.

## ARTICLE II COVENANTS OF MANAGER

2.1 Compliance with Law. Manager will use commercially reasonable efforts to assure that the Services are performed in compliance with the requirements of all applicable laws, statutes, ordinances, rules, regulations, or orders of any governmental authorities or regulatory bodies having jurisdiction over Manager or City.

### 2.2 Ownership of Records, Licenses and Systems.

(a) All reports, documents and other information generated solely pursuant to the Services herein or relating solely to the operation of the Quarry and the Quarryview Community Center shall be the property of City.

(b) All business records, documents and other information generated by Manager which may pertain to the Services but which are generated pursuant to or relating to the operation of Manager shall remain the property of Manager.

(c) Software licenses, licenses, permits, procedures, processes and systems generated by or purchased by Manager and used in connection with this Agreement shall be the property of Manager, unless otherwise agreed to in writing by Manager and City.

(d) Software licenses, licenses, permits, procedures, processes and systems generated by or purchased by City and used in connection with this Agreement shall be the property of City, unless otherwise agreed to in writing by Manager and City.

2.3 Access to Records and Facilities. The Manager shall make available to City, its agents and attorneys, at all times during normal business hours, all records and other information described in Section 2.2 hereof which relate to Services under this Agreement. The Manager shall promptly respond to any questions from City with respect to such records and shall confer with City at all reasonable times, upon request, concerning the operations of the Quarry and the Quarryview Community Center. In addition, the City or the City's officer or designated agents shall have the right at any reasonable time or interval to examine Manager's books of account for the Quarry or any portion thereof. Manager acknowledges that certain of its records may be subject to disclosure under applicable public record laws.

2.4 Insurance.

(a) Manager agrees, at its sole cost and expense, to obtain and maintain insurance coverage in an amount not less than \$2,000,000 with respect to its operation of the Quarry, for the benefit of both the City and Manager and agrees to name the City as additional insured.

(b) Each party shall obtain and maintain property insurance coverage on their respective assets.

2.5 Performance Standards. The Manager shall undertake all of the Services in accordance with the reasonable performance standards established by City for the Services.

ARTICLE III  
FEES AND PAYMENT

3.1 Manager shall pay to the City a fee of \$1.00 for making the facilities available. Manager shall be entitled to retain all of the proceeds which it generates from the operation of the Quarry and the Quarryview Community Center under this Agreement.

ARTICLE IV  
RELATIONSHIP OF THE PARTIES

4.1 Independent Parties. Nothing in this Agreement shall be construed to constitute any party as a partner, agent or joint venturer of the other party. Neither party shall make any contract or representation, or incur any liability or

obligation whatsoever, on behalf or in the name of the other party, except as set forth in this Agreement, or as may be stated otherwise in other agreements between the Parties. Except as otherwise provided herein, each party shall be responsible for its own operational expenses incurred in the performance of this Agreement.

4.2 Nonassumption of Liabilities. Neither party shall, by entering into and performing this Agreement, assume or become liable for any of the existing or future obligations, liabilities, or debts of the other party.

4.3 Other Interests. City acknowledges and agrees that Manager may provide services that are the same or substantially similar to the Services provided herein to, and that Manager or its shareholders, directors, officers or employees (collectively, the "Manager Parties") may own, manage, operate or invest in, businesses related to or in the same type of activities as the Quarry, provided, however, that none of such activities or facilities are located within a twenty (20) mile radius of the Quarry. The ownership of such an interest in, or the provision of such services to, such a business by a Manager Party shall not constitute a breach of or default under this Agreement by Manager. Nothing in this Agreement shall prohibit any Manager Party from providing such services to or having such interests in, either directly or indirectly, any other real property, business or investment of any nature or description, independently or with others, provided such services or facilities are not provided or located within a twenty (20) mile radius of the Quarry.

#### ARTICLE V HOLD HARMLESS

5.1 Scope of Liability. Manager shall not be liable to City for any negligent acts or omissions in the performance of this Agreement. Rather, Manager shall be liable to City only if the act, or failure to act, of Manager constitutes any of the following:

(a) Manager's bad faith, recklessness, gross negligence, gross misconduct or willful misconduct in its management and operation of the Quarry, or arising out of any breach or claimed breach of any representation or any of its obligations pursuant to this Agreement; or

(b) A violation of criminal law, unless Manager had reasonable cause to believe that its conduct was lawful or no reasonable cause to believe that its conduct was unlawful.

5.2 Indemnification Obligations. City and Manager agree to hold each other harmless for liabilities arising out of the performance of this Agreement as follows:

(a) Manager agrees to defend, indemnify and hold harmless City and its officers , officials, managers, employees and agents against any and all claims, lawsuits, settlements, judgments, costs, penalties, and expenses, including reasonable attorneys' fees and costs of investigation, resulting from, or arising out of, or in connection with any claim made as a result of Manager's bad faith, recklessness, gross negligence, gross misconduct or willful misconduct in its management and operation of the Quarry, or arising out of any breach or claimed breach of any representations or any of its obligations pursuant to this Agreement.

(b) City agrees to defend, indemnify and hold harmless Manager and its shareholders, directors, officers, employees, and agents against any and all claims, lawsuits, settlements, judgments, costs, penalties, and expenses, including reasonable attorneys' fees and costs of investigation, resulting from, or arising out of, or in connection with any claim made as a result of the City's ownership of the Quarry, provided, however, that the City shall not defend, indemnify or hold Manager harmless from and against, and Manager shall not be exculpated from any claim, action, damage, expense, loss or liability directly or indirectly caused by or arising from bad faith recklessness, gross negligence, gross misconduct or willful misconduct of Manager, or arising out of any breach of representations or any of its obligations pursuant to this Agreement.

(c) The Parties shall notify each other of the existence of claims relating to the Quarry or the services provided under this Agreement and shall cooperate with each other in defense of third-party claims.

#### ARTICLE VI TERM AND TERMINATION

6.1 Term. This Agreement shall commence upon the date hereof and continue in full force and effect during the 2013 summer swimming season at the Quarry ending on or about the end

of the Labor Day weekend, but in no event later than September 8, 2013. This Agreement may be renewed for one successive year summer swimming season upon written agreement of the Parties, subject to such modifications as the Parties may agree.

6.2 Termination for Cause. This Agreement may be terminated at any time for cause by the party indicated below upon fifteen (15) days' written notice to the other party:

(a) Bankruptcy. By either party, if the other party shall file a voluntary petition in bankruptcy, make a general assignment for the benefit of creditors, or take advantage of any insolvency law.

(b) Breach. By either party, if the other party shall default in the performance of this Agreement and the default shall continue for a period of fifteen (15) days after written notice to the other party stating specifically the default.

(c) Transfer of Business. By City, if Manager shall be acquired by, or transfer substantially all of its assets or business to, any third party.

6.3 Termination for Convenience. This Agreement may be terminated at any time for any reason by either party upon forty-five (45) days' written notice to the other party.

6.4 Effect of Termination or Expiration.

(a) Expiration or termination of this Agreement for any reason shall not release any party from its obligations hereunder that have accrued prior to the termination date.

(b) After any termination of this Agreement, the following shall apply:

(i) Manager shall promptly deliver to City all of City's park property and facilities in the possession of Manager, including, without limitation, any property of City described in Section 2.2 hereof.

(ii) The parties shall promptly conduct a final accounting of the amounts due under Section 3.1 hereof, and any amount due either party under such accounting shall be promptly paid by the other party.

ARTICLE VII  
MISCELLANEOUS

7.1 Assignment. The benefits, rights, and obligations set forth herein are personal to the Parties, and, except as provided for herein, may not be assigned or transferred to a third party without the prior written consent of the other party. Any attempted assignment in violation of this section shall be void. Without in any way limiting the foregoing, this Agreement shall be binding upon, enforceable by, and inure to the benefit of the Parties, their permitted successors and assigns.

7.2 Notice. Any notice, consent, approval, request or other communication required or permitted to be given pursuant to this Agreement (a "Notice") shall be in writing and shall be either personally delivered or sent by first class mail, postage prepaid, to the address each of the Parties keeps on record for the other party, or to such other address as either party may give notice of from time to time in accordance with this Section 7.2. If Notice is sent by mail as provided above, it also shall be sent on the date of mailing by facsimile transmission to the facsimile number, if any, designated by the other party in writing for receipt of such notice. Delivery shall be deemed effective upon personal delivery or deposit in the United States mail.

7.3 Entire Agreement. This Agreement contains the entire understanding between the Parties on the subject matter hereof and no representations, inducements, promises, or agreements, oral or otherwise, not embodied herein shall be of any force or effect. This Agreement supersedes any other oral or written agreement entered into between the Parties on the subject matter hereof.

7.4 Amendment. This Agreement may be amended only by a writing signed by both parties.

7.5 Waiver. No failure or delay of any party in exercising any right or power given to it under this Agreement shall operate as a waiver thereof. No waiver of any breach of any provision of this Agreement shall constitute a waiver of any prior, concurrent, or subsequent breach. No waiver of any breach or modification of this Agreement shall be effective unless contained in writing executed by both parties.

7.6 Severability. The invalidity or unenforceability of any particular provisions of this Agreement shall not affect the other provisions hereof, and this Agreement shall be construed in all respects as if such invalid or unenforceable provisions were omitted.

7.7 Binding Effect. This Agreement shall be binding upon and inure to the benefit of the Parties hereto, their permitted successors and permitted assigns, and, subject to Section 6.2(c) hereof, any corporate successors by merger, consolidation or other corporate reorganizations, without limitation.

7.8 Force Majeure. Neither party shall be deemed to be in violation of this Agreement if such party is prevented from performing any of its obligations hereunder for any reason beyond its reasonable control, including, without limitation, acts of God or of any public enemy, elements, flood, strikes, or statutory or other law, regulation or rule of the federal or any state or local government or any agency thereof.

7.9 Governing Law. This Agreement shall be construed and interpreted in accordance with the laws of the State of Wisconsin.

7.10 Counterparts. This Agreement may be executed in two or more counterparts, including by signature pages provided by facsimile or in PDF format. All such counterparts together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties have duly executed this Agreement as of the date first above written.

**MANAGER:**

EMPIRE RECREATION  
MANAGEMENT, LLC

By: \_\_\_\_\_

Date: \_\_\_\_\_

**CITY:**

CITY OF SHEBOYGAN

By: \_\_\_\_\_  
Terry Van Akkeren  
Mayor

Date: \_\_\_\_\_

**ATTEST:**

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

Date: \_\_\_\_\_

**EXHIBIT "A"**

*[DPW to provide photo or drawings identifying  
areas covered by Management Services Agreement]*

**VI**

R. C. No.        - 12 - 13. By PUBLIC WORKS. March 18, 2013.

Your Committee to whom was referred R. O. No. 270-12-13 by the City Clerk submitting a communication from Alderperson Lewandoske stating concerns regarding the fact that the handicapped elevator lift on the north side of City Hall has been removed due to the lack of availability of parts to repair the lift and states that it is dangerous to have to park on the street, especially in the snow and ice in order to get to the handicapped ramp located on the south side of City Hall; recommends that the document be referred to Finance Committee to see if funding is available for the project.

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

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

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

II

Other Matters

7.3

R. O. No. 270 - 12 - 13. By CITY CLERK. February 4, 2013.

Submitting a communication from Alderperson Lewandoske stating concerns regarding the fact that the handicapped elevator lift on the north side of City Hall has been removed due to the lack of availability of parts to repair the lift and states that it is dangerous to have to park on the street, especially in the snow and ice in order to get to the handicapped ramp located on the south side of City Hall.

Pub. Works  
refer to Finance  
to see if funding  
is available for project

Susan Richards  
City Clerk

III

11

Handwritten text, possibly a signature or date.

## Richards, Sue

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**From:** Scott Lewandoske [sheboygan@bytehead.com]  
**Sent:** Sunday, February 03, 2013 10:27 PM  
**To:** Richards, Sue; Pawasarat, Mark; Biebel, David; Mayor Van Akkeren; Alderperson Jim Bohren  
**Subject:** City Hall and Handicapped people  
**Attachments:** RE City Hall Handicap Ramp - Outlook Web Access Light.htm

Sue,

Would it be possible to add this to tonight's common council agenda under "other items to be referred?"

Last week Tuesday, while I was at a Law & Licensing committee meeting, an email was received by myself and Alderman Bohren which stated, "The handicapped elevator lift at City Hall is in need of repairs. However, the parts are NOT available anymore. Please use the ramp located at the south side (east end) of City Hall.

I sent an email back regarding this and the difficulty I would have for the following reasons:

1. I started parking in back of city hall because it was shorter to walk and less slippery.
2. I have trouble walking any distance, for now.
3. I would now need to park on the street in the handicapped spots which are ice and snow covered and slippery.
4. I am under doctor's orders to avoid going out in slippery conditions.
5. The only area to get up onto the sidewalk is the driveway which is also ice covered and slippery because there are snow banks between the street and curbing, plus I would need to go over these snow banks with a walker.
6. There are also snow banks on the city hall side of the parking meters in the bank parking lot. Again snowbanks are a problem.
7. To get out of my vehicle, I would need to open my door and get my walker out with oncoming traffic. I would then need to walk in traffic to get to the driveway to get up on the sidewalk. This is dangerous doing it in the dark when I could also slip and fall in traffic and get hit by a car.

In addition, I have other concerns. The handicapped parking spots in back of city hall were also eliminated. Why? This means that there are two handicapped parking spots on the street (and two alderman that use them) so there are no other handicapped parking spaces for people to use. People that also need handicapped spaces, but still could go up steps (such as with a cane, like I am practicing in rehab), should still be able to use the parking spaces in back of city hall.

My email and response I received are attached. Notice, in the response I received, shoveling a path between the parking lot and city hall was not possible. Why?

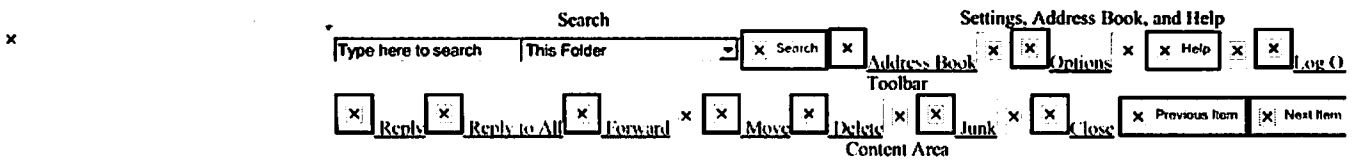
Having salt and/or sand spread in the parking spaces and driveway was not addressed Why?

Shoveling paths through the snow banks along the curbing was not addressed. Why?

I know the ramp was put in to help people and at the time I would have agreed with this solving the problem. But, needing to use a walker or wheelchair makes a person see things much different, compared to someone with two good legs cannot see.

I would like to have this referred to committee with things that can be done to help the handicapped before someone is injured, instead of just saying nothing can be done.

Scott Lewandoske  
5th District Alderperson



RE: City Hall Handicap Ramp  
 Pawasarat, Mark  
 Sent: Wednesday, January 30, 2013 9:59 AM  
 To: Alderperson Scott Lewandoske  
 Cc: Biebel, David; Gorges, Wendy

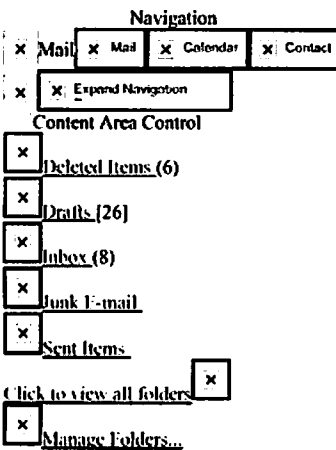
Good morning Ald. Lewandoske,

Unfortunately the 30 plus year old handicapped lift at the rear entrance to City Hall finally broken to the point that it is not repairable. We had decided to leave it in place until the new ADA ramp was built in the front of the building as long as it worked. As you know the Council voted in September of 2010 to build the new ramp and add parking stalls to meet the requirements of citizens for City Hall because it was the most reasonable long term project to replace this unit with something that would be legal today could cost in excess of \$75,000.

The parking spots behind City Hall will no longer exist and the lift will be repaired as early as today, weather permitting.

As for your concerns with the parking lot East of City Hall, this lot belongs to the City and any snow along their property line would be their responsibility. Our building maintenance staff has been starting at 6:00 AM when weather conditions demand to clear the walks, ramps and steps around the building. This is done throughout the day until 8:00PM, later if meetings are still ongoing.

Sorry for the bad news,  
 Mark Pawasarat  
 Building and Grounds Superintendent



-----Original Message-----  
 From: Gorges, Wendy  
 Sent: Wednesday, January 30, 2013 8:26 AM  
 To: Pawasarat, Mark; Biebel, David  
 Subject: FW: City Hall Handicap Ramp

....see message from Ald. Lewandoske....

-----Original Message-----  
 From: Alderperson Scott Lewandoske  
 Sent: Tuesday, January 29, 2013 9:35 PM  
 To: Gorges, Wendy  
 Cc: Mayor Van Akkeren  
 Subject: RE: City Hall Handicap Ramp

I can't walk that far yet, plus there are snowbanks and ice covered areas to walk on before getting to the ramp. As an example, before I started parking in the back of City Hall, I used to park in the parking lot on the east side of city hall, but there were snowbanks between the parking lot and the ramp and it was too far for me to walk the far way to the side walk. I would park on the street, again there were snowbanks in the way and the driveway area was icy. I am under doctors orders to avoid slippery areas.

Scott Lewandoske

-----  
 From: Gorges, Wendy  
 Sent: Tuesday, January 29, 2013 3:13 PM  
 To: Alderperson Jim Bohren; Alderperson Scott Lewandoske  
 Cc: Pawasarat, Mark; Biebel, David  
 Subject: City Hall Handicap Ramp

Good Afternoon,

The handicap elevator lift at City Hall is in need of repairs. However, the parts are not available anymore. Please use the ramp located at the south side (east end) of City Hall.

Thanks,

Wendy J. Gorges  
 Confidential Admin. Asst.  
 City of Sheboygan-Dept. of Public Works  
 2026 New Jersey Ave.  
 p (920)-459-3366  
 f (920)-459-3443  
 WGorges@ci.sheboygan.wi.us<mailto:WGorges@ci.sheboygan.wi.us>

[cid:image001.jpg@01CDFE31.9BAFBA50]

**VII**

R. C. No. \_\_\_\_\_ - 12 - 13. By PUBLIC WORKS COMMITTEE. March 18, 2013.

The Public Works Committee met and discussed the request to install a new handicapped elevator lift on the north side of City hall, whereas the previous lift was not fixable due to lack of availability of parts (see attached cost estimate for new lift and related construction).

This lift project was not planned in the 2013 operating or capital budget and has no funding allocated at this time. As a result, the Public Works Committee has decided to refer this to the Finance Committee to see if funding is available.

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

## City Hall ADA Lift Research

|                                    |   |
|------------------------------------|---|
| Plan review                        | \$300   |
| Building permit                    | \$250   |
| LJM architectural fees             | \$3,500   |
| Lift will need bids                | \$22,000 (three quotes range from \$20,995 to \$21,995) |
| Manufacture shop drawings          | included  |
| State permit application           | \$100   |
| State annual inspection            | \$160 (will have an annual cost)                        |
| J&H building controls relocated    | \$10,770  |
| Electrical work                    | \$2,000   |
| ADA phone line and service         | \$200 (will have an annual cost)                        |
| Continuing maintenance service     | \$550 (annual cost in 2009)                             |
| Shaftway lighting                  | \$350   |
| Existing floor and wall relocation | <u>\$19,000</u> (range from \$18,000 to \$20,000)       |
| <br>Total Estimated Cost:          | <br>\$59,180  |

# VII

R. C. No. \_\_\_\_\_ - 12 - 13. By PUBLIC WORKS. March 18, 2013.

The Public Works Committee met and discussed the "Release of Liability & Indemnity Agreement" between the City of Sheboygan and the Union Pacific Railroad Company to permit the City to be in, on, or about the premises of the Railroad, as authorized by the foregoing permit for the sole purpose of mowing, when necessary, the railroad right-of-way located a distance of twenty-five (25) feet of railroad tracks within the City of Sheboygan in the locations shown on the attached Exhibit A print. The Public Works Committee recommends entering into this agreement with the Union Pacific Railroad pending approval by the City Attorney. (see attached agreement)

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

**RELEASE OF LIABILITY AND INDEMNITY**

City of Sheboygan, WI("Permittee") has requested Union Pacific Railroad Company ("Railroad") to permit Permittee to be in, on, or about the premises of the Railroad, as authorized by the foregoing permit, for the sole purpose of mowing, when necessary, the Railroad right-of-way located a distance of twenty-five (25) feet of railroad tracks within the City of Sheboygan in the locations shown on the attached Exhibit A print. If mowing is necessary closer than twenty-five feet, Permittee will contact the Director of Track Maintenance and the Railroad will provide protection at Railroad's cost. Permittee fully understands that they may face risks of personal injury, death or property damage as a result of their presence on or about Railroad premises, or as the result of acts or omissions of an officer, agent, or employee of Railroad or defects in tracks, other railroad facilities, land, locomotives, cars, trains or equipment (collectively referred to as "Loss"). Permittee further understands that execution of this **RELEASE OF LIABILITY AND INDEMNITY** is a condition of Railroad's permission to allow Permittee to be on or about Railroad premises.

In consideration of the foregoing, Permittee hereby **ASSUME ALL RISKS** of any Loss while upon or about the tracks or other premises of Railroad and hereby **FOREVER ACQUIT, RELEASE AND DISCHARGE** Railroad, its affiliated companies, and all other companies using the tracks or other servants or employees (collectively referred to as "Released Parties"), from any Loss that may be sustained by Permittee while on or about railroad's premises, even if the Loss is caused in whole or in part by the negligence, negligence per se, or strict liability of the Released Parties or if the loss results from a violation or alleged violation or any federal, state or local law or regulation by the Released Parties, including, but not limited to, the Federal Employers Liability Act ("FELA"), the Safety Appliance Act, the Locomotive Inspection Act, and the Occupational Safety and Health Act ("OSHA"). Permittee further agrees to **WHOLLY INDEMNIFY, DEFEND AND FOREVER SAVE HARMLESS** the Released Parties from and against any claims for such Loss even if the Loss is caused in whole or in part by the negligence, negligence per se, or strict liability of the Released Parties or if the loss results from a violation or alleged violation or any federal, state or local law or regulation by the Released Parties, including, but not limited to, the Federal Employers Liability Act ("FELA"), the Safety Appliance Act, the Locomotive Inspection Act, and the Occupational Safety and Health Act ("OSHA"). Permittee further agrees that this **RELEASE OF LIABILITY AND INDEMNITY** shall be a full and complete defense to any action for any and all types and kinds of damages or penalties which may be brought, instituted or taken for such Loss against the Released Parties.

**Permittee agrees to invoice the Railroad quarterly at:**

**Union Pacific Railroad  
Attn: Director Track Maintenance  
301 W. Lake Street  
Northlake, IL 60164  
Phone: (708) 649-5270**

**This Release of Liability and indemnity Agreement will commence on the date written and shall extend for one year and thereafter shall automatically be extended from year to year unless terminated. Either Permittee or Railroad may terminate this agreement upon thirty (30) days written notice to the other party.**

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**By: \_\_\_\_\_  
CITY OF SHEBOYGAN – Title:**

**UNION PACIFIC RAILROAD COMPANY**

**By: \_\_\_\_\_  
Senior Manager – Real Estate**

RAILROAD PROPERTY  
LOCATED WITHIN  
CITY OF SHEBOYGAN

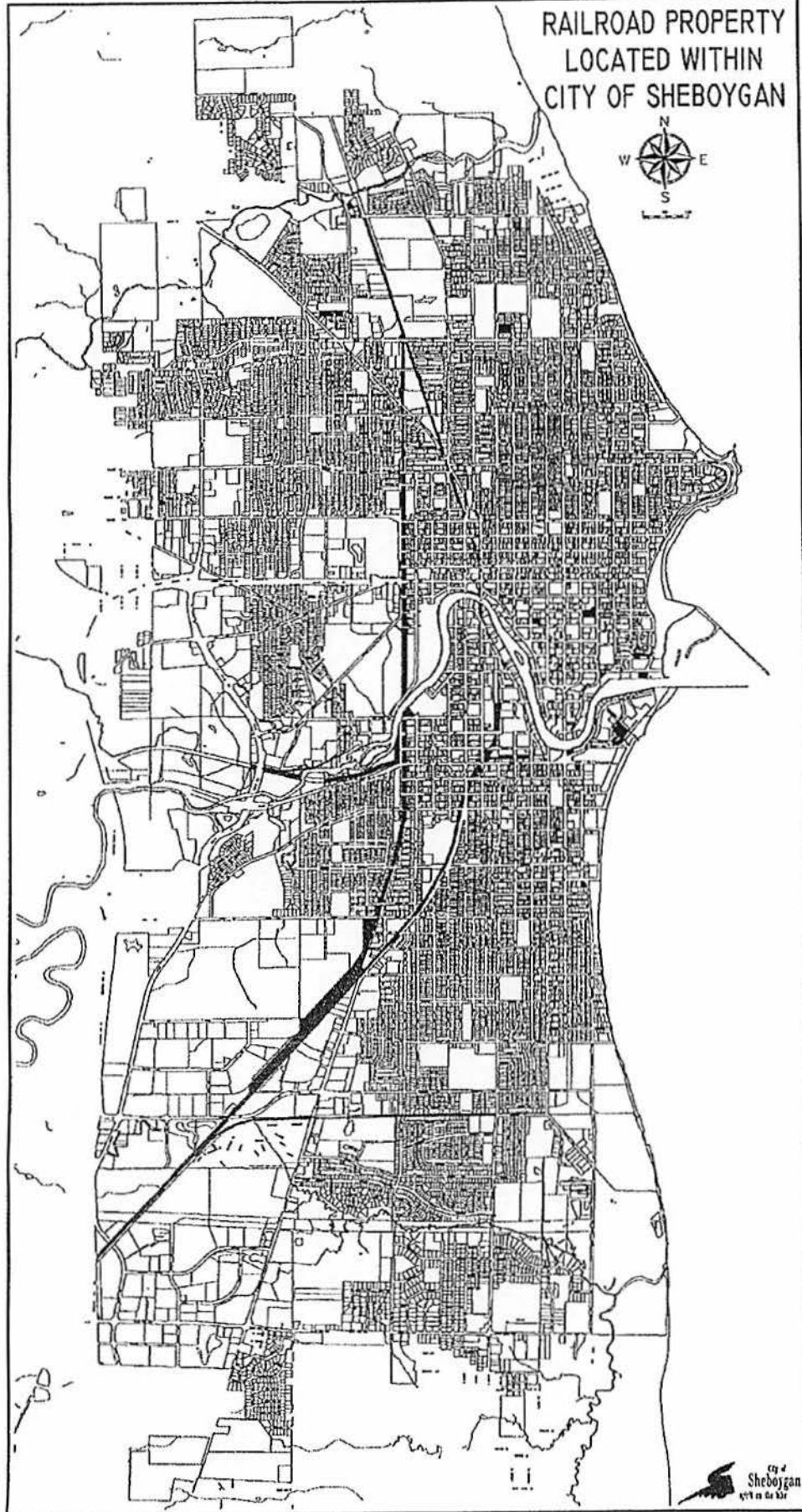
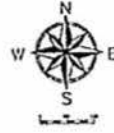


EXHIBIT A



Gen. Ord. No.       - 12 - 13      . By Alderpersons Lessard and Carlson.  
March 18, 2013.

AN ORDINANCE amending Section 26-1008 of the Municipal Code relating to certificates of compliance with clearwater requirements so as to exempt certain transactions.

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

Section 1. Section 26-1008 of the Sheboygan Municipal Code entitled "Certification of compliance with clearwater requirements" is hereby amended by adding new subsection (j) to read as follows:

"Sec. 26-1008. *Certification of compliance with clearwater requirements.*

. . .

(j) The following transactions are exempt from the requirements of this section:

- (1) Conveyances of residential real property between husband and wife or pursuant to divorce decree or by will, descent or survivorship, where the property was initially acquired after December 7, 1998 and the acquiring spouse or former spouse continues to reside in the residence."

Section 2. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

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

**VI**

5.3

Res. No. 149 12 - 13. By Alderperson Hammond, Dekker, Carlson and Donohue. March 4, 2013.

A RESOLUTION to authorize a transfer of appropriations in the 2013 Budget.

RESOLVED: That the Finance Director be and is hereby authorized and directed to make the following transfers of appropriations in the 2013 Budget for the purposes of:

Establishing estimated revenue and appropriation for grant from the Wisconsin Department of Justice for Police Strategies for Recorded Interview training:

| <u>FROM</u>   | <u>TO</u>  | <u>AMOUNT</u> |
|---|--|---------------|
| General Fund<br>Police Department<br>State Grant<br>10121100-434201 | General Fund<br>Police Department<br>Training<br>10121100-526130 | \$5,500       |

*Ries over  
Hammond / Carlson  
Res pass*

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

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

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IV

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Gen. Ord. No. 50 - 12 - 13. By Alderpersons Heidemann and Lessard.  
March 4, 2013.

AN ORDINANCE repealing and recreating Chapter 46 of the Municipal Code relating to Fair Housing.

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

Section 1. Chapter 46 of the Sheboygan Municipal Code entitled "Fair Housing" is hereby repealed and recreated to read as follows:

"Chapter 46 - FAIR HOUSING

ARTICLE I. IN GENERAL

Sec. 46-1. Definitions.

The words, terms and phrases used in this chapter shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Board* means the board of housing appeals and fair housing practices.

*Complainant* means a person who files a complaint alleging discrimination in housing.

*Disability* means a physical or mental impairment that substantially limits one or more major life activities, a record of having such an impairment or being regarded as having such an impairment. *Disability* does not include the current illegal use of a controlled substance, as defined in W.S.A. § 961.01(4), or a controlled substance analog, as defined in W.S.A. § 961.01(4m), unless the individual is participating in a supervised drug rehabilitation program.

*Discriminate* means to segregate, separate, exclude, or treat a person or class of persons unequally in a manner described in Sec. 46-3 or 46-4 because of sex, race, color, sexual orientation, disability, religion, national origin, marital status, family status, status as a victim of domestic abuse, sexual assault, or stalking, lawful source of income, age, or ancestry.

*Dwelling unit* means a structure or that part of a structure that is used or intended to be used as a home, residence or sleeping place by one person or by two or more persons who are maintaining a common household, to the exclusion of all others.

*Family* includes one natural person.

*Bd Housing Appeals & Fair Housing Practices*

*Family status* means any of the following conditions that apply to a person seeking to rent or purchase housing or to a member or prospective member of the person's household regardless of the person's marital status:

1. A person is pregnant.
2. A person is in the process of securing sole or joint legal custody, periods of physical placement or visitation rights of a minor child.
3. A person's household includes one or more minor or adult relatives.
4. A person's household includes one or more adults or minor children in his or her legal custody or physical placement or with whom he or she has visitation rights.
5. A person's household includes one or more adults or minor children placed in his or her care under a court order, under a guardianship or with the written permission of a parent or other person having legal custody of the adult or minor child.

*Hearing* means a hearing under the jurisdiction of the board, except where otherwise indicated.

*Housing* means any improved property, or any portion thereof, including a mobile home as defined in W.S.A. § 101.91(10), manufactured home, as defined in W.S.A. § 101.91(2), or condominium, that is used or occupied, or is intended, arranged or designed to be used or occupied, as a home or residence. *Housing* includes any vacant land that is offered for sale or rent for the construction or location thereon of any building, structure or portion thereof that is used or occupied, or is intended, arranged or designed to be used or occupied, as a home or residence.

*Housing for older persons* has the meaning as defined by federal or state law.

*Probable cause* means reasonable grounds to believe that one or more persons has, may have, or may be violating one or more provisions of this chapter.

*Respondent* means the person accused in a complaint of discrimination in housing filed with the board.

*Sexual orientation* has the meaning given in W.S.A. § 111.32(13m).

*Status as a victim of domestic abuse, sexual assault, or stalking* means the status of a person who is seeking to rent or purchase housing or of a member or prospective member of the person's household having been, or being believed by the lessor or seller of housing to be, a victim of domestic abuse, as defined in W.S.A. § 813.12(1)(am), sexual assault under W.S.A. §§ 940.225, 948.02, or 948.025, or stalking under W.S.A. § 940.32.

Sec. 46-2. Declaration of policy.

It is declared to be the policy of the city, pursuant to the United States Constitution and state constitution, W.S.A. §§ 66.1011 and 106.50, and also its power to protect the public health, safety and general welfare that all persons, regardless of their sex, race, color, religion, age, ancestry, marital status, family status, status as a victim of domestic abuse, sexual assault, or stalking, lawful source of income, national origin, disability or sexual orientation, are entitled to fair and equal access to housing. To that end the city enacts this chapter, which prohibits any person, not exempted in this chapter, from discriminating against any other person by impairing to any degree access to any housing or housing accommodations on the basis of sex, race, color, religion, age, ancestry, marital status, family status, status as a victim of domestic abuse, sexual assault, or stalking, lawful source of income, national origin, disability or sexual orientation and creates a board with the power and duty to enforce equal opportunity in housing for all citizens of the city.

Sec. 46-3. Discrimination prohibited.

(a) It is unlawful for any person to discriminate:

- (1) By refusing to sell, rent, finance or contract to construct housing or by refusing to negotiate or discuss the terms thereof.
- (2) By refusing to permit inspection or exacting different or more stringent price, terms or conditions for the sale, lease, financing or rental of housing.
- (3) By refusing to finance or sell an unimproved residential lot or to construct a home or residence upon such lot.
- (4) By advertising in a manner that indicates discrimination by a preference or limitation.
- (5) For a person in the business of insuring against hazards, by refusing to enter into, or by exacting different terms,

conditions or privileges with respect to, a contract of insurance against hazards to a dwelling.

- (6) By refusing to renew a lease, causing the eviction of a tenant from rental housing or engaging in the harassment of a tenant.
- (7) In providing the privileges, services or facilities that are available in connection with housing.
- (8) By falsely representing that housing is unavailable for inspection, rental or sale.
- (9) By denying access to, or membership or participation in, a multiple listing service or other real estate service.
- (10) By coercing, intimidating, threatening or interfering with a person in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed, a right granted or protected under this section, or with a person who has aided or encouraged another person in the exercise or enjoyment of a right granted or protected under this section.
- (11) In making available any of the following transactions, or in the terms or conditions of such transactions for a person whose business includes engaging in residential real estate-related transaction:
  - a. The making or purchasing of loans or the provision of other financial assistance for purchasing, constructing, improving, repairing or maintaining housing or the making or purchasing of loans or the provision of other financial assistance secured by residential real estate.
  - b. Selling, brokering or appraising residential real property.

(12) By otherwise making unavailable or denying housing.

(b) No person may induce or attempt to induce a person to sell or rent housing by representations regarding the present or prospective entry into the neighborhood of a person of a particular economic status or a member of a protected class, or by representations to the effect that such present or prospective entry will or may result in any of the following:

- (1) The lowering of real estate values in the area concerned.
- (2) A deterioration in the character of the area concerned.

- (3) An increase in criminal or antisocial behavior in the area concerned.
- (4) A decline in the quality of the schools or other public facilities serving the area.

Sec. 46-4. Discrimination against persons with disabilities prohibited.

(a) Types of discrimination prohibited. In addition to discrimination prohibited under Sec. 46-3, no person may do any of the following:

- (1) Segregate, separate, exclude or treat unequally in the sale or rental of, or otherwise make unavailable or deny, housing to a buyer or renter because of a disability of that buyer or renter, a disability of a person residing in or intending to reside in that housing after it is sold, rented or made available or a disability of a person associated with that buyer or renter.
- (2) Segregate, separate, exclude or treat unequally a person in the terms, conditions or privileges of sale or rental of housing, or in the provision of services or facilities in connection with such housing, because of a disability of that person, a disability of a person residing in or intending to reside in that housing after it is sold, rented or made available or a disability of a person associated with that person.
- (3) Refuse to permit, at the expense of a person with a disability, reasonable modification of existing housing that is occupied, or is to be occupied, by such a person if the modifications may be necessary to afford the person full enjoyment of the housing, except that in the case of rental housing the landlord may, where it is reasonable to do so, condition permission for a modification on the tenant's agreement to restore the interior of the housing to the condition that existed before the modification, other than reasonable wear and tear. The landlord may not increase any customarily required security deposit. Where it is necessary to ensure that funds will be available to pay for the restorations at the end of the tenancy, the landlord may negotiate as part of a restoration agreement a requirement that the tenant pay into an interest-bearing escrow account, over a reasonable period, a reasonable amount of money not to exceed the cost of the restorations. The interest in any such account shall accrue to the benefit of the tenant. If

escrowed funds are not used by the landlord for restorations, they shall be returned to the tenant.

- (4) Refuse to make reasonable accommodations in rules, policies, practices or services that are associated with the housing, when such accommodations may be necessary to afford the person equal opportunity to use and enjoy housing, unless the accommodation would impose an undue hardship on the owner of the housing.

(b) Animals assisting persons with disabilities.

- (1) If an individual's vision, hearing or mobility is impaired, it is discrimination for a person to refuse to rent or sell housing to the individual, cause the eviction of the individual from housing, require extra compensation from an individual as a condition of continued residence in housing or engage in the harassment of the individual because he or she keeps an animal that is specially trained to lead or assist the individual with impaired vision, hearing or mobility if all of the following apply:

- a. Upon request, the individual shows to the lessor, seller or representative of the condominium association credentials issued by a school recognized by the department as accredited to train animals for individuals with impaired vision, hearing or mobility.
- b. The individual accepts liability for sanitation with respect to, and damage to the premises caused by, the animal.

- (2) Subdivision (1) does not apply in the case of the rental of owner-occupied housing if the owner or a member of his or her immediate family occupying the housing possesses and, upon request, presents to the individual a certificate signed by a physician which states that the owner or family member is allergic to the type of animal the individual possesses.

(c) Design and construction of covered multifamily housing. In addition to discrimination prohibited under paragraphs (a) and (b) and Sec. 46-3, no person may design or construct covered multifamily housing, as defined in W.S.A. § 101.132(1)(d), unless it meets the standards specified in W.S.A. § 101.132(2)(a)1. to 4. In addition, no person may remodel, as defined in W.S.A. § 101.132(1)(h), housing with three or more dwelling units unless the remodeled housing meets the standards specified in W.S.A. §

101.132(2)(a)1. to 4. as required under W.S.A. § 101.132(2)(b)1., 2. or 3., whichever is applicable.

Sec. 46-5. Exemptions and exclusions.

(a) Nothing in this chapter shall prohibit discrimination based on age or family status with respect to housing for older persons.

(b) Nothing in this chapter shall prohibit a person from exacting different or more stringent terms or conditions for financing housing based on the age of the individual applicant for financing if the terms or conditions are reasonably related to the individual applicant.

(c) Nothing in this chapter shall prohibit the development of housing designed specifically for persons with disabilities and preference in favor of persons with disabilities in relation to such housing.

(d) Nothing in this chapter requires that housing be made available to an individual whose tenancy would constitute a direct threat to the safety of other tenants or persons employed on the property or whose tenancy would result in substantial physical damage to the property of others, if the risk of direct threat or damage cannot be eliminated or sufficiently reduced through reasonable accommodations. A claim that an individual's tenancy poses a direct threat or a substantial risk of harm or damage must be evidenced by behavior by the individual that caused harm or damage, that directly threatened harm or damage, or that caused a reasonable fear of harm or damage to other tenants, persons employed on the property, or the property. No claim that an individual's tenancy would constitute a direct threat to the safety of other persons or would result in substantial damage to property may be based on the tenant's status as a victim of domestic abuse, sexual assault, or stalking.

(e) It is not discrimination based on status as a victim of domestic abuse, sexual assault, or stalking for a landlord to bring an action for eviction of a tenant based on a violation of the rental agreement or of a statute that entitles the landlord to possession of the premises, unless subd. (1) or (2) applies. A tenant has a defense to an action for eviction brought by a landlord if the tenant proves by a preponderance of the evidence that the landlord knew or should have known any of the following:

- (1) That the tenant is a victim of domestic abuse, sexual assault, or stalking and that the basis for the action for eviction is conduct that related to the commission of domestic abuse, sexual assault, or stalking by a person who was not the invited guest of the tenant.

(2) That the tenant is a victim of domestic abuse, sexual assault, or stalking, that the basis for the action for eviction is conduct that related to the commission of domestic abuse, sexual assault, or stalking by a person who was the invited guest of the tenant, and that the tenant has done one of the following:

- a. Sought an injunction under W.S.A. §§ 813.12, 813.122, 813.123, or 813.125 enjoining the person from appearing on the premises.
- b. Upon receiving notice under W.S.A. § 704.17, provided a written statement to the landlord indicating that the person will no longer be an invited guest of the tenant and has not subsequently invited the person to be a guest of the tenant.

(f) It is not discrimination based on family status to comply with any reasonable federal, state or local government restrictions relating to the maximum number of occupants permitted to occupy a dwelling unit.

(g) (1) Subject to subd. (2), nothing in this chapter applies to a decision by an individual as to the person with whom he or she will, or continues to, share a dwelling unit, as defined in W.S.A. § 101.71(2) except that dwelling unit does not include any residence occupied by more than five persons.

(2) Any advertisement or written notice published, posted or mailed in connection with the rental or lease of a dwelling unit under subd. (1) may not violate sub. (2)(d), 42 USC 3604(c), or any rules or regulations promulgated under this chapter or 42 USC 3601 to 3619, except that such an advertisement or written notice may be for a person of the same sex as the individual who seeks a person to share the dwelling unit for which the advertisement or written notice is placed.

(h) Nothing in this chapter prohibits an owner or agent from requiring that a person who seeks to buy or rent housing supply information concerning family status, and marital, financial, and business status but not concerning race, color, disability, sexual orientation, ancestry, national origin, religion, creed, status as a victim of domestic abuse, sexual assault, or stalking.

(i) A person may not be held personally liable for monetary damages for a violation of Sec. 46-3 or 46-4 if the person reasonably relied, in good faith, on the application of the exemption under this section relating to housing for older persons. For purposes of this paragraph, a person may show reasonable reliance, in good faith, on the application of the exemption under

this section relating to housing for older persons only if the person shows all of the following:

- (1) That he or she has no actual knowledge that the housing is not or will not be eligible for the exemption.
- (2) That the owner of the housing has stated formally, in writing, that the housing complies with the requirements for the exemption.

(j) Nothing in this chapter prohibits any religious or denominational institution or organization, or any charitable or educational organization which is operated, supervised or controlled by or in connection with a religious organization, from limiting admission or giving preference to persons of the same religion or denomination, or from making such selection as is reasonably necessary for such organizations to promote the religious principles for which it is established or maintained.

(k) Nothing in this chapter shall limit the applicability of any reasonable local, state, or federal restrictions regarding the maximum number of occupants permitted to occupy a dwelling, structure, unit, or property.

(l) Nothing in this chapter shall apply to a single occupancy room provided that the owner permanently resides in the same structure.

Secs. 46-6 -46-40. Reserved.

## ARTICLE II. POWERS AND DUTIES

Sec. 46-41. Administration - Powers and duties.

(a) The purposes and provisions of this chapter shall be administered by the city board of housing appeals and fair housing practices and, where necessary, the city attorney.

(b) In administering this chapter, the board of housing appeals and fair housing practices shall have the power and duty to:

- (1) Adopt, amend, publish and modify any and all administrative policies and procedures as may, from time to time, be necessary, useful, helpful, or desirable in the administration and/or enforcement of this chapter;
- (2) Appoint such number and types of employees, agents and staff, subject to a table of organization and budget approval by the common council, as are necessary to promote the purposes of

this chapter and/or the administration and/or enforcement of this chapter, and prescribe their duties;

- (3) Receive, initiate and investigate complaints alleging any discrimination or discriminatory practice prohibited by this chapter if the complaint is filed with the board not later than one year after the alleged discrimination occurred or terminated;
- (4) Appoint, from time to time, subject to a table of organization and/or budget approval by the common council, one or more investigators to gather facts, evidence and information, and otherwise investigate complaints, and/or one or more mediators who initially shall seek a settlement agreeable to both the complainant and the respondent by means of information conferences or other meetings or means;
- (5) Refer settlement agreements to the city attorney for approval as to form;
- (6) If necessary, hold hearings after efforts at settlement, based on complaints made against any person and a determination of probable cause; administer oaths and take testimony; compel the production of books, papers and any other documents relating to any matters involved in the complaint; and subpoena witnesses and compel their attendance. If a witness either fails or refuses to obey a subpoena issued by the board, the board may order attendance. At any time after it has issued such an order, the board may petition a court of competent jurisdiction for its enforcement;
- (7) Issue, after hearing, such final orders as are necessary to promote the purpose of this chapter;
- (8) Issue temporary orders effective for a maximum of 20 days, absent extraordinary circumstances, restraining the respondent from taking any action that would tend to render ineffective or unenforceable any order which the board might issue;
- (9) Refer orders to the city attorney to be enforced by him in the name of the city;
- (10) Except as provided in W.S.A. §§ 19.31, et seq., or 106.50, make available to the public, in writing, copies of:
  - a. Transcripts of all of its proceedings except initial settlement efforts by its mediators;

- b. All temporary and final orders; and
- c. All decisions and opinions rendered.

No publicity, however, shall be given a complaint in those cases where the board obtains compliance with this chapter or the board finds that the complaint is without foundation;

- (11) Require a written report of the manner of compliance with any final order it may issue; and
- (12) Recommend to the mayor and common council any legislation necessary to further promote the purposes of this chapter and file annual written reports of its work to the mayor and common council.

Secs. 46-42 - 46-65. Reserved.

### ARTICLE III. ENFORCEMENT PROCEDURES

#### Sec. 46-66. Complaint.

(a) The board may receive and investigate a complaint charging a violation of Sec. 46-3 or 46-4 if the complaint is filed with the board not later than one year after the alleged discrimination occurred or terminated.

(b) The complaint shall include a written statement of the essential facts constituting the discrimination that is charged, and shall be signed by the complainant.

(c) A complaint filed under this chapter may be amended or withdrawn at any time with and subject to the approval of the board or its designated agent and under such terms as the board or agent shall direct.

(d) Upon the filing of a lawful, timely, and otherwise proper complaint, the board or its designated agent shall serve a copy of the complaint upon the respondent. The copy of the complaint, together with a notice directing the respondent to respond in writing to the allegations in the complaint within 20 days after the date of the notice shall be served upon the respondent by certified mail, return receipt requested. The notice will further state that, if the respondent fails to answer the complaint in writing, the board will make an initial determination as to whether the discrimination has occurred based only on the board's investigation and the information supplied by the complainant.

(e) The board may dismiss the complaint if the complainant fails to respond to the board within 20 days from the date of mailing of any correspondence from the board concerning the complaint, if the board's correspondence requests a response and if the correspondence is sent by certified mail, return receipt requested, to the last known address of the complainant.

Sec. 46-67. Investigation and finding of probable cause.

(a) The board or its designated agent shall investigate all complaints that allege a violation of this chapter and that are timely filed. The board or its designated agent may subpoena persons or documents for the purpose of investigation.

(b) At the conclusion of the investigation of the allegations, the board or its designated agent shall make a determination as to whether probable cause exists to believe that discrimination has occurred or is about to occur.

(c) If a determination is made that there is no probable cause to believe discrimination in violation of this chapter has been or is being committed, the complainant shall be afforded an opportunity to appeal such decision to the full board of housing appeals and fair housing practices. If the full board decides there is no probable cause, the complainant may appeal to either:

- (1) A court of competent jurisdiction for the county in which the alleged discrimination took place; or
- (2) A court of competent jurisdiction for the county in which the property or property interest in question is located.

(d) If a determination is made that there is probable cause to believe discrimination in violation of this chapter has been or is being committed, an agent designated by the board of housing appeals and fair housing practices shall endeavor, by means of conference, conciliation or persuasion, to eliminate the alleged discrimination or discriminatory practice.

Sec. 46-68. Hearing on failure to settle.

When efforts at settlement have failed to eliminate the discrimination or discriminatory practice alleged by the complainant under this chapter, the board of housing appeals and fair housing practices shall promptly cause to be issued a notice of a hearing before a hearing examiner, acting as an agent of the board, to determine the merits of the complaint.

Sec. 46-69. Findings of examiner.

(a) Under this chapter, in all hearings before an examiner, except those for determining probable cause, the burden of proof is on the party alleging discrimination.

(b) If, after hearing and on the basis of the official record made therein, the examiner finds by a fair preponderance of the evidence that the respondent has engaged in or is engaged in any discrimination prohibited by this chapter, he shall make and recommend to the board of housing appeals and fair housing practices written findings of fact and conclusions thereon and shall recommend such action to be taken by the respondent and, where necessary, by the complainant, as will effect the purposes of this chapter by eliminating the discrimination found.

(c) Damages and penalties.

- (1) If the hearing examiner finds that a respondent has engaged in or is about to engage in a discriminatory act prohibited under Sec. 46-3 or 46-4, the hearing examiner shall promptly issue an order for such relief as may be appropriate, which may include economic and non-economic damages suffered by the aggrieved person, regardless of whether he or she intervened in the action, and injunctive or other equitable relief. The hearing examiner may not order punitive damages.
- (2) In addition to any damages ordered under subd. (1), the hearing examiner may assess a forfeiture against a respondent who is not a natural person in an amount not exceeding \$10,000, unless the respondent who is not a natural person has been adjudged to have committed any prior discriminatory act under Sec. 46-3 or 46-4. If a respondent who is not a natural person has been adjudged to have committed one other discriminatory act under Sec. 46-3 or 46-4 during the preceding five-year period, based on the offense date of the prior discriminatory act, the hearing examiner may assess a forfeiture in an amount not exceeding \$25,000. If a respondent who is not a natural person has been adjudged to have committed two or more prior discriminatory acts under Sec. 46-3 or 46-4 during the preceding seven-year period, based on the offense date of the prior discriminatory act, the hearing examiner may assess a forfeiture in an amount not exceeding \$50,000.
3. In addition to any damages ordered under subd. (1), the hearing examiner may assess a forfeiture against a respondent who is a natural person in an amount not exceeding \$10,000, unless the respondent who is a natural person has been

adjudged to have committed any prior discriminatory act under Sec. 46-3 or 46-4. If a respondent who is a natural person has been adjudged to have committed one other prior discriminatory act under Sec. 46-3 or 56-4 based on an offense date that is before September 1, 1992, the hearing examiner may assess a forfeiture in an amount not exceeding \$25,000. If a respondent who is a natural person has been adjudged to have committed two or more prior discriminatory acts under Sec. 46-3 or 46-4 based on an offense date that is before September 1, 1992, the hearing examiner may assess a forfeiture in an amount not exceeding \$50,000.

(d) Attorney fees and costs. The hearing examiner may allow a prevailing complainant reasonable attorney fees and costs.

(e) A certified copy of such recommended findings, conclusions and orders, together with a summary of the findings of fact, shall be sent to the last known addresses of the complainant and the respondent by certified mail with return receipts requested.

(f) If, within 30 days following the mailing of the hearing examiner's decision, the board does not receive notice of appeal, the findings, conclusions and orders of the examiner shall be the findings, conclusions and orders of the board.

#### Sec. 46-70. Appeal from examiner's findings.

Under this chapter, if within 30 days following the mailing of the examiner's decision, the complainant or respondent serves notice of appeal, such appeal may be had to the full board of housing appeals and fair housing practices. The board shall have the power to affirm, reverse or modify the determination of the hearing examiner. After final determination by the board, either party may appeal by certiorari to a court of competent jurisdiction. In the alternative, either party may receive a trial de novo on all issues relating to any alleged discrimination and a further right to a trial by jury.

#### Sec. 46-71. Transfer of proceedings.

At any time after a finding of probable cause under this chapter, the board of housing appeals and fair housing practices, with appropriate notice to the complainant and respondent, may transfer the proceedings to itself.

#### Sec. 46-72. Judicial enforcement.

Whenever, in the judgment of the board of housing appeals and fair housing practices, judicial enforcement of a board order is necessary to

enforce this chapter, the board shall in writing request the city attorney to commence proceedings in a court of competent jurisdiction to enforce such orders in the name of the city. Upon receipt of any such request, the city attorney shall have the duty to seek enforcement of such orders in a court of competent jurisdiction.

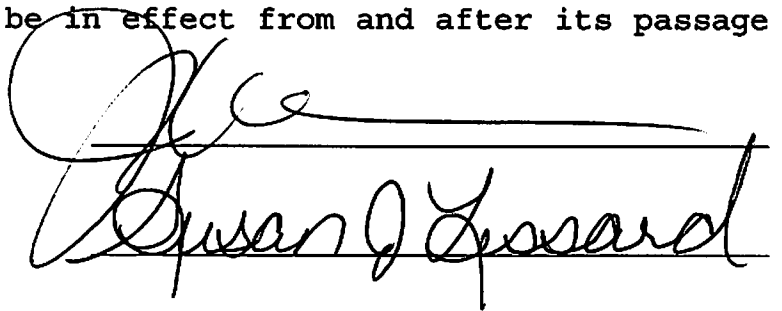
Sec. 46-73. Remedies.

(a) The board of housing appeals and fair housing practices shall have the power and duty, after investigation and hearing, to issue and implement such orders as may be necessary to effect the purposes of this chapter. Such orders may include the following:

- (1) Cease and desist orders;
- (2) Affirmative action by the respondent and, where necessary, by the complainant; and
- (3) Any other orders which may be necessary to effect the purpose of this chapter.

(b) Any of the orders of the board shall be stayed during the period in which any appeal may be taken and during the pendency of any appeal."

Section 2. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.



A handwritten signature in cursive script, appearing to read "Susan J. Gussard", is written over a horizontal line. Above the signature, there is a large, circular scribble or mark.

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

# III

Res. No. \_\_\_\_\_ - 12 - 13. By Alderperson Hammond. March 18, 2013.

A RESOLUTION authorizing the sale of City-owned property in Sheboygan Industrial Park No. 1 (Parcel No. 59281-423780).

WHEREAS, the property is a remnant piece of the original Industrial Park development and is landlocked as a developable site except for the adjacent property owners;

WHEREAS, Office Service Company, LLP has submitted an offer to purchase the property "As-Is, Where-Is".

RESOLVED: That the Common Council authorizes the Mayor and City Clerk to act on behalf of the City in accepting the Offer to Purchase and in signing all appropriate documents related to the transfer of parcel no. 59281-423780.

---

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

**COMMON COUNCIL**

Official Proceedings of the 2012 - 2013 Common Council of the City of Sheboygan.

**TWENTY- FOURTH REGULAR MEETING**

The Council met: Monday, March 18, 2013.

Mayor Terry Van Akkeren in the Chair:

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

Belanger, Carlson, Dekker, Donohue, Hammond, Heidemann, Kath, Lewandoske, Matichek, Roeseler, VanderWeele, Versey, Wangemann - 13.

Absent and Excused: Bohren, Lessard, Van Akkeren - 3.

On motion by Alderperson Hammond and second by Alderperson Carlson, the reading of the minutes of the Twenty-Third Regular Meeting held March 4, 2013, and the Sixth Special meeting held March 11, 2013, were approved as entered on the record, all Alderpersons present voting "Aye".

**RESIGNATIONS**

March 12, 2013

Dear Mayor Van Akkeren:

It is my wish to resign, effective April 2, 2013, from the remaining time I have left on the city's Transit Commission and the Police and Fire Commission.

It has been an honor and a privilege to serve the citizens of the City of Sheboygan on both of these commissions.

Thank you very much,

Jean Kittelson

On motion by Alderperson Hammond and second by Alderperson Carlson, the foregoing resignation was accepted and filed, on call of the roll:

Ayes: Belanger, Carlson, Dekker, Donohue, Hammond, Heidemann, Kath, Lewandoske, Matichek, Roeseler, VanderWeele, Versey, Wangemann - 13.

Nays: None.

**PUBLIC FORUM**

David Sommers, 2332 Carmen Ave., Mike Brunette, 1925 S. 26<sup>th</sup> St., Barbara Beck, 714 Superior Ave., and Collin Kachel, 321 Bluff Ave. spoke.

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

Ayes: Belanger, Carlson, Dekker, Donohue, Hammond, Heidemann, Kath, Lewandoske, Matichek, Roeseler, VanderWeele, Versey, Wangemann - 13.

Nays: None.

**MAYOR'S ANNOUNCEMENTS**

**HEARINGS**

**Hearing No. 9 - 12 - 13. March 18, 2013.**

Pursuant to a notice published by the Deputy Finance Director/Treasurer, there is a hearing this evening to confirm special assessments for Parking District I.

All interested persons will be heard.

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

**Hearing No. 10 - 12 - 13. March 18, 2013.**

Pursuant to a notice published by the Deputy Finance Director/Treasurer, there is a hearing this evening to confirm special assessments for Parking District II.

All interested persons will be heard.

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

**Hearing No. 11 - 12 - 13. March 18, 2013.**

Pursuant to a notice published by the Deputy Finance Director/Treasurer, there is a hearing this evening to confirm special assessments for Parking District IV.

March 18, 2013

All interested persons will be heard.

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

**Hearing No. 12 - 12 - 13. March 18, 2013.**

Pursuant to a notice published by the Deputy Finance Director/Treasurer, there is a hearing this evening to confirm special assessments for Parking District V.

All interested persons will be heard.

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

**REPORTS OF OFFICERS**

**\*R. O. No. 293 - 12 - 13. By BOARD OF ELECTRICAL & HEATING EXAMINERS. March 18, 2013.**

Pursuant to State of Wisconsin Comm. 5 and City of Sheboygan Municipal Code, Section 26-355, the following licenses have been issued:

| <u>APPLICATION #</u> | <u>NAME AND ADDRESS</u>                                      | <u>TYPE OF LICENSE</u> |
|----------------------|--|------------------------|
| 1251                 | Robert Engler<br>28700 E Riverbay Dr.<br>Waterford, WI 53185 | Electrical Contractor  |
| 1382                 | Mark J Borden<br>2504 Broken Hill Ct<br>Waukesha, WI 53188   | Electrical Contractor  |
| 1430                 | James Conard<br>4482 Nicolet Dr.<br>Green Bay, WI 54311      | Electrical Contractor  |
| 1462                 | Chad Grunwald<br>1454 Stable Lane<br>Pulaski, WI 54162       | Electrical Contractor  |
| 1463                 | Dan Steinhardt<br>742 Chaplin Ct.<br>Plymouth, WI 53073      | Electrical Contractor  |

**\*R. O. No. 294 - 12 - 13. By CITY CLERK. March 18, 2013.**

Submitting various license applications.

MASSAGE ESTABLISHMENT LICENSE(December 31, 2013)

| <u>No.</u> | <u>Name</u>  | <u>Address</u>   |
|------------|--------------|------------------|
| 1796       | Salon Shibui | 2427 Calumet Dr. |

TEMPORARY "CLASS B" LICENSE

| <u>No.</u> | <u>Name</u>                 | <u>Address</u>  |
|------------|-----------------------------|---|
| 2975       | Brennans Mens Softball      | 1101 Michigan Ave. – one-day event to be held 4/20/13 to include current premise and the parking lot west of the building.        |
| 1166       | Holly Name Parish           | 807 Superior Ave. – one-day event to be held 6/23/13 to include auditorium, gym, kitchen, playground of 814 Superior Ave.         |
| 2970       | St. Elizabeth Seaton School | 817 Superior Ave. – one-day event to be held 4/27/2013 at 2113 N. 22 <sup>nd</sup> St. to include the kitchen and gymnasium area. |
| 2808       | Water Street Softball Team  | 931 N. 12 <sup>th</sup> St. – one-day event to be Held 4/20/13 to include all the premise and parking lot south of building.      |

TEMPORARY BEVERAGE OPERATOR'S LICENSE

| <u>No.</u> | <u>Name</u>           |
|------------|-----------------------|
| 8537       | Waldbauer, Richard T. |

**\*R. O. No. 295 - 12 - 13. By CHIEF OF POLICE. March 18, 2013.**

We hereby submit the annual report of the Sheboygan Police Department for the year 2012. (See attached)

**\*R. O. No. 296 - 12 - 13. By CITY PLAN COMMISSION. March 18, 2013.**

Your Commission to whom was referred R.O. No. 284-12-13 submitting a communication from Amy Valleau, Property Specialist II of SBA Communications Corporation requesting permission from the City of Sheboygan to modify Sprint's current equipment configuration for their upgrade in technology regarding the SBA Tower located at 3333 Lakeshore Drive.; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, March 12, 2013, and after due consideration, recommends approval.

**R. O. No. 297 - 12 - 13. By CITY PLAN COMMISSION. March 18, 2013.**

Your Commission to whom was referred Gen. Ord. No. 51-12-13 amending the City's zoning map to establish the Use District Classification of recently annexed property located west of Taylor Drive and north of Indiana Avenue to PPUD Pre-Planned Unit Development.; wishes to report this matter was discussed at the regular meeting of the City Plan Commission, March 12 2012, and after due consideration, recommends approval of the General Ordinance.

Lies over under the rules.

**R. O. No. 298 - 12 - 13. By PURCHASING AGENT. March 18, 2013.**

The City of Sheboygan is seeking approval by the Common Council to issue a Request for Bids to firms engaged in the installation, connection and start-up of the thermal drying equipment for the dewatering of Biosolids. The purchase of the Drying equipment was approved by the Common Council in June of 2012 and is currently being manufactured by Huber Technologies of Huntersville, NC at a cost of \$2,799,417.00.

The projected cost to modify the buildings, install, connect and start up the equipment was originally estimated at \$ 5,500,000.00 to \$6,000,000.00

It should be noted that the funding mechanism for these improvements are being provided through a loan program from the Clean Water Fund.

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

On motion by Alderperson Heidemann and second by Alderperson Belanger, the foregoing Report of Officer was accepted and placed on file on call of the roll:

Ayes: Belanger, Carlson, Dekker, Donohue, Hammond, Heidemann, Kath, Lewandoske, Matichek, Roeseler, VanderWeele, Versey, Wangemann - 13.

Nays: None.

**R. O. No. 299 - 12 - 13. By CITY CLERK. March 18, 2013.**

Submitting a petition for direct annexation by unanimous approval for DHP, LLC by David A. Heather.  
Was referred to the City Plan Commission.

**R. O. No. 300 - 12 - 13. By CITY CLERK. March 18, 2013.**

Submitting a claim from Jerry L. Finger for alleged damages to the bottom of his vehicle caused by a pothole.  
Was referred to the Committee on Finance.

**R. O. No. 301 - 12 - 13. By CITY CLERK. March 18, 2013.**

Submitting a Notice of Circumstances giving rise to claim for damages pursuant to Sec. 893.80, Wis. Stats. to the Redevelopment Authority and the City of Sheboygan.

Was referred to the Committee on Finance and Redevelopment Authority.

**R. O. No. 302 - 12 - 13. By CITY CLERK. March 18, 2013.**

Submitting a claim from Coca Cola Refreshments for alleged damages to their vehicle when they were traveling on a City street and struck a loose manhole cover and lost control of the vehicle and ended up in someone's yard.

Was referred to the Committee on Finance.

**R. O. No. 303 - 12 - 13. By CITY CLERK. March 18, 2013.**

Submitting various license applications for the period ending June 30, 2013 and June 30, 2014.  
Was referred to the Committee on Law and Licensing.

**R. O. No. 304 - 12 - 13. By CITY CLERK. March 18, 2013.**

Submitting a communication and a petition from David Sommer et al., requesting that the Quality Addiction Management Clinic be removed from the Greater Sheboygan Area.

Was referred to the Committee on Public Protection and Safety.

**R. O. No. 305 - 12 - 13. By CITY CLERK. March 18, 2013.**

Submitting a communication from Mary Bermke stating that the fire hydrants should be marked with a red, flexible flag and is concerned about the streets and alleys regarding how they are deteriorating.

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

**R. O. No. 306 - 12 - 13. By CITY CLERK. March 18, 2013.**

Submitting a communication from Mary Bermke addressing several concerns regarding getting cars off of the street during a snow storm to allow Public Works to plow and checking when people renovate the insides of their homes and don't get any permits.

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

**R. O. No. 307 - 12 - 13. By CITY CLERK. March 18, 2013.**

Submitting a communication from Mike Miller of EOS Outdoor requesting permission to have rentals of stand up paddleboards and kayaks at North Beach in Sheboygan.

Was referred to the Committee on Public Works.

**RESOLUTIONS INTRODUCED**

**\*Res. No. 155 - 12 - 13. By Alderperson Hammond. March 18, 2013.**

**A RESOLUTION** confirming the exercise of police power in making an assessment for those benefited properties against which assessments are proposed for Parking Assessment District I.

**RESOLVED:** That the assessments and schedule for the proposed assessments prepared by the City of Sheboygan for Parking Assessment District I, are hereby confirmed, and the City Clerk is authorized and directed to publish the notices required by law.

**\*Res. No. 156 - 12 - 13. By Alderperson Hammond. March 18, 2013.**

**A RESOLUTION** confirming the exercise of police power in making an assessment for those benefited properties against which assessments are proposed for Parking Assessment District V.

**RESOLVED:** That the assessments and schedule for the proposed assessments prepared by the City of Sheboygan for Parking Assessment District V, are hereby confirmed, and the City Clerk is authorized and directed to publish the notices required by law.

**\*Res. No. 157 - 12 - 13. By Alderperson Hammond. March 18, 2013.**

**A RESOLUTION** confirming the exercise of police power in making an assessment for those benefited properties against which assessments are proposed for Parking Assessment District IV.

**RESOLVED:** That the assessments and schedule for the proposed assessments prepared by the City of Sheboygan for Parking Assessment District IV, are hereby confirmed, and the City Clerk is authorized and directed to publish the notices required by law.

**\*Res. No. 158 - 12 - 13. By Alderperson Hammond. March 18, 2013**

**A RESOLUTION** confirming the exercise of police power in making an assessment for those benefited properties against which assessments are proposed for Parking Assessment District II.

**RESOLVED:** That the assessments and schedule for the proposed assessments prepared by the City of Sheboygan for Parking Assessment District II, are hereby confirmed, and the City Clerk is authorized and directed to publish the notices required by law.

**Res. No. 159 - 12 - 13. By Alderperson Heidemann. March 18, 2013.**

**A RESOLUTION** authorizing the Purchasing Agent to issue a Request for Bids for the Sheboygan Regional Wastewater Treatment Facility Biosolids Dewatering and Drying Improvements Project.

**WHEREAS:** The City of Sheboygan is in the final stages of preparing to let bids for the installation of Biosolids dewatering and drying equipment approved for purchase in 2012 and currently in production and;

**WHEREAS:** The next step in the process is to identify a Contractor for the installation of the equipment along with preparation of the various building and infrastructure components necessary to accommodate the process machinery and;

**WHEREAS:** The City and its engineering firm, Donohue and Associates intend to have the final plans and specifications ready for issue in late March 2013 and;

**WHEREAS:** It is appropriate to seek Common Council approval to solicit the bids for a project of this significant dollar value while assuring Council that said approval does not encumber the City in any fashion;

**RESOLVED:** That the Purchasing Agent is hereby authorized to solicit public bids for the aforementioned project and return to council in the future for ultimate approval of the bids and award of the contract;

**March 18, 2013**

**BE IT FURTHER RESOLVED:** That the funding mechanism to be used to finance this project will be through the use of borrowed monies from the Clean Water Fund, the use of which was previously approved by the council.

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

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

Ayes: Belanger, Carlson, Dekker, Donohue, Hammond, Heidemann, Kath, Lewandoske, Matichek, Roeseler, VanderWeele, Versey, Wangemann - 13.

Nays: None.

**Res. No. 160 - 12 - 13. By Alderperson VanderWeele. March 18, 2013.**

**A RESOLUTION** authorizing the City Attorney to engage the services of special outside legal counsel to represent the Law & Licensing Committee and Common Council with regard to a quasi-judicial hearing regarding the suspension/revocation of Taxicab Operator License No. 9748 (Roxanna M. Ramirez), and authorizing payment for said services.

**RESOLVED:** That the Common Council hereby authorizes the City Attorney to engage the services of special outside legal counsel to represent the Law & Licensing Committee and Common Council with regard to a quasi-judicial hearing regarding the suspension/revocation of Taxicab Operator License No. 9748 (Roxanna M. Ramirez), and authorizes payment for said services.

**BE IT FURTHER RESOLVED:** That the Finance Department is hereby authorized and directed to draw on the City Attorney's Judgments & Settlement Expense Account No. 10119100-590400 in payment for said services.

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

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

Ayes: Belanger, Carlson, Dekker, Donohue, Hammond, Heidemann, Kath, Lewandoske, Matichek, Roeseler, VanderWeele, Versey, Wangemann - 13.

Nays: None.

**Res. No. 162 - 12 - 13. By Alderpersons Hammond, Dekker, Carlson, Donohue and Roeseler. March 18, 2013.**

**A RESOLUTION** authorizing a contribution to the Sheboygan County Economic Development Corporation for business development.

Lies over under the rules.

**Res. No. 163 - 12 - 13. By Alderperson Hammond. March 18, 2013.**

**A RESOLUTION** authorizing the Chief Administrative Officer to enter into contract for data modeling of real property data in the Assessor's Office.

Was referred to the Committee on Finance.

**Res. No. 164 - 12 - 13. By Alderperson Hammond. March 18, 2013.**

**A RESOLUTION** to authorize a transfer of appropriations in the 2013 Budget.

Was referred to the Committee on Finance.

**Res. No. 165 - 12 - 13. By Alderperson Hammond. March 18, 2013.**

**A RESOLUTION** authorizing the sale of City-owned property in Sheboygan Industrial Park No. 1 (Parcel No. 59281-423780).

Was referred to the Committee on Finance.

#### **REPORTS OF COMMITTEES**

**\*R. C. No. 401 - 12 - 13. By PUBLIC PROTECTION AND SAFETY. March 18, 2013.**

Your Committee to whom was referred Com. No. 15-12-13 from Andrea Yakich regarding her concerns over the accidents that have occurred at the corner of 1002 Mead Ave.; recommends that the document be placed on file.

**\*R. C. No. 402 - 12 - 13. By PUBLIC PROTECTION AND SAFETY. March 18, 2013.**

Your Committee to whom was referred Com. No. 18-12-13 from Tracy Nelson stating concerns over the confusion on her needing a Clearwater Certificate; recommends that the document be placed on file.

**\*R. C. No. 403 - 12 - 13. By LAW AND LICENSING. March 18, 2013.**

Your Committee to whom was referred R. O. No. 263-12-13 by the City Clerk, submitting license applications for the period ending June 30, 2013 and June 30, 2014; recommends that the following license be granted:

BEVERAGE OPERATOR'S LICENSE (June 30, 2014)

| <u>No.</u> | <u>Name</u>       |
|------------|-------------------|
| 9384       | Macedo, Robert A. |

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

**R. C. No. 404 - 12 - 13. By PUBLIC WORKS. March 18, 2013.**

Your Committee to whom was referred R. O. No. 270-12-13 by the City Clerk submitting a communication from Alderperson Lewandoske stating concerns regarding the fact that the handicapped elevator lift on the north side of City Hall has been removed due to the lack of availability of parts to repair the lift and states that it is dangerous to have to park on the street, especially in the snow and ice in order to get to the handicapped ramp located on the south side of City Hall; recommends that the document be referred to Finance Committee to see if funding is available for the project.

Was referred to the Committee on Finance.

**\*R. C. No. 405 - 12 - 13. By FINANCE. March 18, 2013.**

Your Committee to whom was referred R. O. No. 276-12-13 by the City Clerk submitting a claim from Joseph D. Vanderpuy for alleged damages to his home when there was a sewer backup into his basement; recommends that the claim be denied and to direct the City Attorney to send a Notice of Disallowance.

**\*R. C. No. 406 - 12 - 13. By PUBLIC PROTECTION AND SAFETY. March 18, 2013.**

Your Committee to whom was referred R. O. No. 288-12-13 by Building Inspection Department submitting their report for the month of January 2013; recommends that the document be accepted and placed on file.

**\*R. C. No. 407 - 12 - 13. By PUBLIC PROTECTION AND SAFETY. March 18, 2013.**

Your Committee to whom was referred R. O. No. 289-12-13 by the City Clerk submitting a communication from the Rockets for Schools program confirming the dates for the annual Rockets for Schools Program at Blue Harbor resort; recommends that the document be accepted and placed on file and to confirm the dates.

**\*R. C. No. 408 - 12 - 13. By PUBLIC WORKS. March 18, 2013.**

Your Committee to whom was referred a copy of R. O. No. 289-12-13 by the City Clerk submitting a communication from the Rockets for Schools program confirming the dates for the annual Rockets for Schools Program at the Blue Harbor resort; recommends that the document be accepted and placed on file and to confirm the dates.

**\*R. C. No. 409 - 12 - 13. By PUBLIC WORKS. March 18, 2013.**

Your Committee to whom was referred R. O. No. 290-12-13 by the City Clerk submitting a communication from Hameister Architects, Inc., requesting permission to modify the roadway median in the Washington Ave. right-of-way between Taylor Dr. and Greenwing Dr. (American Orthodontics South Plant); recommends that the document be accepted and placed on file and to approve the request.

**\*R. C. No. 410 - 11 - 12. By PUBLIC WORKS. March 18, 2013.**

The Public Works Committee met and discussed authorizing the appropriate City Officials to give permission to Harold Biebel, "Pop's Corn", to operate a popcorn stand in Fountain Park during the calendar year 2013, in accordance with City Code Section 74-54. (see attached agreement)

As the park system is intended for the benefit of the general public, authorization for vending is limited to services consistent with this intent and the vendor is required to strictly adhere to the rules set up by the Dept. of Public Works.

**R. C. No. 411 - 12 - 13. By LAW AND LICENSING. March 18, 2013.**

Your Committee to whom was referred, pursuant to R. O. No. 277-12-13 by the City Clerk, submitting license applications for the period ending June 30, 2013 and June 30, 2014; recommends that Taxicab Driver's License #4943 be denied based on her record of unlawful and improper involvements.

Christine Stangel, 1111 N. 12<sup>th</sup> St. spoke.

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

Ayes: Donohue, Heidemann, Kath, Lewandoske, Matichek, Roeseler, Vander Weele, Versey, Wangemann • 9.

Nays: Belanger, Carlson, Dekker, Hammond • 4.

**\*R. C. No. 412 - 12 - 13. By LAW AND LICENSING. March 18, 2013.**

Your Committee to whom was referred, pursuant to R. O. No. 277-12-13 by the City Clerk, submitting license applications for the period ending June 30, 2013 and June 30, 2014; recommends granting contingent upon the application being corrected, and with a warning to include all violations on future applications.

"CLASS B" LIQUOR LICENSE (June 30, 2014)

| <u>No.</u> | <u>Name</u>   | <u>Address</u>        |
|------------|---------------|-----------------------|
| 2966       | Beyond Sunset | 434 Pennsylvania Ave. |

TAXICAB OPERATOR'S LICENSE (June 30, 2013)

| <u>No.</u> | <u>Name</u>           |
|------------|-----------------------|
| 7320       | Lahner, Ryan D.       |
| 9883       | Mischler, Jessica L.  |
| 9886       | Sonnemann, Scott A.   |
| 9876       | Van Sluys, Darrell L. |

**\*R. C. No. 413 - 12 - 13. By LAW AND LICENSING. March 18, 2013.**

Your Committee to whom was referred, pursuant to R. O. No. 277-12-13 by the City Clerk, submitting license applications for the period ending June 30, 2013 and June 30, 2014; recommends that Taxicab Driver's License #9882 application be placed on file as the application has been withdrawn.

**\*R. C. No. 414 - 12 - 13. By LAW AND LICENSING. March 18, 2013.**

Your Committee to whom was referred, pursuant to R. O. No. 287-12-13 by the City Clerk, submitting license applications for the period ending June 30, 2013 and June 30, 2014; recommends that the following licenses be granted:

CHANGE OF AGENT

Robert Scheibl is being replaced by Anthony Fechter as agent effective March 14, 2013 for the SheVegas Nightclub.

CHANGE OF PREMISE

| <u>No.</u> | <u>Name</u>     | <u>Address</u>   |
|------------|-----------------|--|
| 2914       | T & L Northstar | 3004 N. 8 <sup>th</sup> St. – one-day event to be held<br>4/20/13 to include the concrete area on<br>the south side of the building. |

"CLASS B" LIQUOR LICENSE (June 30, 2014)

| <u>No.</u> | <u>Name</u>    | <u>Address</u>  |
|------------|----------------|-----------------|
| 2969       | Hacienda Vieja | 1423 Union Ave. |

BEVERAGE OPERATOR'S LICENSE (June 30, 2014)

| <u>No.</u> | <u>Name</u>            |
|------------|------------------------|
| 7987       | Graff, Jeremiah D.     |
| 9892       | Guyton, Jenna Leigh M. |
| 9891       | Kiehl, Tanya L.        |
| 9894       | Ledeboer, Morgan M.    |
| 8866       | Marzahl, Nicolaus J.   |
| 2456       | McDaniel, Michelle LD  |
| 8869       | Richards, Theresa M.   |
| 4876       | Westenberger, Kevin J. |

TAXICAB OPERATOR'S LICENSE (June 30, 2013)

| <u>No.</u> | <u>Name</u>            |
|------------|------------------------|
| 9888       | Faulkner, Andria Paige |
| 7410       | Wheeler, Rick N.       |

**R. C. No. 415 - 12 - 13. By LAW AND LICENSING. March 18, 2013.**

Your Committee to whom was referred, pursuant to R. O. No. 287-12-13 by the City Clerk, submitting license applications for the period ending June 30, 2013 and June 30, 2014; recommends that Taxicab Driver's License #9127 be denied based on his record of violations related to the licensed activity and a negative recommendation from the Sheboygan Police Department.

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

Ayes: Belanger, Carlson, Dekker, Donohue, Hammond, Heidemann, Kath, Lewandoske, Matichek, Roeseler, VanderWeele, Versey, Wangemann - 13.

Nays: None.

**R. C. No. 416 - 12 - 13. By PUBLIC WORKS COMMITTEE. March 18, 2013.**

The Public Works Committee met and discussed the request to install a new handicapped elevator lift on the north side of City hall, whereas the previous lift was not fixable due to lack of availability of parts (see attached cost estimate for new lift and related construction).

Was referred to the Committee on Finance.

**R. C. No. 417 - 12 - 13. By PUBLIC WORKS. March 18, 2013.**

The Public Works Committee met and discussed the "Release of Liability & Indemnity Agreement" between the City of Sheboygan and the Union Pacific Railroad Company to permit the City to be in, on, or about the premises of the Railroad, as authorized by the foregoing permit for the sole purpose of mowing, when necessary, the railroad right-of-way located a distance of twenty-five (25) feet of railroad tracks within the City of Sheboygan in the locations shown on the attached Exhibit A print. The Public Works Committee recommends entering into this agreement with the Union Pacific Railroad pending approval by the City Attorney. (see attached agreement)

Was re-referred to the Committee on Public Works.

**R. C. No. 418 - 12 - 13. By SALARIES AND GRIEVANCES. March 18, 2013.**

Your Committee to whom was referred Res. No. 141-12-13 by Alderpersons Roeseler, Donohue and VanderWeele modifying the City's residency requirement for all non-represented employees (excluding department heads); recommends that the attached Substitute Resolution be passed.

Was as accepted and adopted.

**R. C. No. 419 - 12 - 13. By FINANCE. March 18, 2013.**

Your Committee to whom was referred Res. No. 150-12-13 by Alderperson Hammond AUTHORIZING AMENDMENTS TO \$2,750,000 CITY OF SHEBOYGAN, WISCONSIN INDUSTRIAL DEVELOPMENT REVENUE BONDS, SERIES 2010 (TORGINOL, INC. PROJECT) ISSUED ON DECEMBER 30, 2010; recommends that the Resolution be passed.

Was accepted and adopted.

**R. C. No. 420 - 12 - 13. By FINANCE. March 18, 2013.**

Your Committee to whom was referred Res. No. 151-12-13 by Alderperson Heidemann requiring a two-thirds vote for adoption of new fees and increases or extensions of existing fees by the Common Council; recommends that the Resolution be passed.

Was accepted and adopted.

**\*R. C. No. 421 - 12 - 13. By PUBLIC WORKS. March 18, 2013.**

Your Committee to whom was referred the following:

1. R. O. No. 291-12-13 by the Purchasing Agent submitting bids for the purchase of (2) dual-fuel hybrid vehicles for the Wastewater Treatment facility; and
2. Res. No. 152-12-13 by Alderperson Heidemann authorizing the Purchasing Agent to enter into contract for the purchase of (2) dual-fuel hybrid vehicles for the Wastewater Treatment facility;

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

**R. C. No. 422 - 12 - 13. By PUBLIC WORKS. March 18, 2013.**

Your Committee to whom was referred Res. No. 153-12-13 by Alderperson Heidemann authorizing the appropriate City Officials to execute the Management Services Agreement regarding Quarryview Park; recommends that the Resolution be passed along with the "amended" agreement attached.

Was accepted and adopted.

**\*R. C. No. 423 - 12 - 13. By PUBLIC PROTECTION AND SAFETY. March 18, 2013.**

Your Committee to whom was referred Gen. Ord. No. 49-12-13 by Alderperson Van Akkeren creating parking limits so as to add a 15-minute parking limit on the north side of St. Clair Ave. between N. 7<sup>th</sup> St. and N. 6<sup>th</sup> St.; recommends that the Ordinance be passed.

**\*R. C. No. 424 - 12 - 13. By LAW AND LICENSING. March 18, 2013.**

Your Committee to whom was referred Gen. Ord. No. 52-12-13 by Alderpersons VanderWeele, Matichek, Kath, Lessard and Lewandoske amending Section 130-61 of the City of Sheboygan Municipal Code so as to create and clarify regulations related to taxicabs in the city (fares); recommends that the Ordinance be passed.

**\*R. C. No. 425 - 12 - 13. By LAW AND LICENSING. March 18, 2013.**

Your Committee to whom was referred Gen. Ord. No. 53-12-13 by Alderpersons VanderWeele, Matichek, Kath, Lessard and Lewandoske amending Section 130-61 of the City of Sheboygan Municipal Code so as to create and clarify regulations related to taxicabs in the city (issuance); recommends that the Ordinance be passed.

**RESOLUTIONS ON SECOND READING**

**Subs. Of Res. No. 141 – 12 - 13. By Alderpersons Roeseler, Donohue, and VanderWeele. March 18, 2013.**

**A RESOLUTION** repealing the City's residency requirement for all non-represented employees (excluding Department Heads).

**WHEREAS**, a quality workforce enhances the efficiency and effectiveness of the City to complete its mission;

**WHEREAS**, we encourage our employees to live in Sheboygan because we believe that Sheboygan is a great place to live, work and play; however, recognizing that may not always be possible for various reasons;

**WHEREAS**, by requiring employees to live within the City, we significantly reduce the talent pool from which to select qualified candidates;

**WHEREAS**, by hiring the most qualified candidates, not just the most local, the City is able to deliver the highest possible service to the taxpayer, thus enhancing our ability to continue to provide the services necessary within the constraints of budget reduction;

**THEREFORE, BE IT RESOLVED:** That the current residency requirement for all non-represented employees as set forth in Res. No. 50-08-09 adopted July 7, 2008, is hereby repealed in its entirety.

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

Ayes: Belanger, Carlson, Dekker, Donohue, Hammond, Matichek, Roeseler, VanderWeele • 8.

Nays: Heidemann, Kath, Lewandoske, Versey, Wangemann • 5.

**Res. No. 150 - 12 - 13. By Alderperson Hammond. March 4, 2013.**

**A RESOLUTION** AUTHORIZING AMENDMENTS TO \$2,750,000 CITY OF SHEBOYGAN, WISCONSIN INDUSTRIAL DEVELOPMENT REVENUE BONDS, SERIES 2010 (TORGINOL, INC. PROJECT) ISSUED ON DECEMBER 30, 2010.

**WHEREAS**, the City of Sheboygan, Wisconsin (the "Issuer") has heretofore entered into a Bond Agreement (the "Bond Agreement") by and among the Issuer, Torginol, Inc., a Wisconsin corporation (the "Borrower"), U.S. Bank National Association, as original purchaser (the "Original Purchaser"), and U.S. Bank National Association, as trustee (the "Trustee") dated December 1, 2010, relating to the issuance of \$2,750,000 City of Sheboygan, Wisconsin Industrial Development Revenue Bonds, Series 2010 (Torginol, Inc. Project) (the "Original Bonds"); and

**WHEREAS**, the Issuer loaned the proceeds of the Original Bonds to the Borrower for the purpose of financing a project on behalf of the Borrower consisting of the (i) acquisition of an approximately 100,000 square foot facility located at 4617 South Taylor Drive in the City of Sheboygan, Wisconsin (the "Facility") to be used by the Borrower to manufacture specialty coating and resinous flooring media, (ii) acquisition and installation of equipment at the Facility, (iii) rehabilitation of the Facility and (iv) payment of professional fees and costs; and

**WHEREAS**, the Borrower and the Original Purchaser wish to amend the interest rate provisions of the Original Bonds pursuant to the First Amendment to Bond Agreement dated as of March 1, 2013 (the "Amendment"), and to give effect to such modification, the Borrower and the Original Purchaser have requested the Issuer to reissue the Original Bonds (as reissued, the "Bonds"); and

**WHEREAS**, it is a requirement of the Bond Agreement that any such amendment of the Bond Agreement be approved by the Issuer.

**NOW THEREFORE, BE IT RESOLVED** by the governing body of the Issuer as follows:

Section 1. Findings and Determinations.

It is hereby found and determined that under the provisions of the Act, the Bonds shall remain limited obligations of the Issuer, and the Bonds do not constitute an indebtedness of the Issuer within the meaning of any state constitutional or statutory provision, and do not constitute nor give rise to a charge against its general credit or taxing powers or a pecuniary liability of the Issuer.

Section 2. Approvals and Authorizations; Authentication of Transcript.

2.01. There is hereby approved the reissuance by the Issuer of its industrial development revenue bonds in an aggregate principal amount not to exceed \$2,598,875, for the purpose of refunding the Original Bonds, which is treated as a current refunding for purposes of federal income tax.

2.02. The Amendment is hereby approved. The Mayor and the City Clerk are hereby authorized and directed in the name and on behalf of the Issuer to execute the Amendment, to which the Issuer is a party, and either one of them or both of them are authorized and directed to execute such other documents, agreements, instruments or certificates as are deemed necessary or desirable by the Issuer's counsel and bond counsel, including an Internal Revenue Service Form 8038.

**March 18, 2013**

2.03. The Issuer shall proceed to reissue the Original Bonds, which reissued Bonds shall be in the form and upon the terms set forth in the Amendment, which terms, including without limitation, interest rates, redemption provisions and maturity, are for this purpose incorporated in this resolution and made a part hereof. The Mayor and the City Clerk are authorized and directed to execute and seal the Bonds as prescribed in the Amendment and to deliver them to the Trustee (together with a certified copy of this resolution and any other documents required by the Indenture) for authentication and delivery to the Trustee.

**2.04 The Issuer hereby elects to have the provisions of Section 144(a)(4)(A) of the Internal Revenue Code of 1986, as amended, apply to the Bonds.**

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

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

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

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

Ayes: Belanger, Carlson, Dekker, Donohue, Hammond, Heidemann, Kath, Lewandoske, Matichek, Roeseler, VanderWeele, Versey, Wangemann - 13.

Nays: None.

**Res. No. 151 - 12 – 13. By Alderperson Heidemann. March 4, 2013.**

**A RESOLUTION** requiring a two-thirds vote for adoption of new fees and increases or extensions of existing fees by the Common Council.

**WHEREAS**, as a result of the state-imposed constraints on municipal tax levy increases the City of Sheboygan has been facing for the past several years, there appears to be a growing tendency to find ways to increase revenues by circumventing the tax levy constraints; and

**WHEREAS**, it is in the best interests of the taxpayers of the City of Sheboygan that it be made more difficult for the Common Council to circumvent tax levy limitations by adopting new fees and increasing or extending existing fees which further burden City residents; and

**WHEREAS**, requiring an affirmative vote of two-thirds of the membership of the Common Council for adoption of new and increased fees will promote the public policy of limiting the increased financial burden of government on its citizens.

**NOW, THEREFORE, BE IT RESOLVED:** That all new fees or increases or extensions of existing fees proposed to the Common Council, which are not mandated by the state or federal government, shall require an affirmative vote of two-thirds of the entire membership of the Council for adoption.

A motion was made by Alderperson Hammond and second by Alderperson Carlson to accepted and adopt the Report of Committee and to pass the Resolution.

Before action was taken thereon, a motion was made by Alderperson Donohue and second by Alderperson Roeseler to amend the Resolution "to take a super majority vote on this specific document (Council vote). The amendment was ruled out of order by Atty. McLean.

A motion by Alderperson Versey and second by Alderperson Heidemann was made to amend "to require simple majority of alderpersons present ..." Passed on call of the roll:

Ayes: Belanger, Carlson, Donohue, Hammond, Heidemann, Kath, Lewandoske, Matichek, Roeseler, Versey, Wangemann • 11.

Nays: Dekker, VanderWeele, • 2.

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

Ayes: Belanger, Carlson, Dekker, Donohue, Heidemann, Kath, Lewandoske, Matichek, Roeseler, Versey • 10.

Nays: Hammond, VanderWeele, Wangemann • 3.

**\*Res. No. 152 - 12 - 13. By Alderperson Heidemann. March 4, 2013.**

**A RESOLUTION** authorizing the Purchasing Agent to enter into contract for the purchase of (2) dual-fuel hybrid vehicles for the Wastewater Treatment Facility.

**WHEREAS:** The City is well aware of advances in hybrid vehicle technology to allow for engines to use either gasoline and/or compressed natural gas that allow for cleaner, more efficient vehicle operation and;

**WHEREAS:** The Public Works Committee included adequate funding in the 2013 budget for the purchase of these hybrid vehicles for the Wastewater Treatment Facility and these vehicles were put to public bid and;

**WHEREAS:** The bids received from solicitation #1734-13-2 have been reviewed and the bids have been confirmed to meet all specifications and will result in both an economic savings and increased awareness of environmental responsibility;

**RESOLVED:** That the Purchasing Agent is hereby authorized to enter into contract with Ewald's Hartford Ford, Inc. for the purchase of two vehicles as specified including license and title;

**BE IT FURTHER RESOLVED:** That the appropriate City Officials are hereby authorized to draw orders in the amount of \$76,791.00 on the 2013 Wastewater Treatment Facility Budget Account #60138300-641100 in payment of same.

**Res. No. 153 - 12 - 13. By Alderperson Heidemann. March 4, 2013.**

**A RESOLUTION** authorizing the appropriate City officials to execute the Management Services Agreement regarding Quarryview Park.

**RESOLVED:** That the Mayor and City Clerk are hereby authorized to execute the Management Services Agreement in form substantially similar to the attached.

A motion was made by Alderperson Heidemann and second by Alderperson Versey to accept and adopt the Report of Committee and to pass the Resolution.

Before action was taken thereon, a motion was made by Alderperson Heidemann and second by Alderperson Versey to amend the agreement to allow public access to the beach without a fee was lost on call of the roll:

Ayes: Dekker, Heidemann, Kath, Matichek • 4.

Nays: Belanger, Carlson, Donohue, Hammond, Lewandoske, Roeseler, VanderWeele, Versey, Wangemann • 9.

On motion by Alderperson Heidemann and second by Alderperson Versey, the Resolution was passed with the amended agreement on call of the roll:

Ayes: Belanger, Carlson, Donohue, Hammond, Heidemann, Kath, Lewandoske, Roeseler, VanderWeele, Versey, Wangemann • 11.

Nays: Dekker, Matichek • 2.

**ORDINANCES ON SECOND READING**

**\*Gen. Ord. No. 49 – 12 – 13. By Alderperson Van Akkeren. February 18, 2013.**

**AN ORDINANCE** creating parking limits so as to add a 15-minute parking limit on the north side of St. Clair Avenue between N. 7th Street and N. 6th Street.

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

Section 1. Pursuant to Section 118-126 of the Municipal Code entitled, "Prohibitions and Restrictions Authorized", parking on the north side of St. Clair Avenue from 95 feet west of the west curb line of N. 6<sup>th</sup> Street to 15 feet east of N. 7<sup>th</sup> Street shall be limited to 15 minutes.

Section 2. The Department of Public Works and the Police Department are hereby authorized and directed to install the signs to give notification of the aforementioned parking restriction.

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.

**\*Gen. Ord. No. 52 – 12 - 13. By Alderpersons VanderWeele, Matichek, Kath, Lessard and Lewandoske. March 4, 2013.**

**AN ORDINANCE** amending Section 130-59 of the City of Sheboygan Municipal Code so as to create and clarify regulations related to taxicabs in the city.

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

Section 1. Section 130-59 of the Sheboygan Municipal Code entitled "Regulations" is hereby repealed and recreated in subsection (d)(2) thereof to read as follows:

"Sec. 130-59. *Regulations.*

...

(d) Fares.

...

(2) No person may operate a taxicab, nor may any holder of a taxicab business license permit the operation of a taxicab, unless a schedule of charges is posted within said taxicab corresponding to the statement of fares and charges filed with the city clerk and in effect. The posted schedule shall be posted in such a way so as to allow any passenger or passengers being conveyed to

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readily read such fares or charges. The schedule shall specifically list all charges, including the rate per 1/8 mile traveled, any charge for waiting time, and any additional charges including any extra charges for luggage, packages, grocery bags, and additional passengers.”

Section 2. Section 130-59 of the Sheboygan Municipal Code entitled “Regulations” is hereby repealed and recreated in subsection (d)(5) thereof to read as follows:

“Sec. 130-59. *Regulations.*

...  
(d) Fares.  
...

(5) Each taxicab shall at all times be equipped with an accurate and dependable taxi meter designed or intended to measure the distance traveled in increments of 1/8 mile, register the time the vehicle is in waiting, and to record the charge or fare therefor. Such taxi meter must be placed as to be readily visible to passengers and shall be maintained in good operating condition at all times. Each taxi meter is subject to the standards and fees set forth in Chapter 138 of this Code. No person may operate a taxicab, nor may any holder of a taxicab business license permit the operation of a taxicab, unless the required taxi meter is installed and operational.”

Section 3. Section 130-59 of the Sheboygan Municipal Code entitled “Regulations” is hereby repealed and recreated in subsection (d)(6) thereof to read as follows:

“Sec. 130-59. *Regulations.*

...  
(d) Fares.  
...

(6) No person may operate a taxicab, nor may any holder of a taxicab business license permit the operation of a taxicab, unless and until the taxi meter has been properly inspected, certified, and sealed, or to use such vehicle when the taxi meter license has been suspended or revoked. The removal of a taxi meter from a vehicle, the breaking of the seal, or the use of a taxi meter in a vehicle different than the vehicle in which the meter was inspected, certified, and sealed, is prohibited.”

Section 4. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

**\*Gen. Ord. No. 53 – 12 - 13. By Alderpersons VanderWeele, Matichek, Kath, Lessard and Lewandoske. March 4, 2013.**

**AN ORDINANCE** amending Section 130-61 of the City of Sheboygan Municipal Code so as to create and clarify regulations related to taxicabs in the city.

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

Section 1. Section 130-61 of the Sheboygan Municipal Code entitled “Issuance” is hereby repealed and recreated in subsection (b) to read as follows:

“Sec. 130-61. *Issuance.*

...  
(b) Beginning on January 1, 2014, the license year under this division shall commence on January 1 and shall end on December 31 of any year. To accommodate the date change, the license year that began on July 1, 2012 shall end on December 31, 2013.”

Section 2. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

#### ORDINANCES INTRODUCED

**Gen. Ord. No. 55 – 12 - 13. By Alderpersons Lessard and Carlson. March 18, 2013.**

**AN ORDINANCE** amending Section 26-1008 of the Municipal Code relating to certificates of compliance with clearwater requirements so as to exempt certain transactions.

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

#### MATTERS LAID OVER

**Res. No. 149 - 12 - 13. By Alderperson Hammond, Dekker, Carlson and Donohue. March 4, 2013.**

**A RESOLUTION** to authorize a transfer of appropriations in the 2013 Budget.

**RESOLVED:** That the Finance Director be and is hereby authorized and directed to make the following transfers of appropriations in the 2013 Budget for the purposes of:

Establishing estimated revenue and appropriation for grant from the Wisconsin Department of Justice for Police Strategies for Recorded Interview training:

| <u>FROM</u>       | <u>TO</u>         | <u>AMOUNT</u> |
|-------------------|-------------------|---------------|
| General Fund      | General Fund      |               |
| Police Department | Police Department |               |
| State Grant       | Training          |               |
| 10121100-434201   | 10121100-526130   | \$5,500       |

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

Ayes: Belanger, Carlson, Dekker, Donohue, Hammond, Heidemann, Kath, Lewandoske, Matichek, Roeseler, VanderWeele, Versey, Wangemann - 13.

Nays: None.

**NOTICE TO DISCHARGE THE BOARD OF HOUSING APPEALS AND FAIR HOUSING APPEALS AND FAIR HOUSING PRACTICES**

Motion by Alderperson Hammond and second by Alderperson Carlson, the Board was discharged on call of the roll:

Ayes: Belanger, Carlson, Dekker, Donohue, Hammond, Heidemann, Kath, Lewandoske, Matichek, Roeseler, VanderWeele, Versey, Wangemann - 13.

Nays: None.

**Gen. Ord. No. 50 - 12 - 13. By Alderpersons Heidemann and Lessard. March 4, 2013.**

**AN ORDINANCE** repealing and recreating Chapter 46 of the Municipal Code relating to Fair Housing.

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

Section 1. Chapter 46 of the Sheboygan Municipal Code entitled "Fair Housing" is hereby repealed and recreated to read as follows:

"Chapter 46 – FAIR HOUSING

ARTICLE I. IN GENERAL

Sec. 46-1. Definitions.

The words, terms and phrases used in this chapter shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Board* means the board of housing appeals and fair housing practices.

*Complainant* means a person who files a complaint alleging discrimination in housing.

*Disability* means a physical or mental impairment that substantially limits one or more major life activities, a record of having such an impairment or being regarded as having such an impairment. *Disability* does not include the current illegal use of a controlled substance, as defined in W.S.A. § 961.01(4), or a controlled substance analog, as defined in W.S.A. § 961.01(4m), unless the individual is participating in a supervised drug rehabilitation program.

*Discriminate* means to segregate, separate, exclude, or treat a person or class of persons unequally in a manner described in Sec. 46-3 or 46-4 because of sex, race, color, sexual orientation, disability, religion, national origin, marital status, family status, status as a victim of domestic abuse, sexual assault, or stalking, lawful source of income, age, or ancestry.

*Dwelling unit* means a structure or that part of a structure that is used or intended to be used as a home, residence or sleeping place by one person or by two or more persons who are maintaining a common household, to the exclusion of all others.

*Family* includes one natural person.

*Family status* means any of the following conditions that apply to a person seeking to rent or purchase housing or to a member or prospective member of the person's household regardless of the person's marital status:

1. A person is pregnant.
2. A person is in the process of securing sole or joint legal custody, periods of physical placement or visitation rights of a minor child.
3. A person's household includes one or more minor or adult relatives.
4. A person's household includes one or more adults or minor children in his or her legal custody or physical placement or with whom he or she has visitation rights.
5. A person's household includes one or more adults or minor children placed in his or her care under a court order, under a guardianship or with the written permission of a parent or other person having legal custody of the adult or minor child.

*Hearing* means a hearing under the jurisdiction of the board, except where otherwise indicated.

*Housing* means any improved property, or any portion thereof, including a mobile home as defined in W.S.A. § 101.91(10), manufactured home, as defined in W.S.A. § 101.91(2), or condominium, that is used or occupied, or is intended, arranged or designed to be used or occupied, as a home or residence. *Housing* includes any vacant land that is offered for sale or rent for the construction or location thereon of any building, structure or portion thereof that is used or occupied, or is intended, arranged or designed to be used or occupied, as a home or residence.

*Housing for older persons* has the meaning as defined by federal or state law.

*Probable cause* means reasonable grounds to believe that one or more persons has, may have, or may be violating one or more provisions of this chapter.

*Respondent* means the person accused in a complaint of discrimination in housing filed with the board.

*Sexual orientation* has the meaning given in W.S.A. § 111.32(13m).

*Status as a victim of domestic abuse, sexual assault, or stalking* means the status of a person who is seeking to rent or purchase housing or of a member or prospective member of the person's household having been, or being believed by the lessor or seller of housing to be, a victim of domestic abuse, as defined in W.S.A. § 813.12(1)(am), sexual assault under W.S.A. §§ 940.225, 948.02, or 948.025, or stalking under W.S.A. § 940.32.

Sec. 46-2. Declaration of policy.

It is declared to be the policy of the city, pursuant to the United States Constitution and state constitution, W.S.A. §§ 66.1011 and 106.50, and also its power to protect the public health, safety and general welfare that all persons, regardless of their sex, race, color, religion, age, ancestry, marital status, family status, status as a victim of domestic abuse, sexual assault, or stalking, lawful source of income, national origin, disability or sexual orientation, are entitled to fair and equal access to housing. To that end the city enacts this chapter, which prohibits any person, not exempted in this chapter, from discriminating against any other person by impairing to any degree access to any housing or housing accommodations on the basis of sex, race, color, religion, age, ancestry, marital status, family status, status as a victim of domestic abuse, sexual assault, or stalking, lawful source of income, national origin, disability or sexual orientation and creates a board with the power and duty to enforce equal opportunity in housing for all citizens of the city.

Sec. 46-3. Discrimination prohibited.

(a) It is unlawful for any person to discriminate:

- (1) By refusing to sell, rent, finance or contract to construct housing or by refusing to negotiate or discuss the terms thereof.
- (2) By refusing to permit inspection or exacting different or more stringent price, terms or conditions for the sale, lease, financing or rental of housing.
- (3) By refusing to finance or sell an unimproved residential lot or to construct a home or residence upon such lot.
- (4) By advertising in a manner that indicates discrimination by a preference or limitation.
- (5) For a person in the business of insuring against hazards, by refusing to enter into, or by exacting different terms, conditions or privileges with respect to, a contract of insurance against hazards to a dwelling.
- (6) By refusing to renew a lease, causing the eviction of a tenant from rental housing or engaging in the harassment of a tenant.
- (7) In providing the privileges, services or facilities that are available in connection with housing.
- (8) By falsely representing that housing is unavailable for inspection, rental or sale.
- (9) By denying access to, or membership or participation in, a multiple listing service or other real estate service.
- (10) By coercing, intimidating, threatening or interfering with a person in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed, a right granted or protected under this section, or with a person who has aided or encouraged another person in the exercise or enjoyment of a right granted or protected under this section.
- (11) In making available any of the following transactions, or in the terms or conditions of such transactions for a person whose business includes engaging in residential real estate-related transaction:
  - a. The making or purchasing of loans or the provision of other financial assistance for purchasing, constructing, improving, repairing or maintaining housing or the making or purchasing of loans or the provision of other financial assistance secured by residential real estate.
  - b. Selling, brokering or appraising residential real property.
- (12) By otherwise making unavailable or denying housing.

(b) No person may induce or attempt to induce a person to sell or rent housing by representations regarding the present or prospective entry into the neighborhood of a person of a particular economic status or a member of a protected class, or by representations to the effect that such present or prospective entry will or may result in any of the following:

- (1) The lowering of real estate values in the area concerned.
- (2) A deterioration in the character of the area concerned.
- (3) An increase in criminal or antisocial behavior in the area concerned.
- (4) A decline in the quality of the schools or other public facilities serving the area.

Sec. 46-4. Discrimination against persons with disabilities prohibited.

(a) Types of discrimination prohibited. In addition to discrimination prohibited under Sec. 46-3, no person may do any of the following:

- (1) Segregate, separate, exclude or treat unequally in the sale or rental of, or otherwise make unavailable or deny, housing to a buyer or renter because of a disability of that buyer or renter, a disability of a person residing in or intending to reside in that housing after it is sold, rented or made available or a disability of a person associated with that buyer or renter.
- (2) Segregate, separate, exclude or treat unequally a person in the terms, conditions or privileges of sale or rental of housing, or in the provision of services or facilities in connection with such housing, because of a disability of that person, a disability of a person residing in or intending to reside in that housing after it is sold, rented or made available or a disability of a person associated with that person.
- (3) Refuse to permit, at the expense of a person with a disability, reasonable modification of existing housing that is occupied, or is to be occupied, by such a person if the modifications may be necessary to afford the person full enjoyment of the housing, except that in the case of rental housing the landlord may, where it is reasonable to do so, condition permission for a modification on the tenant's agreement to restore the interior of the housing to the condition that existed before the modification, other than reasonable wear and tear. The landlord may not increase any customarily required security deposit. Where it is necessary to ensure that funds will be available to pay for the restorations at the end of the tenancy, the landlord may negotiate as part of a restoration agreement a requirement that the tenant pay into an interest-bearing escrow account, over a reasonable period, a reasonable amount of money not to exceed the cost of the restorations. The interest in any such account shall accrue to the benefit of the tenant. If escrowed funds are not used by the landlord for restorations, they shall be returned to the tenant.
- (4) Refuse to make reasonable accommodations in rules, policies, practices or services that are associated with the housing, when such accommodations may be necessary to afford the person equal opportunity to use and enjoy housing, unless the accommodation would impose an undue hardship on the owner of the housing.

(b) Animals assisting persons with disabilities.

- (1) If an individual's vision, hearing or mobility is impaired, it is discrimination for a person to refuse to rent or sell housing to the individual, cause the eviction of the individual from housing, require extra compensation from an individual as a condition of continued residence in housing or engage in the harassment of the individual because he or she keeps an animal that is specially trained to lead or assist the individual with impaired vision, hearing or mobility if all of the following apply:
  - a. Upon request, the individual shows to the lessor, seller or representative of the condominium association credentials issued by a school recognized by the department as accredited to train animals for individuals with impaired vision, hearing or mobility.
  - b. The individual accepts liability for sanitation with respect to, and damage to the premises caused by, the animal.
- (2) Subdivision (1) does not apply in the case of the rental of owner-occupied housing if the owner or a member of his or her immediate family occupying the housing possesses and, upon request, presents to the individual a certificate signed by a physician which states that the owner or family member is allergic to the type of animal the individual possesses.

(c) Design and construction of covered multifamily housing. In addition to discrimination prohibited under paragraphs (a) and (b) and Sec. 46-3, no person may design or construct covered multifamily housing, as defined in W.S.A. § 101.132(1)(d), unless it meets the standards specified in W.S.A. § 101.132(2)(a)1. to 4. In addition, no person may remodel, as defined in W.S.A. § 101.132(1)(h), housing with three or more dwelling units unless the remodeled housing meets the standards specified in W.S.A. § 101.132(2)(a)1. to 4. as required under W.S.A. § 101.132(2)(b)1., 2. or 3., whichever is applicable.

Sec. 46-5. Exemptions and exclusions.

(a) Nothing in this chapter shall prohibit discrimination based on age or family status with respect to housing for older persons.

(b) Nothing in this chapter shall prohibit a person from exacting different or more stringent terms or conditions for financing housing based on the age of the individual applicant for financing if the terms or conditions are reasonably related to the individual applicant.

(c) Nothing in this chapter shall prohibit the development of housing designed specifically for persons with disabilities and preference in favor of persons with disabilities in relation to such housing.

(d) Nothing in this chapter requires that housing be made available to an individual whose tenancy would constitute a direct threat to the safety of other tenants or persons employed on the property or whose tenancy would result in substantial physical damage to the property of others, if the risk of direct threat or damage cannot be eliminated or sufficiently reduced through reasonable accommodations. A claim that an individual's tenancy poses a direct threat or a substantial risk of harm or damage must be evidenced by behavior by the individual that caused harm or damage, that directly threatened harm or damage, or that caused a reasonable fear of harm or damage to other tenants, persons employed on the property, or the property. No claim that an individual's tenancy would constitute a direct threat to the safety of other persons or would result in substantial damage to property may be based on the tenant's status as a victim of domestic abuse, sexual assault, or stalking.

(e) It is not discrimination based on status as a victim of domestic abuse, sexual assault, or stalking for a landlord to bring an action for eviction of a tenant based on a violation of the rental agreement or of a statute that entitles the landlord to possession of the premises, unless subd. (1) or (2) applies. A tenant has a defense to an action for eviction brought by a landlord if the tenant proves by a preponderance of the evidence that the landlord knew or should have known any of the following:

- (1) That the tenant is a victim of domestic abuse, sexual assault, or stalking and that the basis for the action for eviction is conduct that related to the commission of domestic abuse, sexual assault, or stalking by a person who was not the invited guest of the tenant.
- (2) That the tenant is a victim of domestic abuse, sexual assault, or stalking, that the basis for the action for eviction is conduct that related to the commission of domestic abuse, sexual assault, or stalking by a person who was the invited guest of the tenant, and that the tenant has done one of the following:
  - a. Sought an injunction under W.S.A. §§ 813.12, 813.122, 813.123, or 813.125 enjoining the person from appearing on the premises.
  - b. Upon receiving notice under W.S.A. § 704.17, provided a written statement to the landlord indicating that the person will no longer be an invited guest of the tenant and has not subsequently invited the person to be a guest of the tenant.

(f) It is not discrimination based on family status to comply with any reasonable federal, state or local government restrictions relating to the maximum number of occupants permitted to occupy a dwelling unit.

(g) (1) Subject to subd. (2), nothing in this chapter applies to a decision by an individual as to the person with whom he or she will, or continues to, share a dwelling unit, as defined in W.S.A. § 101.71(2) except that dwelling unit does not include any residence occupied by more than five persons.

(2) Any advertisement or written notice published, posted or mailed in connection with the rental or lease of a dwelling unit under subd. (1) may not violate sub. (2)(d), 42 USC 3604(c), or any rules or regulations promulgated under this chapter or 42 USC 3601 to 3619, except that such an advertisement or written notice may be for a person of the same sex as the individual who seeks a person to share the dwelling unit for which the advertisement or written notice is placed.

(h) Nothing in this chapter prohibits an owner or agent from requiring that a person who seeks to buy or rent housing supply information concerning family status, and marital, financial, and business status but not concerning race, color, disability, sexual orientation, ancestry, national origin, religion, creed, status as a victim of domestic abuse, sexual assault, or stalking.

(i) A person may not be held personally liable for monetary damages for a violation of Sec. 46-3 or 46-4 if the person reasonably relied, in good faith, on the application of the exemption under this section relating to housing for older persons. For purposes of this paragraph, a person may show reasonable reliance, in good faith, on the application of the exemption under this section relating to housing for older persons only if the person shows all of the following:

- (1) That he or she has no actual knowledge that the housing is not or will not be eligible for the exemption.
- (2) That the owner of the housing has stated formally, in writing, that the housing complies with the requirements for the exemption.

(j) Nothing in this chapter prohibits any religious or denominational institution or organization, or any charitable or educational organization which is operated, supervised or controlled by or in connection with a religious organization, from limiting admission or giving preference to persons of the same religion or denomination, or from making such selection as is reasonably necessary for such organizations to promote the religious principles for which it is established or maintained.

(k) Nothing in this chapter shall limit the applicability of any reasonable local, state, or federal restrictions regarding the maximum number of occupants permitted to occupy a dwelling, structure, unit, or property.

(l) Nothing in this chapter shall apply to a single occupancy room provided that the owner permanently resides in the same structure.

Secs. 46-6 -46-40. Reserved.

ARTICLE II. POWERS AND DUTIES

Sec. 46-41. Administration – Powers and duties.

(a) The purposes and provisions of this chapter shall be administered by the city board of housing appeals and fair housing practices and, where necessary, the city attorney.

(b) In administering this chapter, the board of housing appeals and fair housing practices shall have the power and duty to:

- (1) Adopt, amend, publish and modify any and all administrative policies and procedures as may, from time to time, be necessary, useful, helpful, or desirable in the administration and/or enforcement of this chapter;
- (2) Appoint such number and types of employees, agents and staff, subject to a table of organization and budget approval by the common council, as are necessary to promote the purposes of this chapter and/or the administration and/or enforcement of this chapter, and prescribe their duties;
- (3) Receive, initiate and investigate complaints alleging any discrimination or discriminatory practice prohibited by this chapter if the complaint is filed with the board not later than one year after the alleged discrimination occurred or terminated;
- (4) Appoint, from time to time, subject to a table of organization and/or budget approval by the common council, one or more investigators to gather facts, evidence and information, and otherwise investigate complaints, and/or one or more mediators who initially shall seek a settlement agreeable to both the complainant and the respondent by means of information conferences or other meetings or means;
- (5) Refer settlement agreements to the city attorney for approval as to form;
- (6) If necessary, hold hearings after efforts at settlement, based on complaints made against any person and a determination of probable cause; administer oaths and take testimony; compel the production of books, papers and any other documents relating to any matters involved in the complaint; and subpoena witnesses and compel their attendance. If a witness either fails or refuses to obey a subpoena issued by the board, the board may order attendance. At any time after it has issued such an order, the board may petition a court of competent jurisdiction for its enforcement;
- (7) Issue, after hearing, such final orders as are necessary to promote the purpose of this chapter;
- (8) Issue temporary orders effective for a maximum of 20 days, absent extraordinary circumstances, restraining the respondent from taking any action that would tend to render ineffective or unenforceable any order which the board might issue;
- (9) Refer orders to the city attorney to be enforced by him in the name of the city;
- (10) Except as provided in W.S.A. §§ 19.31, et seq., or 106.50, make available to the public, in writing, copies of:
  - a. Transcripts of all of its proceedings except initial settlement efforts by its mediators;
  - b. All temporary and final orders; and
  - c. All decisions and opinions rendered.

No publicity, however, shall be given a complaint in those cases where the board obtains compliance with this chapter or the board finds that the complaint is without foundation;

- (11) Require a written report of the manner of compliance with any final order it may issue; and
- (12) Recommend to the mayor and common council any legislation necessary to further promote the purposes of this chapter and file annual written reports of its work to the mayor and common council.

Secs. 46-42 – 46-65. Reserved.

ARTICLE III. ENFORCEMENT PROCEDURES

Sec. 46-66. Complaint.

(a) The board may receive and investigate a complaint charging a violation of Sec. 46-3 or 46-4 if the complaint is filed with the board not later than one year after the alleged discrimination occurred or terminated.

(b) The complaint shall include a written statement of the essential facts constituting the discrimination that is charged, and shall be signed by the complainant.

(c) A complaint filed under this chapter may be amended or withdrawn at any time with and subject to the approval of the board or its designated agent and under such terms as the board or agent shall direct.

(d) Upon the filing of a lawful, timely, and otherwise proper complaint, the board or its designated agent shall serve a copy of the complaint upon the respondent. The copy of the complaint, together with a notice directing the respondent to respond in writing to the allegations in the complaint within 20 days after the date of the notice shall be served upon the respondent by certified mail, return receipt requested. The notice will further state that, if the respondent fails to answer the complaint in writing, the board will make an initial determination as to whether the discrimination has occurred based only on the board's investigation and the information supplied by the complainant.

(e) The board may dismiss the complaint if the complainant fails to respond to the board within 20 days from the date of mailing of any correspondence from the board concerning the complaint, if the board's correspondence requests a response and if the correspondence is sent by certified mail, return receipt requested, to the last known address of the complainant.

Sec. 46-67. Investigation and finding of probable cause.

(a) The board or its designated agent shall investigate all complaints that allege a violation of this chapter and that are timely filed. The board or its designated agent may subpoena persons or documents for the purpose of investigation.

(b) At the conclusion of the investigation of the allegations, the board or its designated agent shall make a determination as to whether probable cause exists to believe that discrimination has occurred or is about to occur.

(c) If a determination is made that there is no probable cause to believe discrimination in violation of this chapter has been or is being committed, the complainant shall be afforded an opportunity to appeal such decision to the full board of housing appeals and fair housing practices. If the full board decides there is no probable cause, the complainant may appeal to either:

- (1) A court of competent jurisdiction for the county in which the alleged discrimination took place; or
- (2) A court of competent jurisdiction for the county in which the property or property interest in question is located.

(d) If a determination is made that there is probable cause to believe discrimination in violation of this chapter has been or is being committed, an agent designated by the board of housing appeals and fair housing practices shall endeavor, by means of conference, conciliation or persuasion, to eliminate the alleged discrimination or discriminatory practice.

Sec. 46-68. Hearing on failure to settle.

When efforts at settlement have failed to eliminate the discrimination or discriminatory practice alleged by the complainant under this chapter, the board of housing appeals and fair housing practices shall promptly cause to be issued a notice of a hearing before a hearing examiner, acting as an agent of the board, to determine the merits of the complaint.

Sec. 46-69. Findings of examiner.

(a) Under this chapter, in all hearings before an examiner, except those for determining probable cause, the burden of proof is on the party alleging discrimination.

(b) If, after hearing and on the basis of the official record made therein, the examiner finds by a fair preponderance of the evidence that the respondent has engaged in or is engaged in any discrimination prohibited by this chapter, he shall make and recommend to the board of housing appeals and fair housing practices written findings of fact and conclusions thereon and shall recommend such action to be taken by the respondent and, where necessary, by the complainant, as will effect the purposes of this chapter by eliminating the discrimination found.

(c) Damages and penalties.

(1) If the hearing examiner finds that a respondent has engaged in or is about to engage in a discriminatory act prohibited under Sec. 46-3 or 46-4, the hearing examiner shall promptly issue an order for such relief as may be appropriate, which may include economic and non-economic damages suffered by the aggrieved person, regardless of whether he or she intervened in the action, and injunctive or other equitable relief. The hearing examiner may not order punitive damages.

(2) In addition to any damages ordered under subd. (1), the hearing examiner may assess a forfeiture against a respondent who is not a natural person in an amount not exceeding \$10,000, unless the respondent who is not a natural person has been adjudged to have committed any prior discriminatory act under Sec. 46-3 or 46-4. If a respondent who is not a natural person has been adjudged to have committed one other discriminatory act under Sec. 46-3 or 46-4 during the preceding five-year period, based on the offense date of the prior discriminatory act, the hearing examiner may assess a forfeiture in an amount not exceeding \$25,000. If a respondent who is not a natural person has been adjudged to have committed two or more prior discriminatory acts under Sec. 46-3 or 46-4 during the preceding seven-year period, based on the offense date of the prior discriminatory act, the hearing examiner may assess a forfeiture in an amount not exceeding \$50,000.

3. In addition to any damages ordered under subd. (1), the hearing examiner may assess a forfeiture against a respondent who is a natural person in an amount not exceeding \$10,000, unless the respondent who is a natural person has been adjudged to have committed any prior discriminatory act under Sec. 46-3 or 46-4. If a respondent who is a natural person has been adjudged to have committed one other prior discriminatory act under Sec. 46-3 or 56-4 based on an offense date that is before September 1, 1992, the hearing examiner may assess a forfeiture in an amount not exceeding \$25,000. If a respondent who is a natural person has been adjudged to have committed two or more prior discriminatory acts under Sec. 46-3 or 46-4 based on an

offense date that is before September 1, 1992, the hearing examiner may assess a forfeiture in an amount not exceeding \$50,000.

(d) Attorney fees and costs. The hearing examiner may allow a prevailing complainant reasonable attorney fees and costs.

(e) A certified copy of such recommended findings, conclusions and orders, together with a summary of the findings of fact, shall be sent to the last known addresses of the complainant and the respondent by certified mail with return receipts requested.

(f) If, within 30 days following the mailing of the hearing examiner's decision, the board does not receive notice of appeal, the findings, conclusions and orders of the examiner shall be the findings, conclusions and orders of the board.

Sec. 46-70. Appeal from examiner's findings.

Under this chapter, if within 30 days following the mailing of the examiner's decision, the complainant or respondent serves notice of appeal, such appeal may be had to the full board of housing appeals and fair housing practices. The board shall have the power to affirm, reverse or modify the determination of the hearing examiner. After final determination by the board, either party may appeal by certiorari to a court of competent jurisdiction. In the alternative, either party may receive a trial de novo on all issues relating to any alleged discrimination and a further right to a trial by jury.

Sec. 46-71. Transfer of proceedings.

At any time after a finding of probable cause under this chapter, the board of housing appeals and fair housing practices, with appropriate notice to the complainant and respondent, may transfer the proceedings to itself.

Sec. 46-72. Judicial enforcement.

Whenever, in the judgment of the board of housing appeals and fair housing practices, judicial enforcement of a board order is necessary to enforce this chapter, the board shall in writing request the city attorney to commence proceedings in a court of competent jurisdiction to enforce such orders in the name of the city. Upon receipt of any such request, the city attorney shall have the duty to seek enforcement of such orders in a court of competent jurisdiction.

Sec. 46-73. Remedies.

(a) The board of housing appeals and fair housing practices shall have the power and duty, after investigation and hearing, to issue and implement such orders as may be necessary to effect the purposes of this chapter. Such orders may include the following:

- (1) Cease and desist orders;
- (2) Affirmative action by the respondent and, where necessary, by the complainant; and
- (3) Any other orders which may be necessary to effect the purpose of this chapter.

(b) Any of the orders of the board shall be stayed during the period in which any appeal may be taken and during the pendency of any appeal."

Section 2. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

A motion by Alderperson Heidemann and second by Alderperson Versey was made to pass the ordinance.

Before action was taken thereon, a motion by Alderperson Heidemann and second by Alderperson Versey was made to amend the Ordinance to add a new subsection (e) to read as follows:

Sec. 46—67. Investigation and finding of probable cause.

(e) If a determination is made that there is probable cause to believe discrimination in violation of this chapter has been or is being committed, a complainant, an aggrieved person, or a respondent may elect to remove the action to circuit court, passed on call of the roll:

Ayes: Belanger, Carlson, Dekker, Donohue, Hammond, Heidemann, Kath, Lewandoske, Matichek, Roeseler, VanderWeele, Versey, Wangemann - 13.

Nays: None.

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

Ayes: Belanger, Carlson, Dekker, Donohue, Hammond, Heidemann, Kath, Lewandoske, Matichek, Roeseler, VanderWeele, Versey, Wangemann - 13.

Nays: None.

**A MOTION BY ALDERPERSON HAMMOND AND SECOND BY ALDERPERSON CARLSON TO CONVENE IN CLOSED SESSION** under the exemption provided in Sec. 19.85(1)(e), Wis. Stats., for the purpose of deliberating the possible sale of public property where competitive and bargaining reasons require a closed session, passed on call of the roll:

Ayes: Belanger, Carlson, Dekker, Donohue, Hammond, Heidemann, Kath, Lewandoske, Matichek, Roeseler, VanderWeele, Versey, Wangemann - 13.

Nays: None.

**March 18, 2013**

**A MOTION TO RECONVENE** in open session was made by Alderperson Hammond and second by Alderperson Carlson passed on call of the roll:

Ayes: Belanger, Carlson, Dekker, Donohue, Hammond, Heidemann, Kath, Lewandoske, Matichek, Roeseler, VanderWeele, Versey, Wangemann - 13.

Nays: None.

**RESOLUTIONS INTRODUCED**

**Res. No. 161 - 12 - 13. By Alderperson Hammond. March 18, 2013.**

**A RESOLUTION** authorizing the sale of City-owned property in Sheboygan Industrial Park No. 1 (Parcel No. 59281-423780).

**WHEREAS**, the property is a remnant piece of the original Industrial Park development and is landlocked as a developable site except for the adjacent property owners;

**WHEREAS**, Office Service Company, LLP has submitted an offer to purchase the property "As-Is, Where-Is".

**RESOLVED:** That the Common Council authorizes the Mayor and City Clerk to act on behalf of the City in accepting the Offer to Purchase and in signing all appropriate documents related to the transfer of parcel no. 59281-423780.

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

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

Ayes: Belanger, Carlson, Dekker, Donohue, Hammond, Heidemann, Kath, Lewandoske, Matichek, Roeseler, VanderWeele, Versey, Wangemann - 13.

Nays: None.

There being no further business, on motion by Alderperson Hammond and second by Alderperson Carlson, the meeting was then adjourned on call of the roll:

Ayes: Belanger, Carlson, Dekker, Donohue, Hammond, Heidemann, Kath, Lewandoske, Matichek, Roeseler, VanderWeele, Wangemann - 12.

Nays: None.

Abstain: Versey • 1.

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Mayor

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City Clerk

1) 1.1 MARCH 18TH COUNCIL MEETING ROLL CALL

| Last Name    | First Name | <u>Yes</u> | <u>No</u> | <u>Abstain</u> |
|--------------|------------|------------|-----------|----------------|
| Belanger     | John       | 1          |           |                |
| Bohren       | Jim        |            |           |                |
| Carlson      | Darryl     | 1          |           |                |
| Dekker       | Jeremy     | 1          |           |                |
| Donohue      | Mary Lynne | 1          |           |                |
| Hammond      | Don        | 1          |           |                |
| Heidemann    | Joseph     | 1          |           |                |
| Kath         | Julie      | 1          |           |                |
| Lessard      | Susan      |            |           |                |
| Lewandoske   | Scott      | 1          |           |                |
| Matichek     | Kevin      | 1          |           |                |
| Roeseler     | Cory       | 1          |           |                |
| Van Akkeren  | David      |            |           |                |
| Vander Weerk | Jodi       | 1          |           |                |
| Versey       | Scott      | 1          |           |                |
| Wangemann    | William    | 1          |           |                |
| <b>13</b>    |            | <b>13</b>  | <b>0</b>  | <b>0</b>       |

2) 1.3 APPROVAL OF MINUTES

| Last Name    | First Name | <u>Yes</u> | <u>No</u> | <u>Abstain</u> |
|--------------|------------|------------|-----------|----------------|
| Belanger     | John       | 1          |           |                |
| Bohren       | Jim        |            |           |                |
| Carlson      | Darryl     | 1          |           |                |
| Dekker       | Jeremy     | 1          |           |                |
| Donohue      | Mary Lynne | 1          |           |                |
| Hammond      | Don        | 1          |           |                |
| Heidemann    | Joseph     | 1          |           |                |
| Kath         | Julie      | 1          |           |                |
| Lessard      | Susan      |            |           |                |
| Lewandoske   | Scott      | 1          |           |                |
| Matichek     | Kevin      | 1          |           |                |
| Roeseler     | Cory       | 1          |           |                |
| Van Akkeren  | David      |            |           |                |
| Vander Weerk | Jodi       | 1          |           |                |
| Versey       | Scott      | 1          |           |                |
| Wangemann    | William    | 1          |           |                |
| <b>13</b>    |            | <b>13</b>  | <b>0</b>  | <b>0</b>       |

3) 1.4 RESIGNATIONS

| Last Name | First Name | <u>Yes</u> | <u>No</u> | <u>Abstain</u> |
|-----------|------------|------------|-----------|----------------|
| Belanger  | John       | 1          |           |                |
| Bohren    | Jim        |            |           |                |

|             |            |           |          |          |
|-------------|------------|-----------|----------|----------|
| Carlson     | Darryl     | 1         |          |          |
| Dekker      | Jeremy     | 1         |          |          |
| Donohue     | Mary Lynne | 1         |          |          |
| Hammond     | Don        | 1         |          |          |
| Heidemann   | Joseph     | 1         |          |          |
| Kath        | Julie      | 1         |          |          |
| Lessard     | Susan      |           |          |          |
| Lewandoske  | Scott      | 1         |          |          |
| Matichek    | Kevin      | 1         |          |          |
| Roeseler    | Cory       | 1         |          |          |
| Van Akkeren | David      |           |          |          |
| Vander Weel | Jodi       | 1         |          |          |
| Versey      | Scott      | 1         |          |          |
| Wangemann   | William    | 1         |          |          |
|             |            | <b>13</b> | <b>0</b> | <b>0</b> |

**4) 2.1 HEARINGS FOR PARKING DISTRICT I, II, IV, V**

| <u>Last Name</u> | <u>First Name</u> | <u>Yes</u> | <u>No</u> | <u>Abstain</u> |
|------------------|-------------------|------------|-----------|----------------|
| Belanger         | John              | 1          |           |                |
| Bohren           | Jim               |            |           |                |
| Carlson          | Darryl            | 1          |           |                |
| Dekker           | Jeremy            | 1          |           |                |
| Donohue          | Mary Lynne        | 1          |           |                |
| Hammond          | Don               | 1          |           |                |
| Heidemann        | Joseph            | 1          |           |                |
| Kath             | Julie             | 1          |           |                |
| Lessard          | Susan             |            |           |                |
| Lewandoske       | Scott             | 1          |           |                |
| Matichek         | Kevin             | 1          |           |                |
| Roeseler         | Cory              | 1          |           |                |
| Van Akkeren      | David             |            |           |                |
| Vander Weel      | Jodi              | 1          |           |                |
| Versey           | Scott             | 1          |           |                |
| Wangemann        | William           | 1          |           |                |
|                  |                   | <b>13</b>  | <b>0</b>  | <b>0</b>       |

**5) Consent Agenda 3.1 thru 3.24**

| <u>Last Name</u> | <u>First Name</u> | <u>Yes</u> | <u>No</u> | <u>Abstain</u> |
|------------------|-------------------|------------|-----------|----------------|
| Belanger         | John              | 1          |           |                |
| Bohren           | Jim               |            |           |                |
| Carlson          | Darryl            | 1          |           |                |
| Dekker           | Jeremy            | 1          |           |                |
| Donohue          | Mary Lynne        | 1          |           |                |

|             |         |       |   |   |
|-------------|---------|-------|---|---|
| Hammond     | Don     | 1     |   |   |
| Heidemann   | Joseph  | 1     |   |   |
| Kath        | Julie   | 1     |   |   |
| Lessard     | Susan   |       |   |   |
| Lewandoske  | Scott   | 1     |   |   |
| Matichek    | Kevin   | 1     |   |   |
| Roeseler    | Cory    | 1     |   |   |
| Van Akkeren | David   |       |   |   |
| Vander Weel | Jodi    | 1     |   |   |
| Versey      | Scott   | 1     |   |   |
| Wangemann   | William | 1     |   |   |
|             |         | <hr/> |   |   |
|             |         | 13    | 0 | 0 |

**6) 5.1 RESOLUTION & 4.1 REPORT OF OFFICER - MOTION TO SUSPEND**

| Last Name   | First Name | <u>Yes</u> | <u>No</u> | <u>Abstain</u> |
|-------------|------------|------------|-----------|----------------|
| Belanger    | John       | 1          |           |                |
| Bohren      | Jim        |            |           |                |
| Carlson     | Darryl     | 1          |           |                |
| Dekker      | Jeremy     | 1          |           |                |
| Donohue     | Mary Lynne | 1          |           |                |
| Hammond     | Don        | 1          |           |                |
| Heidemann   | Joseph     | 1          |           |                |
| Kath        | Julie      | 1          |           |                |
| Lessard     | Susan      |            |           |                |
| Lewandoske  | Scott      | 1          |           |                |
| Matichek    | Kevin      | 1          |           |                |
| Roeseler    | Cory       | 1          |           |                |
| Van Akkeren | David      |            |           |                |
| Vander Weel | Jodi       | 1          |           |                |
| Versey      | Scott      | 1          |           |                |
| Wangemann   | William    | 1          |           |                |
|             |            | <hr/>      |           |                |
|             |            | 13         | 0         | 0              |

**7) 5.1 RESOLUTION & 4.1 REPORT OF OFFICER - MOTION TO ACCEPT A**

| Last Name | First Name | <u>Yes</u> | <u>No</u> | <u>Abstain</u> |
|-----------|------------|------------|-----------|----------------|
| Belanger  | John       | 1          |           |                |
| Bohren    | Jim        |            |           |                |
| Carlson   | Darryl     | 1          |           |                |
| Dekker    | Jeremy     | 1          |           |                |
| Donohue   | Mary Lynne | 1          |           |                |
| Hammond   | Don        | 1          |           |                |
| Heidemann | Joseph     | 1          |           |                |
| Kath      | Julie      | 1          |           |                |

|             |         |       |   |   |
|-------------|---------|-------|---|---|
| Lessard     | Susan   |       |   |   |
| Lewandoske  | Scott   | 1     |   |   |
| Matichek    | Kevin   | 1     |   |   |
| Roeseler    | Cory    | 1     |   |   |
| Van Akkeren | David   |       |   |   |
| Vander Weel | Jodi    | 1     |   |   |
| Versey      | Scott   | 1     |   |   |
| Wangemann   | William | 1     |   |   |
|             |         | <hr/> |   |   |
|             |         | 13    | 0 | 0 |

**8) 5.2 RESOLUTION MOTION TO SUSPEND**

| Last Name   | First Name | <u>Yes</u> | <u>No</u> | <u>Abstain</u> |
|-------------|------------|------------|-----------|----------------|
| Belanger    | John       | 1          |           |                |
| Bohren      | Jim        |            |           |                |
| Carlson     | Darryl     | 1          |           |                |
| Dekker      | Jeremy     | 1          |           |                |
| Donohue     | Mary Lynne | 1          |           |                |
| Hammond     | Don        | 1          |           |                |
| Heidemann   | Joseph     | 1          |           |                |
| Kath        | Julie      | 1          |           |                |
| Lessard     | Susan      |            |           |                |
| Lewandoske  | Scott      | 1          |           |                |
| Matichek    | Kevin      | 1          |           |                |
| Roeseler    | Cory       | 1          |           |                |
| Van Akkeren | David      |            |           |                |
| Vander Weel | Jodi       | 1          |           |                |
| Versey      | Scott      | 1          |           |                |
| Wangemann   | William    | 1          |           |                |
|             |            | <hr/>      |           |                |
|             |            | 13         | 0         | 0              |

**9) 5.2 RESOLUTION MOTION TO PASS RESOLUTION**

| Last Name  | First Name | <u>Yes</u> | <u>No</u> | <u>Abstain</u> |
|------------|------------|------------|-----------|----------------|
| Belanger   | John       | 1          |           |                |
| Bohren     | Jim        |            |           |                |
| Carlson    | Darryl     | 1          |           |                |
| Dekker     | Jeremy     | 1          |           |                |
| Donohue    | Mary Lynne | 1          |           |                |
| Hammond    | Don        | 1          |           |                |
| Heidemann  | Joseph     | 1          |           |                |
| Kath       | Julie      | 1          |           |                |
| Lessard    | Susan      |            |           |                |
| Lewandoske | Scott      | 1          |           |                |
| Matichek   | Kevin      | 1          |           |                |

|             |         |       |   |   |
|-------------|---------|-------|---|---|
| Roeseler    | Cory    | 1     |   |   |
| Van Akkeren | David   |       |   |   |
| Vander Weel | Jodi    | 1     |   |   |
| Versey      | Scott   | 1     |   |   |
| Wangemann   | William | 1     |   |   |
|             |         | <hr/> |   |   |
|             |         | 13    | 0 | 0 |

**10) 6.1 REPORTS OF COMMITTEE Motion to accept and adopt**

| Last Name   | First Name | <u>Yes</u> | <u>No</u> | <u>Abstain</u> |
|-------------|------------|------------|-----------|----------------|
| Belanger    | John       |            | 1         |                |
| Bohren      | Jim        |            |           |                |
| Carlson     | Darryl     |            | 1         |                |
| Dekker      | Jeremy     |            | 1         |                |
| Donohue     | Mary Lynne | 1          |           |                |
| Hammond     | Don        |            | 1         |                |
| Heidemann   | Joseph     | 1          |           |                |
| Kath        | Julie      | 1          |           |                |
| Lessard     | Susan      |            |           |                |
| Lewandoske  | Scott      | 1          |           |                |
| Matichek    | Kevin      | 1          |           |                |
| Roeseler    | Cory       | 1          |           |                |
| Van Akkeren | David      |            |           |                |
| Vander Weel | Jodi       | 1          |           |                |
| Versey      | Scott      | 1          |           |                |
| Wangemann   | William    | 1          |           |                |
|             |            | <hr/>      |           |                |
|             |            | 9          | 4         | 0              |

**11) 6.2 REPORTS OF COMMITTEE Motion to accept and adopt**

| Last Name   | First Name | <u>Yes</u> | <u>No</u> | <u>Abstain</u> |
|-------------|------------|------------|-----------|----------------|
| Belanger    | John       | 1          |           |                |
| Bohren      | Jim        |            |           |                |
| Carlson     | Darryl     | 1          |           |                |
| Dekker      | Jeremy     | 1          |           |                |
| Donohue     | Mary Lynne | 1          |           |                |
| Hammond     | Don        | 1          |           |                |
| Heidemann   | Joseph     | 1          |           |                |
| Kath        | Julie      | 1          |           |                |
| Lessard     | Susan      |            |           |                |
| Lewandoske  | Scott      | 1          |           |                |
| Matichek    | Kevin      | 1          |           |                |
| Roeseler    | Cory       | 1          |           |                |
| Van Akkeren | David      |            |           |                |
| Vander Weel | Jodi       | 1          |           |                |

|           |         |       |   |   |
|-----------|---------|-------|---|---|
| Versey    | Scott   | 1     |   |   |
| Wangemann | William | 1     |   |   |
|           |         | <hr/> |   |   |
|           |         | 13    | 0 | 0 |

12) 6.3 REPORTS OF COMMITTEE Motion to accept and adopt and pas

| Last Name   | First Name | <u>Yes</u> | <u>No</u> | <u>Abstain</u> |
|-------------|------------|------------|-----------|----------------|
| Belanger    | John       | 1          |           |                |
| Bohren      | Jim        |            |           |                |
| Carlson     | Darryl     | 1          |           |                |
| Dekker      | Jeremy     | 1          |           |                |
| Donohue     | Mary Lynne | 1          |           |                |
| Hammond     | Don        | 1          |           |                |
| Heidemann   | Joseph     |            | 1         |                |
| Kath        | Julie      |            | 1         |                |
| Lessard     | Susan      |            |           |                |
| Lewandoske  | Scott      |            | 1         |                |
| Matichek    | Kevin      | 1          |           |                |
| Roeseler    | Cory       | 1          |           |                |
| Van Akkeren | David      |            |           |                |
| Vander Weel | Jodi       | 1          |           |                |
| Versey      | Scott      |            | 1         |                |
| Wangemann   | William    |            | 1         |                |
|             |            | <hr/>      |           |                |
|             |            | 8          | 5         | 0              |

13) 6.4 REPORTS OF COMMITTEE Motion to accept and adopt and pass

| Last Name   | First Name | <u>Yes</u> | <u>No</u> | <u>Abstain</u> |
|-------------|------------|------------|-----------|----------------|
| Belanger    | John       | 1          |           |                |
| Bohren      | Jim        |            |           |                |
| Carlson     | Darryl     | 1          |           |                |
| Dekker      | Jeremy     | 1          |           |                |
| Donohue     | Mary Lynne | 1          |           |                |
| Hammond     | Don        | 1          |           |                |
| Heidemann   | Joseph     | 1          |           |                |
| Kath        | Julie      | 1          |           |                |
| Lessard     | Susan      |            |           |                |
| Lewandoske  | Scott      | 1          |           |                |
| Matichek    | Kevin      | 1          |           |                |
| Roeseler    | Cory       | 1          |           |                |
| Van Akkeren | David      |            |           |                |
| Vander Weel | Jodi       | 1          |           |                |
| Versey      | Scott      | 1          |           |                |
| Wangemann   | William    | 1          |           |                |
|             |            | <hr/>      |           |                |
|             |            | 13         | 0         | 0              |

**14) 6.5 amend to simple majority of amt present**

| <u>Last Name</u> | <u>First Name</u> | <u>Yes</u> | <u>No</u> | <u>Abstain</u> |
|------------------|-------------------|------------|-----------|----------------|
| Belanger         | John              | 1          |           |                |
| Bohren           | Jim               |            |           |                |
| Carlson          | Darryl            | 1          |           |                |
| Dekker           | Jeremy            |            | 1         |                |
| Donohue          | Mary Lynne        | 1          |           |                |
| Hammond          | Don               | 1          |           |                |
| Heidemann        | Joseph            | 1          |           |                |
| Kath             | Julie             | 1          |           |                |
| Lessard          | Susan             |            |           |                |
| Lewandoske       | Scott             | 1          |           |                |
| Matichek         | Kevin             | 1          |           |                |
| Roeseler         | Cory              | 1          |           |                |
| Van Akkeren      | David             |            |           |                |
| Vander Weel      | Jodi              |            | 1         |                |
| Versey           | Scott             | 1          |           |                |
| Wangemann        | William           | 1          |           |                |
|                  |                   | <b>11</b>  | <b>2</b>  | <b>0</b>       |

**15) 6.5 REPORT OF COMMITTEE MOTION TO ACCEPT AND ADOPT and**

| <u>Last Name</u> | <u>First Name</u> | <u>Yes</u> | <u>No</u> | <u>Abstain</u> |
|------------------|-------------------|------------|-----------|----------------|
| Belanger         | John              | 1          |           |                |
| Bohren           | Jim               |            |           |                |
| Carlson          | Darryl            | 1          |           |                |
| Dekker           | Jeremy            | 1          |           |                |
| Donohue          | Mary Lynne        | 1          |           |                |
| Hammond          | Don               |            | 1         |                |
| Heidemann        | Joseph            | 1          |           |                |
| Kath             | Julie             | 1          |           |                |
| Lessard          | Susan             |            |           |                |
| Lewandoske       | Scott             | 1          |           |                |
| Matichek         | Kevin             | 1          |           |                |
| Roeseler         | Cory              | 1          |           |                |
| Van Akkeren      | David             |            |           |                |
| Vander Weel      | Jodi              |            | 1         |                |
| Versey           | Scott             | 1          |           |                |
| Wangemann        | William           |            | 1         |                |
|                  |                   | <b>10</b>  | <b>3</b>  | <b>0</b>       |

**16) 6.6 motion to amend to allow public access to beach w/o fee**

| <u>Last Name</u> | <u>First Name</u> | <u>Yes</u> | <u>No</u> | <u>Abstain</u> |
|------------------|-------------------|------------|-----------|----------------|
| Belanger         | John              |            | 1         |                |

|              |            |          |          |          |
|--------------|------------|----------|----------|----------|
| Bohren       | Jim        |          |          |          |
| Carlson      | Darryl     |          | 1        |          |
| Dekker       | Jeremy     | 1        |          |          |
| Donohue      | Mary Lynne |          | 1        |          |
| Hammond      | Don        |          | 1        |          |
| Heidemann    | Joseph     | 1        |          |          |
| Kath         | Julie      | 1        |          |          |
| Lessard      | Susan      |          |          |          |
| Lewandoske   | Scott      |          | 1        |          |
| Matichek     | Kevin      | 1        |          |          |
| Roeseler     | Cory       |          | 1        |          |
| Van Akkeren  | David      |          |          |          |
| Vander Weerk | Jodi       |          | 1        |          |
| Versey       | Scott      |          | 1        |          |
| Wangemann    | William    |          | 1        |          |
|              |            | <b>4</b> | <b>9</b> | <b>0</b> |

**17) 6.6 REPORT OF COMMITTEE MOTION TO ACCEPT AND ADOPT ANC**

| <u>Last Name</u> | <u>First Name</u> | <u>Yes</u> | <u>No</u> | <u>Abstain</u> |
|------------------|-------------------|------------|-----------|----------------|
| Belanger         | John              | 1          |           |                |
| Bohren           | Jim               |            |           |                |
| Carlson          | Darryl            | 1          |           |                |
| Dekker           | Jeremy            |            | 1         |                |
| Donohue          | Mary Lynne        | 1          |           |                |
| Hammond          | Don               | 1          |           |                |
| Heidemann        | Joseph            | 1          |           |                |
| Kath             | Julie             | 1          |           |                |
| Lessard          | Susan             |            |           |                |
| Lewandoske       | Scott             | 1          |           |                |
| Matichek         | Kevin             |            | 1         |                |
| Roeseler         | Cory              | 1          |           |                |
| Van Akkeren      | David             |            |           |                |
| Vander Weerk     | Jodi              | 1          |           |                |
| Versey           | Scott             | 1          |           |                |
| Wangemann        | William           | 1          |           |                |
|                  |                   | <b>11</b>  | <b>2</b>  | <b>0</b>       |

**18) 8.1 MATTERS LAID OVER Motion to pass resolution**

| <u>Last Name</u> | <u>First Name</u> | <u>Yes</u> | <u>No</u> | <u>Abstain</u> |
|------------------|-------------------|------------|-----------|----------------|
| Belanger         | John              | 1          |           |                |
| Bohren           | Jim               |            |           |                |
| Carlson          | Darryl            | 1          |           |                |
| Dekker           | Jeremy            | 1          |           |                |

|             |            |       |   |   |
|-------------|------------|-------|---|---|
| Donohue     | Mary Lynne | 1     |   |   |
| Hammond     | Don        | 1     |   |   |
| Heidemann   | Joseph     | 1     |   |   |
| Kath        | Julie      | 1     |   |   |
| Lessard     | Susan      |       |   |   |
| Lewandoske  | Scott      | 1     |   |   |
| Matichek    | Kevin      | 1     |   |   |
| Roeseler    | Cory       | 1     |   |   |
| Van Akkeren | David      |       |   |   |
| Vander Weel | Jodi       | 1     |   |   |
| Versey      | Scott      | 1     |   |   |
| Wangemann   | William    | 1     |   |   |
|             |            | <hr/> |   |   |
|             |            | 13    | 0 | 0 |

19) 9.1 Notice to Discharge Bd. Of Housing Appeals and Fair Housing P

| Last Name   | First Name | <u>Yes</u> | <u>No</u> | <u>Abstain</u> |
|-------------|------------|------------|-----------|----------------|
| Belanger    | John       | 1          |           |                |
| Bohren      | Jim        |            |           |                |
| Carlson     | Darryl     | 1          |           |                |
| Dekker      | Jeremy     | 1          |           |                |
| Donohue     | Mary Lynne | 1          |           |                |
| Hammond     | Don        | 1          |           |                |
| Heidemann   | Joseph     | 1          |           |                |
| Kath        | Julie      | 1          |           |                |
| Lessard     | Susan      |            |           |                |
| Lewandoske  | Scott      | 1          |           |                |
| Matichek    | Kevin      | 1          |           |                |
| Roeseler    | Cory       | 1          |           |                |
| Van Akkeren | David      |            |           |                |
| Vander Weel | Jodi       | 1          |           |                |
| Versey      | Scott      | 1          |           |                |
| Wangemann   | William    | 1          |           |                |
|             |            | <hr/>      |           |                |
|             |            | 13         | 0         | 0              |

20) 9.2 amend

| Last Name | First Name | <u>Yes</u> | <u>No</u> | <u>Abstain</u> |
|-----------|------------|------------|-----------|----------------|
| Belanger  | John       | 1          |           |                |
| Bohren    | Jim        |            |           |                |
| Carlson   | Darryl     | 1          |           |                |
| Dekker    | Jeremy     | 1          |           |                |
| Donohue   | Mary Lynne | 1          |           |                |
| Hammond   | Don        | 1          |           |                |
| Heidemann | Joseph     | 1          |           |                |

|             |         |       |   |   |
|-------------|---------|-------|---|---|
| Kath        | Julie   | 1     |   |   |
| Lessard     | Susan   |       |   |   |
| Lewandoske  | Scott   | 1     |   |   |
| Matichek    | Kevin   | 1     |   |   |
| Roeseler    | Cory    | 1     |   |   |
| Van Akkeren | David   |       |   |   |
| Vander Weel | Jodi    | 1     |   |   |
| Versey      | Scott   | 1     |   |   |
| Wangemann   | William | 1     |   |   |
|             |         | <hr/> |   |   |
|             |         | 13    | 0 | 0 |

**21) 9.2 Gen. Ord. No. 50-12-13 Motion to pass Ordinance as amended**

| Last Name   | First Name | <u>Yes</u> | <u>No</u> | <u>Abstain</u> |
|-------------|------------|------------|-----------|----------------|
| Belanger    | John       | 1          |           |                |
| Bohren      | Jim        |            |           |                |
| Carlson     | Darryl     | 1          |           |                |
| Dekker      | Jeremy     | 1          |           |                |
| Donohue     | Mary Lynne | 1          |           |                |
| Hammond     | Don        | 1          |           |                |
| Heidemann   | Joseph     | 1          |           |                |
| Kath        | Julie      | 1          |           |                |
| Lessard     | Susan      |            |           |                |
| Lewandoske  | Scott      | 1          |           |                |
| Matichek    | Kevin      | 1          |           |                |
| Roeseler    | Cory       | 1          |           |                |
| Van Akkeren | David      |            |           |                |
| Vander Weel | Jodi       | 1          |           |                |
| Versey      | Scott      | 1          |           |                |
| Wangemann   | William    | 1          |           |                |
|             |            | <hr/>      |           |                |
|             |            | 13         | 0         | 0              |

**22) 11.1 CLOSED SESSION MOTION TO CONVENE IN CLOSED SESSION**

| Last Name  | First Name | <u>Yes</u> | <u>No</u> | <u>Abstain</u> |
|------------|------------|------------|-----------|----------------|
| Belanger   | John       | 1          |           |                |
| Bohren     | Jim        |            |           |                |
| Carlson    | Darryl     | 1          |           |                |
| Dekker     | Jeremy     | 1          |           |                |
| Donohue    | Mary Lynne | 1          |           |                |
| Hammond    | Don        | 1          |           |                |
| Heidemann  | Joseph     | 1          |           |                |
| Kath       | Julie      | 1          |           |                |
| Lessard    | Susan      |            |           |                |
| Lewandoske | Scott      | 1          |           |                |

|             |         |       |   |   |
|-------------|---------|-------|---|---|
| Matichek    | Kevin   | 1     |   |   |
| Roeseler    | Cory    | 1     |   |   |
| Van Akkeren | David   |       |   |   |
| Vander Weel | Jodi    | 1     |   |   |
| Versey      | Scott   | 1     |   |   |
| Wangemann   | William | 1     |   |   |
|             |         | <hr/> |   |   |
|             |         | 13    | 0 | 0 |

**23) 12. RECONVENE IN OPEN SESSION Motion to reconvene in open se:**

| Last Name   | First Name | <u>Yes</u> | <u>No</u> | <u>Abstain</u> |
|-------------|------------|------------|-----------|----------------|
| Belanger    | John       | 1          |           |                |
| Bohren      | Jim        |            |           |                |
| Carlson     | Darryl     | 1          |           |                |
| Dekker      | Jeremy     | 1          |           |                |
| Donohue     | Mary Lynne | 1          |           |                |
| Hammond     | Don        | 1          |           |                |
| Heidemann   | Joseph     | 1          |           |                |
| Kath        | Julie      | 1          |           |                |
| Lessard     | Susan      |            |           |                |
| Lewandoske  | Scott      | 1          |           |                |
| Matichek    | Kevin      | 1          |           |                |
| Roeseler    | Cory       | 1          |           |                |
| Van Akkeren | David      |            |           |                |
| Vander Weel | Jodi       | 1          |           |                |
| Versey      | Scott      | 1          |           |                |
| Wangemann   | William    | 1          |           |                |
|             |            | <hr/>      |           |                |
|             |            | 13         | 0         | 0              |

**24) 12.1 Resolution Motion to Suspend**

| Last Name   | First Name | <u>Yes</u> | <u>No</u> | <u>Abstain</u> |
|-------------|------------|------------|-----------|----------------|
| Belanger    | John       | 1          |           |                |
| Bohren      | Jim        |            |           |                |
| Carlson     | Darryl     | 1          |           |                |
| Dekker      | Jeremy     | 1          |           |                |
| Donohue     | Mary Lynne | 1          |           |                |
| Hammond     | Don        | 1          |           |                |
| Heidemann   | Joseph     | 1          |           |                |
| Kath        | Julie      | 1          |           |                |
| Lessard     | Susan      |            |           |                |
| Lewandoske  | Scott      | 1          |           |                |
| Matichek    | Kevin      | 1          |           |                |
| Roeseler    | Cory       | 1          |           |                |
| Van Akkeren | David      |            |           |                |

|             |         |       |   |   |
|-------------|---------|-------|---|---|
| Vander Weel | Jodi    | 1     |   |   |
| Versey      | Scott   | 1     |   |   |
| Wangemann   | William | 1     |   |   |
|             |         | <hr/> |   |   |
|             |         | 13    | 0 | 0 |

**25) 12.1 Resolution Motion to pass Resolution**

| <u>Last Name</u> | <u>First Name</u> | <u>Yes</u> | <u>No</u> | <u>Abstain</u> |
|------------------|-------------------|------------|-----------|----------------|
| Belanger         | John              | 1          |           |                |
| Bohren           | Jim               |            |           |                |
| Carlson          | Darryl            | 1          |           |                |
| Dekker           | Jeremy            | 1          |           |                |
| Donohue          | Mary Lynne        | 1          |           |                |
| Hammond          | Don               | 1          |           |                |
| Heidemann        | Joseph            | 1          |           |                |
| Kath             | Julie             | 1          |           |                |
| Lessard          | Susan             |            |           |                |
| Lewandoske       | Scott             | 1          |           |                |
| Matichek         | Kevin             | 1          |           |                |
| Roeseler         | Cory              | 1          |           |                |
| Van Akkeren      | David             |            |           |                |
| Vander Weel      | Jodi              | 1          |           |                |
| Versey           | Scott             | 1          |           |                |
| Wangemann        | William           | 1          |           |                |
|                  |                   | <hr/>      |           |                |
|                  |                   | 13         | 0         | 0              |

**26) 13.1 MOTION TO ADJOURN**

| <u>Last Name</u> | <u>First Name</u> | <u>Yes</u> | <u>No</u> | <u>Abstain</u> |
|------------------|-------------------|------------|-----------|----------------|
| Belanger         | John              | 1          |           |                |
| Bohren           | Jim               |            |           |                |
| Carlson          | Darryl            | 1          |           |                |
| Dekker           | Jeremy            | 1          |           |                |
| Donohue          | Mary Lynne        | 1          |           |                |
| Hammond          | Don               | 1          |           |                |
| Heidemann        | Joseph            | 1          |           |                |
| Kath             | Julie             | 1          |           |                |
| Lessard          | Susan             |            |           |                |
| Lewandoske       | Scott             | 1          |           |                |
| Matichek         | Kevin             | 1          |           |                |
| Roeseler         | Cory              | 1          |           |                |
| Van Akkeren      | David             |            |           |                |
| Vander Weel      | Jodi              | 1          |           |                |
| Versey           | Scott             |            |           | 1              |

Wangemann William

1  
12 0 1