

*****ATTACHMENTS*****

III

Alvin Matkus

7.3
9.2

Res. No. 134 - 17 - 18. By Alderpersons Donohue and Bohren.
February 5, 2018.

A RESOLUTION authorizing city staff to negotiate a developer's agreement between the City of Sheboygan and Scott Crawford, Inc. for the redevelopment of the former Sheboygan Armory site.

WHEREAS: January 3, 2018 was the deadline for interested parties to submit a proposal to redevelop the Sheboygan Municipal Armory;

WHEREAS: Six proposals were received. Two proposals repurposed the current armory building and four proposals redeveloped the site without the armory building.

WHEREAS: The review task group recommended Scott Crawford, Inc.'s proposed \$26 million project consisting of the construction of 122 affordable and market rate housing units, underground parking and approximately 7,000 square feet of retail space on the first floor.

RESOLVED, that the Common Council authorizes the city staff to negotiate a developer's agreement between the City of Sheboygan and Scott Crawford, Inc.

CW
2/12/18 - Hold
2/19/18 Wolf/Draughon
Motion to Discharge
Motion passes
Holzscheck/Trester
Motion to act file
Motion fails
Refer to Finance & Personnel.

Tracy Bohren
Donna Donohue
Andy

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

9.3

Res. No. 145-17-18. By Alderperson Donohue. February 19, 2018.

A RESOLUTION authorizing city staff to negotiate a developer's agreement between the City of Sheboygan and representatives of the Armory Community Project for the redevelopment of the Sheboygan Armory and the surrounding site.

WHEREAS, January 3, 2018 was the deadline for interested parties to submit a proposal to redevelop the Sheboygan Municipal Armory; and

WHEREAS, six proposals were received. Two proposals repurposed the current armory building and four proposals redeveloped the site without the armory building.

WHEREAS, the consensus of the Common Council is that one final attempt should be made to preserve the Armory, and the Armory Community Project appears to be the most likely candidate for doing so, and

WHEREAS, any developer's agreement with the Armory Community Project should include at least the following provisions:

- 1) Any agreement shall be contingent upon the Armory Community Project creating a business entity that is clearly eligible for status as a non-profit organization under section 501(c)(3) of the Internal Revenue Code, and filing for said status no later than March 31, 2018. In the alternative, the Armory Community Project may, by March 31, 2018, enter into a fully executed agreement with an existing 501(c)(3) organization to serve as its fiscal agent for the organization.
- 2) Any agreement shall be contingent upon the Armory Community Project or its associated non-profit organization taking the lead on and cooperating with the City to have the Armory building qualify for the Federal and Wisconsin Historic Preservation Tax Credit Program, including applying to have the Armory listed in the National Register of Historic Places, contracting with a preservation architect, and applying to the Wisconsin Historical Society for Income-Producing Tax Credits by March 31, 2018, and doing everything in its power to keep the application on track for Part 1 approval by June 1, 2018, and Part 2 approval by August 1, 2018.
- 3) Any agreement shall be contingent upon the Armory Community Project or its associated non-profit organization obtaining an opinion from an attorney or licensed tax accountant indicating that the project will qualify for federal new market tax credits.

Finance + Personnel

- 4) Any agreement shall include a provision permitting the City to cancel said agreement if the Armory Community Project or its associated non-profit organization fails to obtain major gift commitments (including donations and public pledges) in the amount of \$3,500,000.00 by June 1, 2018 (to consist of pledges/gifts/naming rights in the amount of at least \$2,300,000.00 and other monies in the amount of \$1,200,000.00), and \$4,100,000 by September 30, 2018. The initial June 1 dollar amount may include funds expected to be received via federal new market tax credits, but only if the Armory Community Project or its associated non-profit organization obtains and provides to the city an opinion from an attorney or licensed tax accountant indicating that the project will qualify for federal new market tax credits and is likely to receive the amount included in the June 1st fundraising amount.
- 5) Any agreement shall include a provision permitting the City to cancel said agreement if the Armory Community Project or its associated non-profit organization fails to obtain the necessary financing to cover all expenses (including deferred pledges) to complete the project by September 30, 2018.
- 6) Any agreement shall be contingent upon the Armory Community Project or its associated non-profit organization providing a detailed business plan to the satisfaction of the City Administrator which include specific, measurable, and realistic data and projections related to utility costs; an indication of the researched need in the community for each of the businesses included in the project, with special focus on the mini-storage, business incubator spaces, and the culinary incubator; the number of events and details regarding the nature thereof; the number of concerts (including frequency and types of bookings); a proposed calendar of events for the armory hall; the budget to cover staff and personnel (including both permanent and temporary employees); a safety plan for events; a parking plan for events, including provisions for off-site parking and shuttle buses or other forms of transportation for events exceeding 500 participants; occupancy projections, attendance projections, and income/expense projections.
- 7) Any agreement shall provide that the property shall not be transferred to the Armory Community Project or its associated non-profit organization until such time as an occupancy permit has been issued by the City for the entire project, and the project has reached sufficient completion to allow events to occur. Any agreement shall further provide reversionary clauses of no less than ten years permitting the City to purchase the property for the same amount it sold the property in case of default on the agreement, insolvency, or inability to continue to maintain and/or operate the site.

- 8) Any agreement shall require that no work may begin on the apartment portion of the project, and no permit shall be issued for said work, until the Armory restoration is complete and the business plan has been substantially completed and put into operation, all in the sole discretion of the City of Sheboygan.
- 9) Any agreement shall recognize and provide for the fact that a separate agreement between the City and an apartment developer is a pre-condition of any work being done on that portion of the site. Said agreement shall include a provision providing that any incentive or subsidy to be contributed by the City, including any TIF incentive, shall be no greater than ten-percent (10%) of the value of that portion of the project.
- 10) Any agreement shall recognize and provide for the fact that the use of any of the City funds proposed to be placed into escrow for the demolition of the Armory shall reduce the amount of any TIF incentive for the apartment developer on a dollar-for-dollar basis.
- 11) The City Administrator shall have the authority to negotiate within the parameters, but shall also have the flexibility to negotiate additional items as needed.

NOW, THEREFORE, BE IT RESOLVED: That the Common Council authorizes the city staff to negotiate a developer's agreement between the City of Sheboygan and representatives of the Armory Community Project for the redevelopment of the Sheboygan Armory and the surrounding site consistent with the consensus of the Common Council as described above.

[Handwritten Signature]

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

DIRECT REFERRAL TO FINANCE AND PERSONNEL COMMITTEE

Res. No. 146 - 17 - 18 . By Alderperson Holzschuh, Trester, and Damrow.
February 26, 2018.

A RESOLUTION authorizing city staff to negotiate a developer's agreement between the City of Sheboygan and TDK Group, LLC for the redevelopment of the former Sheboygan Armory site.

WHEREAS: January 3, 2018 was the deadline for interested parties to submit a proposal to redevelop the Sheboygan Municipal Armory;

WHEREAS: This location is not appropriate for apartments. TDK Group LLC did not include apartments in their proposal.

RESOLVED, that the Common Council authorizes the city staff to negotiate a developer's agreement between the City of Sheboygan and TDK Group, LLC.

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

CITY OF SHEBOYGAN

REQUEST FOR FINANCE AND PERSONNEL COMMITTEE CONSIDERATION

ITEM DESCRIPTION: Res. No. 137-17-18 by Alderpersons Nelson, Bitters, Schneider, Holzschuh, Sorenson, and Bohren. A Preliminary Resolution declaring intent to exercise the police power to levy special assessments for the replacement of lead and/or galvanized iron water laterals.

REPORT PREPARED BY: Nancy Buss, Finance Director

REPORT DATE: February 21, 2018

MEETING DATE: February 26, 2018

FISCAL SUMMARY:

STATUTORY REFERENCE:

Budget Line Item: N/A
Budget Summary: N/A
Budgeted Expenditure: N/A
Budgeted Revenue: N/A

Wisconsin Statutes: 66.0703 (4)
Municipal Code: 122.98 (4)

BACKGROUND / ANALYSIS:

Municipal Code section 122.98 (4) provides for special assessments for the construction of water laterals on a linear-foot basis. Each benefitted property shall be assessed at the rate of the unit price per linear foot of water lateral. Per Statute 66.0703 (4) Before the exercise of any powers conferred by this section, the governing body shall declare by preliminary resolution its intention to exercise the powers for a stated municipal purpose. The resolution shall describe generally the contemplated purpose, the limits of the proposed assessment district, the number of installments in which the special assessments may be paid, or that the number of installments will be determined at the hearing required under sub. (7), and direct the proper municipal officer or employee to make a report on the proposal. The resolution may limit the proportion of the cost to be assessed.

STAFF COMMENTS:

The Sheboygan Water Utility propose to replace the existing lead and/or galvanized iron water lateral(s) from the main to the curb stop from South 13th/Henry Streets from Broadway to Mead Avenue with copper or plastic of appropriate size and assess the property owners affected.

ACTION REQUESTED:

Motion to recommend the Common Council approve Res. No. 137-17-18, a Preliminary Resolution declaring intent to exercise the police power to levy special assessments for the replacement of lead and/or galvanized iron water laterals.

ATTACHMENTS:

- I. Res. No. 137-17-18

III

Res. No. 137 - 17 - 18. By Alderpersons Nelson, Bitters, Schneider, Holzschuh, Sorenson, and Bohren. February 19, 2018.

A PRELIMINARY RESOLUTION declaring intent to exercise the police power to levy special assessments for the replacement of lead and/or galvanized iron water laterals.

RESOLVED: That existing lead and/or galvanized iron water lateral(s) from the main to the curb stop, be replaced with copper or plastic, of appropriate size from South 13th/Henry Streets from Broadway Avenue to Mead Avenue, is hereby proposed at the expense of the property to be benefited thereby, and that no part of the estimated aggregate cost shall be paid in advance under §66.54(3), Stats.

BE IT FURTHER RESOLVED: That the City of Sheboygan does herewith intend to exercise its municipal police powers under §66.60, Stats., for the aforestated municipal purpose.

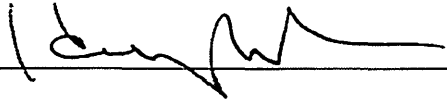
BE IT FURTHER RESOLVED: That the Water Utility is hereby authorized and directed to prepare a report in accordance with §66.60(2) and §66.60(3), Stats., and that such report shall contain the following information:

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

BE IT FURTHER RESOLVED: That the expenses so incurred in excess of \$100.00 may be paid in five (5) annual installments, ten (10) annual installments if the expenses exceed five thousand dollars (\$5,000.00) for a single parcel of property, under §66.54(7), Stats., with interest thereon at seven percent (7%), commencing the first of the month following the completion of thirty (30) days after publication of the installment assessment notice.

Finances
Personnel

BE IT FURTHER RESOLVED: That the Water Utility prepares the schedule of the proposed assessments governing such intended project under the provisions of Section 40-50 of the Municipal Code; and, after completion of the schedule, submit copies to the City Clerk for the purpose of public hearing and public notice.



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

CITY OF SHEBOYGAN

REQUEST FOR FINANCE AND PERSONNEL COMMITTEE CONSIDERATION

ITEM DESCRIPTION: Res. No. 138-17-18 by Alderpersons Donohue and Bohren. A Resolution authorizing the Purchasing Agent to enter into a contract renewal for obtaining financial advisory services formerly referred to as bond counsel services.

REPORT PREPARED BY: Nancy Buss, Finance Director

REPORT DATE: February 21, 2018

MEETING DATE: February 26, 2018

FISCAL SUMMARY:

STATUTORY REFERENCE:

Budget Line Item: N/A
Budget Summary: N/A
Budgeted Expenditure: N/A
Budgeted Revenue: N/A

Wisconsin Statutes: N/A
Municipal Code: N/A

BACKGROUND / ANALYSIS:

The current contract with WI Public Finance Professionals, LLC expires in March, 2018.

STAFF COMMENTS:

The firm has proven itself of value to the city and has proposed a contract extension with no change to the rates of service. City staff is proposing a contract extension through December 31, 2019.

ACTION REQUESTED:

Motion to recommend the Common Council approve Res. No. 138-17-18, a Resolution authorizing the Purchasing Agent to enter into a contract renewal for obtaining financial advisory services formerly referred to as bond counsel services.

ATTACHMENTS:

- I. Res. No. 138-17-18

III

5.2

Res. No. 138 - 17 - 18. By Alderpersons Donohue and Bohren.
February 19, 2018

A RESOLUTION authorizing the Purchasing Agent to enter into a contract renewal for obtaining financial advisory services formerly referred to as bond counsel services.

WHEREAS: The City of Sheboygan has contracted with WI Public Finance Professionals, LLC for the past four years. The contract for these services expires in March 2018. The vendor has proven itself of value to the City of Sheboygan and has proposed a contract extension with no change to the rates of service:

RESOLVED: That the Purchasing Agent is hereby authorized to enter into a contract renewal with Wisconsin Public Finance Professionals, LLC for financial advisory services beginning April 1, 2018 through December 31, 2019 in accordance with City of Sheboygan RFP #1838-14 and the current Capital Improvements Program.

BE IT FURTHER RESOLVED: That the appropriate City Officials are hereby authorized to draw orders on the Debt Issuance Expense Account #30115100-540117 in payment of same.

Finance + Personnel

By Alderperson Donohue

James A. Bohren

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

CITY OF SHEBOYGAN

REQUEST FOR FINANCE AND PERSONNEL COMMITTEE CONSIDERATION

ITEM DESCRIPTION: Res. No. 139-17-18 by Alderpersons Donohue and Bohren. A Resolution authorizing the continuation of the self-insured worker's compensation program.

REPORT PREPARED BY: Nancy Buss, Finance Director

REPORT DATE: February 21, 2018

MEETING DATE: February 26, 2018

FISCAL SUMMARY:

STATUTORY REFERENCE:

Budget Line Item: N/A
Budget Summary: N/A
Budgeted Expenditure: N/A
Budgeted Revenue: N/A

Wisconsin Statutes: N/A
Municipal Code: N/A

BACKGROUND / ANALYSIS:

Every three years each self-insured political subdivision must provide the State of Wisconsin Department of Workforce Development a resolution, passed by the governing body that states its intent and agreement to self-insure per Wisconsin Administrative Code DWD 80.60 (3).

STAFF COMMENTS:

The city self-insures for worker's compensation and purchases excess insurance through Cities and Villages Mutual Insurance, who also performs third party administration of claims. The limits of the excess liability policy are:

- Employer's Liability = \$1,000,000 each accident, each disease and excess of Self-Insured Retention of \$500,000

ACTION REQUESTED:

Motion to recommend the Common Council approve Res. No. 139-17-18, a Resolution authorizing the continuation of the self-insured worker's compensation program.

ATTACHMENTS:

- I. Res. No. 139-17-18

III

5.3

Res. No. 139 - 17 - 18. Alderpersons Donohue and Bohren.
February 19, 2018.

A RESOLUTION authorizing the continuation of the self-insured worker's compensation program.

WHEREAS: The City of Sheboygan is a qualified political subdivision of the State of Wisconsin; and

WHEREAS, The Wisconsin Worker's Compensation Act (Act) provides that employers covered by the Act either insure their liability with worker's compensation insurance carriers authorized to do business in Wisconsin, or to be exempted (self-insured) from insuring liabilities with a carrier and thereby assuming the responsibility for its own worker's compensation risk and payment; and

WHEREAS, the State and its political subdivisions may self-insure worker's compensation with a special order from the Department of Workforce Development (Department) if they agree to report faithfully all compensable injuries and agree to comply with the Act and rules of the Department.

NOW, THEREFORE, BE IT RESOLVED: That the City of Sheboygan shall:

1. Provide for the continuation of a self-insured worker's compensation program that is currently in effect.
2. Authorize the City Clerk to forward certified copies of this resolution to the Worker's Compensation Division, Wisconsin Department of Workforce Development.

Finance Personnel

Michelle Donohue

James A. Bohren

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

CITY OF SHEBOYGAN

REQUEST FOR FINANCE AND PERSONNEL COMMITTEE CONSIDERATION

ITEM DESCRIPTION: R.O. No. 131-17-18 is a claim from American Orthodontics Corporation regarding their 2015 real estate property tax assessment and requesting a refund of taxes. R.O. No. 212-17-18 is a claim from Richard Beseler for alleged damages to his vehicle. R.O. No. 209-17-18 is a claim from Nicole Dessloch for alleged damages to her vehicle.

REPORT PREPARED BY: Laurie Suhrke, Auditor/Analyst

REPORT DATE: February 14, 2018

MEETING DATE: February 26, 2018

FISCAL SUMMARY:

STATUTORY REFERENCE:

Budget Line Item: N/A
Budget Summary: N/A
Budgeted Expenditure: N/A
Budgeted Revenue: N/A

Wisconsin Statutes: N/A
Municipal Code: N/A

BACKGROUND / ANALYSIS:

City staff has reviewed the following claims:

Claim No. 13-17 was received on August 7, 2017 from American Orthodontics Corp., PO Box 1048, Sheboygan, WI 53082-1048. The claim is for \$25,853.60 for 2015 real estate property tax refund due to reduction in assessment.

Claim No. 20-17 was received on October 17, 2017 from Richard Beseler, N2976 Sunset Drive, Oostburg, WI 53070. The claim is for \$100.00 for alleged damages to Mr. Beseler's vehicle.

Claim No. 21-17 was received on October 30, 2017 from Nicole Dessloch, 708 North Fifteenth Street, Sheboygan, WI 53081. The claim is for \$677.27 for alleged damages to Ms. Dessloch's vehicle.

STAFF COMMENTS:

Per Res No. 64-17-18 the City staff has reviewed and settled the following claims: Claim No. 13-17 American Orthodontics Corporation in the amount of \$25,853.60 and Claim No. 20-17 Richard Beseler in the amount of \$100.00.

Per Res No. 64-17-18 the City staff has reviewed and denied the following claim: Claim No. 21-17 Nicole Dessloch.

ACTION REQUESTED:

Motion to recommend the Common Council file R.O. No. 131-17-18 and R.O. No. 212-17-18 as the claims have already been settled pursuant the authority granted by the Common Council in Res No. 64-17-18.

Motion to recommend the Common Council file R.O. 209-17-18 as the claim has already been denied pursuant the authority granted by the Common Council Res. No. 64-17-18.

ATTACHMENTS:

- I. R.O. No. 131-17-18
- II. R.O. No. 209-17-18
- III. R.O. No. 212-17-18

II

3.4

R. O. No. 131 - 17 - 18. By CITY CLERK. August 21, 2017.

Submitting a claim from American Orthodontics Corporation for a refund of taxes resulting from the reduction in their 2015 value by the Wisconsin Department of Revenue.

City Clerk

*Finance +
Personnel.*

II

5.2

R. O. No. 212-17-18. By CITY CLERK. November 6, 2017.

Submitting a claim from Richard Beseler for alleged damages to the back window of his vehicle when it was parked in the employee parking lot of the Department of Public Works.

Finance +
Personnel

City Clerk

II

5.4

R. O. No. 209 - 17 - 18. By CITY CLERK. November 6, 2017.

Submitting a claim from Nicole Dessloch for alleged damages to her vehicle when it was hit from behind by a vehicle driven by a City employee in the 1600 block of Erie Avenue.

Finance +
Personnel
