

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

**CITY OF SHEBOYGAN**

**REQUEST FOR FINANCE COMMITTEE CONSIDERATION**

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**ITEM DESCRIPTION:** Res. No. 56-16-17 by Ald. Thiel authorizing an application for a grant from the U.S. Department of Homeland Security (DHS) in the amount of \$105,600 from the Assistance to Firefighters Grants Program (AFG) to be used for the health and wellness of Sheboygan Fire Department (SFD) members.

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**REPORT PREPARED BY:** Mike Romas, Fire Chief

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**REPORT DATE:** July 20, 2016

**MEETING DATE:** July 25, 2016

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**FISCAL SUMMARY:**

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

**STATUTORY REFERENCE:**

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

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**BACKGROUND / ANALYSIS:**

In December 2015, the U.S. DHS released a grant opportunity under their AFG program. The grant application was submitted on January 15, 2016 requesting \$105,600 to be used towards the development and implementation of a health and wellness program, NFPA compliant physicals, treadmill purchases, and health and wellness certification training. If successful, the SFD will be notified in fall of 2016 and are expected to provide a \$10,560 or 10% match.

**STAFF COMMENTS:**

We are looking forward to increasing the health, wellness, fitness, and safety of our department with this grant.

**ACTION REQUESTED:**

Motion to recommend the Common Council approve Res. No. 56-16-17 authorizing application for a 2015 Assistance to Firefighter Grant (AFG).

**ATTACHMENTS:**

1. Res. No. 56-16-17

**GRANT INFORMATION FORM**

Department Fire DATE 7-20-16

Grantor Agency U.S. Department of Homeland Security

Federal  State  Other

Grant Name Assistance to Firefighters Grants

Grant Number EMW-2015-FO-05804 Grant Amount \$ 105,600 Matching Funds \$ 10,560

Program & Number DHS-15-GPD-044-000-99 Federal CFDA # 97.044

Matching Funds available in account number \_\_\_\_\_

Purpose of the Grant

1. Provide 69 NFPA compliant physicals

2. 5 treadmills, 1 for each station

3. Contracting a fire service fitness consultant

4. Peer fitness training for 3 members

Person preparing grant proposal Michael T. Roman (Signature)

Department Head approving grant proposal Michael T. Roman (Signature)

Council Document Number approving grant submission \_\_\_\_\_ Please Attach

III

5.2

Res. No. 56 - 16 - 17. By Alderperson Thiel. July 18, 2016.

A RESOLUTION authorizing application for a 2015 Assistance to Firefighter Grant (AFG).

WHEREAS, the City of Sheboygan Fire Department has the opportunity to obtain a Federal Emergency Management Agency grant, in the total amount of \$105,600 from the federal government.

WHEREAS, The AFG Grant program provides funds to support health, wellness and fitness initiatives during the period January 1, 2017 through December 31, 2017.

WHEREAS, in order to obtain the grant in the amount of \$105,600 it is necessary for the Fire Chief to submit an application through the Federal Government before January 15, 2016; and

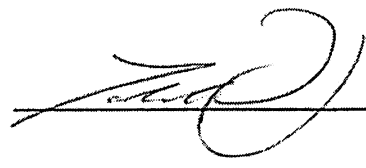
WHEREAS, the funding received would be \$105,600 from the Federal Government with a local match of \$10,560 (10%) required.

WHEREAS, the 10% match would be met within the current Fire Department Budget.

RESOLVED: That the City of Sheboygan Common Council authorizes the Fire Chief to sign all documents necessary for the grant application and the administration thereof.

BE IT FURTHER RESOLVED: That the City of Sheboygan will meet the obligations of the grant including appropriating a matching allocation for the project and such appropriation shall continue as long as federal matching aids are available, or until this resolution is modified by the council.

*France*

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

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

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

**CITY OF SHEBOYGAN**

**REQUEST FOR FINANCE COMMITTEE CONSIDERATION**

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**ITEM DESCRIPTION:** Res. No. 57-16-17. Resolution awarding for the sale of \$2,740,000 General Obligation Refunding Bonds, Series 2016C

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**REPORT PREPARED BY:** Nancy Buss, Finance Director

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**REPORT DATE:** July 20, 2016

**MEETING DATE:** July 25, 2016

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**FISCAL SUMMARY:**

**STATUTORY REFERENCE:**

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

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

**BACKGROUND / ANALYSIS:**

The City of Sheboygan previously issued debt which is callable on October 1, 2016. In 2006, the City issued General Obligation Refunding Bonds in the amount of \$5,155,000 for TID VI, Downtown. The debt currently has an outstanding principal balance of \$2,325,000 with interest rate of four percent and would be paid in full in 2022.

In 2010, the City issued General Obligation Refunding Bonds in the amount of \$2,530,000 for TID XI, Washington Square. The debt currently has an outstanding principal balance of \$415,000 with interest rate of two percent and would be paid in full in 2019.

Current interest rates are considerably lower (estimate one and one quarter to one and one third percent) and factoring in the cost of issuance, the savings is substantial.

**STAFF COMMENTS:**

The City entered into a Financial Advisory Agreement with Wisconsin Public Finance Professionals, LLC for the issuance of \$2,740,000 General Obligation Refunding Bonds. The estimated interest savings on the 2006 GO Refunding Bonds, TID VI will be \$229,788 and the estimated interest savings on the 2010 GO Refunding Bonds, TID XI will be \$8,176. The cost of issuance will be \$34,625, yielding an estimated savings of \$203,339.

**ACTION REQUESTED:**

Motion to recommend the Common Council approve Res. No. 57-16-17 to award the sale of \$2,740,000 General Obligation Refunding Bonds, Series 2016C.

**ATTACHMENTS:**

1. Res. No. 57-16-17

III

5.3

Res. No. 57 - 16 - 17. By Alderperson Wolf. July 18, 2016.

A RESOLUTION AWARDING THE SALE OF \$2,740,000' GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016C.

WHEREAS, pursuant to a resolution adopted on June 20, 2016 (the "Set Sale Resolution") the Common Council of the City of Sheboygan, Sheboygan County, Wisconsin (the "City") has heretofore found and determined that it is necessary, desirable and in the best interest of the City to raise funds for the public purpose of refunding obligations of the City, to wit: the callable maturities of the General Obligation Refunding Bonds, Series 2006C, dated July 1, 2006 and General Obligation Refunding Bonds, Series 2010C, dated November 9, 2010 (collectively, the "Refunded Obligations") (hereinafter the refinancing of the Refunded Obligations shall be referred to as the "Refunding");

WHEREAS, cities are authorized by the provisions of Section 67.04, Wisconsin Statutes, to borrow money and issue general obligation refunding bonds to refinance their outstanding obligations;

WHEREAS, pursuant to the Set Sale Resolution, the City has directed Wisconsin Public Finance Professionals, LLC ("WPFP") to take the steps necessary to sell general obligation refunding bonds designated "General Obligation Refunding Bonds, Series 2016C" (the "Bonds") to pay the cost of the Refunding;

WHEREAS, WPFP, in consultation with the officials of the City, prepared an Official Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Bonds and indicating that the Bonds would be offered for public sale on August 1, 2016;

WHEREAS, the City Clerk (in consultation with WPFP) caused a form of notice of the sale to be published and/or announced and caused the Official Notice of Sale to be distributed to potential bidders offering the Bonds for public sale on August 1, 2016;

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

\_\_\_\_\_  
Preliminary, subject to change.

*Finance*

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WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Official Notice of Sale and is deemed to be the most advantageous to the City. WFPF has recommended that the City accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference.

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

Section 1A. Ratification of the Official Notice of Sale and Offering Materials. The Common Council of the City hereby ratifies and approves the details of the Bonds set forth in Exhibit A attached hereto as and for the details of the Bonds. The Official Notice of Sale and any other offering materials prepared and circulated by WFPF are hereby ratified and approved in all respects. All actions taken by officers of the City and WFPF in connection with the preparation and distribution of the Official Notice of Sale and any other offering materials are hereby ratified and approved in all respects.

Section 1B. Authorization of the Bonds. For the purpose of paying the cost of the Refunding, there shall be borrowed, pursuant to Section 67.04, Wisconsin Statutes, through the issuance of the Bonds, the sum of TWO MILLION SEVEN HUNDRED FORTY THOUSAND DOLLARS (\$2,740,000).

Section 1C. Award of the Bonds. The Proposal of the Purchaser offering to purchase the Bonds for the sum set forth on the Proposal (as modified on the Bid Tabulation and reflected in the Pricing Summary referenced below and incorporated herein), plus accrued interest to the date of delivery, resulting in a true interest cost as set forth on the Proposal (as modified on the Bid Tabulation) is hereby accepted. The Mayor and City Clerk or other appropriate officers of the City are authorized and directed to execute an acceptance of the Proposal on behalf of the City. The good faith deposit of the Purchaser shall be retained by the City Treasurer and applied in accordance with the Official Notice of Sale, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Bonds shall bear interest at the rates set forth on the Proposal.

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Preliminary, subject to change.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Refunding Bonds, Series 2016C"; shall be issued in the aggregate principal amount of \$2,740,000; shall be dated August 25, 2016; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on October 1 of each year, in the years and principal amounts as set forth on the Proposal. Interest shall be payable semi-annually on April 1 and October 1 of each year commencing on April 1, 2017. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Bonds is set forth on the Debt Service Schedule attached hereto as Exhibit D and incorporated herein by this reference (the "Schedule").

Section 2A. Designation of Maturities. For purposes of State law, the Bonds are designated as being issued to pay and discharge the debts incurred by the City through the issuance of the Refunded Obligations and the obligations refunded by the Refunded Obligations in the order in which those debts were incurred, so that the Bonds of the earliest maturities are considered to be issued to discharge the debts which were incurred first.

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

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

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2016 through 2021 for the payments due in the years 2017 through 2022 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Bonds remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the

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\* Preliminary, subject to change.

issuance of the Bonds, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

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

Section 6. Segregated Debt Service Fund Account.

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

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Refunding Bonds, Series 2016C, dated August 25, 2016" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. The City Treasurer shall deposit in the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Bonds; (ii) any premium not used for the Refunding which may be received by the City above the par value of the Bonds and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in

other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

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

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

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

Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Bonds and by the Refunded Obligations and the ownership, management and use of the projects will not cause the Bonds or the Refunded Obligations to be

"private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

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

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

Section 11. Execution of the Bonds; Closing; Professional Services. The Bonds shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until

the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

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

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

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

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

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

Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services

provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the City and on file in the City Clerk's office.

Section 16. Official Statement. The Common Council hereby approves the Preliminary Official Statement with respect to the Bonds and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or Final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda or Final Official Statement. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda or Final Official Statement to be distributed to the Purchaser.

Section 17. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 18. Redemption of the Refunded Obligations. The Refunded Obligations due on and after October 1, 2017 are hereby called for prior payment and redemption on October 1, 2016 at a price of par plus accrued interest to the date of redemption.

The City hereby directs the City Clerk to work with WFPF to cause timely notice of redemption, in substantially the forms attached hereto as Exhibits F and G and incorporated herein by this reference (the "Notices"), to be provided at the times, to the parties and in the manner set forth on the Notices.

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

Section 20. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Bonds, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 21. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.



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(SEAL)

I HEREBY CERTIFY that the foregoing Resolution was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the 1st day of August, 2016.

Dated August \_\_\_\_, 2016. \_\_\_\_\_, City Clerk

Approved August \_\_\_\_, 2016. \_\_\_\_\_, Mayor

EXHIBIT A

Official Notice of Sale

To be provided by Wisconsin Public Finance Professionals, LLC  
and incorporated into the Resolution.

(See Attached)

DRAFT

EXHIBIT B

Bid Tabulation

To be provided by Wisconsin Public Finance Professionals, LLC  
and incorporated into the Resolution.

(See Attached)

DRAFT

EXHIBIT C

Winning Bid

To be provided by Wisconsin Public Finance Professionals, LLC  
and incorporated into the Resolution.

(See Attached)

DRAFT

EXHIBIT D

Debt Service Schedule and Irrepealable Tax Levies

To be provided by Wisconsin Public Finance Professionals, LLC  
and incorporated into the Resolution.

(See Attached)

DRAFT

EXHIBIT E

(Form of Bond)

REGISTERED UNITED STATES OF AMERICA DOLLARS  
STATE OF WISCONSIN  
SHEBOYGAN COUNTY  
NO. R- \_\_\_\_\_ CITY OF SHEBOYGAN \$ \_\_\_\_\_  
GENERAL OBLIGATION REFUNDING BOND, SERIES 2016C

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP:

October 1, \_\_\_\_\_ August 25, 2016 \_\_\_\_\_ % \_\_\_\_\_

DEPOSITORY OR ITS NOMINEE NAME: GEDE & CO.

PRINCIPAL AMOUNT: \_\_\_\_\_ THOUSAND DOLLARS

FOR VALUE RECEIVED, the City of Sheboygan, Sheboygan County, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest shall be payable semi-annually on April 1 and October 1 of each year commencing on April 1, 2017 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Bond are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Bond is registered on the Bond Register maintained by the City Clerk or City Treasurer (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding the semi-annual interest payment date (the "Record Date"). This Bond is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

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

This Bond is one of an issue of Bonds aggregating the principal amount of \$2,740,000, all of which are of like tenor, except as to denomination, interest rate and maturity date, issued by the City pursuant to the provisions of Section 67.04, Wisconsin Statutes, for the purpose of paying the cost of refunding certain outstanding obligations of the City, all as authorized by resolutions of the Common Council duly adopted by said governing body at meetings held on June 20, 2016 and August 1, 2016. Said resolutions are recorded in the official minutes of the Common Council for said dates.

This Bond is not subject to optional redemption.

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

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

This Bond is transferable only upon the books of the City kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Bonds, and the City appoints another depository, upon surrender of the Bond to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Bond in the same aggregate principal amount shall be issued to the new depository in

exchange therefor and upon the payment of a charge sufficient to reimburse the City for any tax, fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Bonds after the Record Date. The Fiscal Agent and City may treat and consider the Depository in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Bonds are issuable solely as negotiable, fully-registered Bonds without coupons in the denomination of \$5,000 or any integral multiple thereof.

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

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

CITY OF SHEBOYGAN,  
SHEBOYGAN COUNTY, WISCONSIN

By: \_\_\_\_\_

Michael J. Vandersteen  
Mayor

By: \_\_\_\_\_

Susan Richards  
City Clerk

(SEAL)

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

\_\_\_\_\_  
(Name and Address of Assignee)

\_\_\_\_\_  
(Social Security or other Identifying Number of Assignee)

the within Bond and all rights thereunder and hereby irrevocably constitutes and appoints \_\_\_\_\_, Legal Representative, to transfer said Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed: \_\_\_\_\_

\_\_\_\_\_  
(e.g. Bank, Trust Company  
Nominee Name,  
or Securities Firm)

\_\_\_\_\_  
(Depository or

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

\_\_\_\_\_  
(Authorized Officer)

EXHIBIT F

NOTICE OF FULL CALL\*

Regarding

CITY OF SHEBOYGAN  
SHEBOYGAN COUNTY, WISCONSIN  
GENERAL OBLIGATION REFUNDING BONDS, SERIES 2006C  
DATED JULY 1, 2006

NOTICE IS HEREBY GIVEN that the Bonds of the above-referenced issue which mature on the dates and in the amounts, bear interest at the rates; and have CUSIP Nos. as set forth below have been called by the City for prior payment on October 1, 2016, at a redemption price equal to 100% of the principal amount thereof plus accrued interest to the date of prepayment:

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>CUSIP No.</u>
10/01/2017	\$350,000	4.00%	8210223U2
10/01/2018	375,000	4.00	8210223V0
10/01/2019	400,000	4.00	8210223W8
10/01/2020	400,000	4.00	8210223X6
10/01/2021	400,000	4.05	8210223Y4
10/01/2022	400,000	4.10	8210223Z1

The City shall deposit federal or other immediately available funds sufficient for such redemption at the office of The Depository Trust Company on or before October 1, 2016.

Said Bonds will cease to bear interest on October 1, 2016.

By Order of the  
Common Council  
City of Sheboygan  
City Clerk

Dated \_\_\_\_\_

\* To be provided by registered or certified mail, overnight express delivery, facsimile transmission or electronic transmission to The Depository Trust Company, Attn: Supervisor, Call Notification Department, 570 Washington Blvd., Jersey City, NJ 07310, not less than thirty (30) days nor more than sixty (60) days prior to October 1, 2016 and to the MSRB electronically through the Electronic Municipal Market Access (EMMA) System website at [www.emma.msrb.org](http://www.emma.msrb.org). Notice shall also be provided to MBIA Insurance Corporation, or any successor, the bond insurer of the Bonds.

EXHIBIT G

NOTICE OF FULL CALL\*

Regarding

CITY OF SHEBOYGAN  
SHEBOYGAN COUNTY, WISCONSIN  
GENERAL OBLIGATION REFUNDING BONDS, SERIES 2010C  
DATED NOVEMBER 9, 2010

NOTICE IS HEREBY GIVEN that the Bonds of the above-referenced issue which mature on the dates and in the amounts, bear interest at the rates; and have CUSIP Nos. as set forth below have been called by the City for prior payment on October 1, 2016 at a redemption price equal to 100% of the principal amount thereof plus accrued interest to the date of prepayment.

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>CUSIP No.</u>
10/01/2017	\$125,000	2.00%	82102RAG0
10/01/2018	145,000	2.20	82102RAH8
10/01/2019	145,000	2.40	82102RAJ4

The City shall deposit federal or other immediately available funds sufficient for such redemption at the office of The Depository Trust Company on or before October 1, 2016.

Said Bonds will cease to bear interest on October 1, 2016.

By Order of the  
Common Council  
City of Sheboygan  
City Clerk

Dated \_\_\_\_\_

\* To be provided by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by The Depository Trust Company, to The Depository Trust Company, Attn: Supervisor, Call Notification Department, 570 Washington Blvd., Jersey City, NJ 07310, not less than thirty (30) days nor more than sixty (60) days prior to October 1, 2016 and to the MSRB electronically through the Electronic Municipal Market Access (EMMA) System website at [www.emma.msrb.org](http://www.emma.msrb.org).

**CITY OF SHEBOYGAN**

**REQUEST FOR FINANCE COMMITTEE CONSIDERATION**

---

**ITEM DESCRIPTION:** Res. No. 59-16-17 Resolution authorizing a transfer of appropriations in the 2016 Budget to establish appropriation for Building Inspection part-time salaries and benefits.

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**REPORT PREPARED BY:** Chad Pelishek, Director of Planning & Development

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**REPORT DATE:** July 20, 2016

**MEETING DATE:** July 25, 2016

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**FISCAL SUMMARY:**

**STATUTORY REFERENCE:**

Budget Line Item: 10123100  
Budget Summary: N/A  
Budgeted Expenditure: N/A  
Budgeted Revenue: N/A

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

**BACKGROUND / ANALYSIS:**

The Building Inspection Division has a full-time Building Inspection Specialist and a Part-Time Permit Clerk that both handle citizen/contractor inquiries, issues permits, continues to update the information in the MUNIS system and other activities including sending letters for code violations, issuing citations, licensing contractors, etc. Budgets were due in March/April 2015, for the 2016 year. At the time of budgeting, the part-time position was held by an individual that was paid \$11.46/hour plus benefits, who is no longer employed. The individual hired as a replacement in August, 2015 was more advanced thus the starting wage was \$14.00/hour. Similar to previous years, revenues in the Building Inspection budget will exceed the budgeted revenues based on the new apartment complexes that will be beginning soon.

**STAFF COMMENTS:**

The 2016 budget was not changed to reflect the increase in wages for this position, thus creating a deficit in the Part-Time Salaries account. Funds to allow the part-time clerk to continue 20 hours a week through mid-December equates to about \$7,126, wages and benefits. The request is to transfer \$7,126 from the savings as a result of contracting the Assessor's office, but will be replaced with increased revenues in the Building Inspection Division. Staff is estimating approximately \$300,000 in revenues above what was budgeted for the department.

**ACTION REQUESTED:**

Motion to recommend the Common Council approve Res. No. 59-16-17 authorizing a transfer of \$7,126 appropriations in the 2016 budget to cover the cost to continue funding the Part-Time Permits Clerk in the Building Inspection Division.

**ATTACHMENTS:**

1. Res. No. 59-16-17

III

5.5

Res. No. 59 - 16 - 17. By Alderperson Wolf. July 18, 2016.

A RESOLUTION to authorize a transfer of appropriations in the 2016 Budget.

RESOLVED: That the Finance Director be and is hereby authorized and directed to make the following transfers of appropriations in the 2016 Budget for the purposes of:

Establish appropriation for Building Inspection part time salaries and benefits:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
General Fund City Assessor Salaries and benefits 10116100-510xxx	General Fund Building Inspection Salaries and benefits 10123100-510xxx	\$7,126

*Finance*

  
\_\_\_\_\_

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

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

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

**CITY OF SHEBOYGAN**

**REQUEST FOR FINANCE COMMITTEE CONSIDERATION**

---

**ITEM DESCRIPTION:** Res. No. 58-16-17, A Resolution creating a funding mechanism for future citywide revaluations.

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**REPORT PREPARED BY:** Nancy Buss, Finance Director

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**REPORT DATE:** July 20, 2016

**MEETING DATE:** July 25, 2016

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**FISCAL SUMMARY:**

**STATUTORY REFERENCE:**

Budget Line Item: 10116100  
Budget Summary: N/A  
Budgeted Expenditure: N/A  
Budgeted Revenue: N/A

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

**BACKGROUND / ANALYSIS:**

Res. No. 103-15-16, approved by the Common Council contracted with Grota Appraisal LLC to perform all functions of the assessment office for a period of three years, January 1, 2016 through December 31, 2018. The annual savings is \$88,200; resulting in a three year savings of \$264,600.

The City of Sheboygan may be required to/or choose to perform a citywide revaluation of properties to achieve uniform and equitable assessments and compliance with 70.05 Wis. Statutes. A revaluation was completed by city staff in 2014 as the City's 2013 property values were no longer within the ten percent of fair market value as directed by the WI Dept of Revenue. The assessment ratio was 1.1067 in 2013; .9691 in 2014; and .9956 in 2015. Grota Appraisals estimated the 2016 assessment ratio to be .99. The estimate received from Grota Appraisal's for a citywide revaluation is \$280,000.

**STAFF COMMENTS:**

The resolution by Alderperson John Belanger and Alderperson James Bohren creates a funding mechanism for the revaluation utilizing the savings on the contract. The Finance Committee approved the 2017 – 2021 Capital Improvement Request for citywide revaluation in 2021 and directed the funding source in 2021 as unassigned fund balance of the General Fund.

Outsourcing the Assessor's Office will result in annual savings of \$88,200. The 2016 savings were reduced by salary and benefits in the amount of \$47,673 for the City Assessor who retired on March 1, 2016. In addition, the Finance Committee recommended on July 11, 2016 and Common Council approved on July 18, 2016 utilizing \$32,302 of the savings from the outsourcing of the Assessor in the 2016 budget for the 2016 Election Budget request from the City Clerk. The Director of Planning and Development requested \$7,126 to

increase the salary and benefits in the Building Inspection Division. The above mentioned resulted in no savings to the General Fund in 2016.

**ACTION REQUESTED:**

Motion to recommend the Common Council file Res. No. 58-16-17 and utilize General Fund unassigned fund balance for future revaluations as directed by the Finance Committee.

**ATTACHMENTS:**

1. Res. No. 58-16-17

III

5.4

Res. No. 58-16-17. By Alderpersons Belanger and Bohren. July 18, 2016.

A RESOLUTION creating a funding mechanism for future City-wide revaluations.

WHEREAS, the Assessor's Office has been eliminated and outsourced; and

WHEREAS, the annual savings directly attributable to the elimination and outsourcing of the Assessor's Office is approximately \$180,000.00; and

WHEREAS, the City of Sheboygan must still plan for and pay for City-wide revaluation when deemed necessary per State Statute; and

WHEREAS, the estimated cost for City-wide revaluation is \$260,000.00 per occurrence.

NOW, THEREFORE, BE IT RESOLVED: That effective immediately \$60,000.00 of the estimated \$180,000.00 in savings will be set aside annually in a designated account for the sole purpose of funding future revaluations. This is to commence with the 2016 budget.

*Finance*

John Belanger  
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 COMMITTEE CONSIDERATION**

---

**ITEM DESCRIPTION:** DIRECT REFERRAL – Res. No. 63-16-17 authorizing the creation of a Tourism Commission for a Tourism Zone to oversee the disbursement and spending of the City’s room tax collections.

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**REPORT PREPARED BY:** Chad Pelishek, Director of Planning & Development

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**REPORT DATE:** July 20, 2016

**MEETING DATE:** July 25, 2016

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**FISCAL SUMMARY:**

**STATUTORY REFERENCE:**

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

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

**BACKGROUND/ANALYSIS:**

The City of Sheboygan currently contracts with the Sheboygan County Chamber of Commerce for tourism promotion and development consisting of 70% of the room tax collections within the City of Sheboygan. Currently per the contract, there is a Tourism Board that oversees the spending of room tax dollars and the Director of Planning & Development and the Mayor represent the City of Sheboygan.

Recent legislative changes in the Wisconsin Legislature have changed the definition of a tourism entity. Under the new definition, the Sheboygan County Chamber of Commerce does not qualify as a tourism entity to receive the City’s room tax dollars. The legislation requires the City to create a Tourism Commission in a Tourism Zone to oversee the spending of room tax dollars. As the Town of Sheboygan and Town of Wilson collect room taxes and the traveling tourist looks at this as one market, a Tourism Zone is required. The commission would consist of a combination of city representatives, town representatives, and hoteliers. The commission can then contract for support services and tourism staff. After approval by all municipalities, the commission will organize and adopt operating guidelines.

**STAFF COMMENTS:**

Upon approval of the resolution by the Common Council, city staff will plan to meet with the Town of Sheboygan and Town of Wilson representatives to explain the recent room tax statute changes and encourages the town boards to agree to pass a joint resolution to join the commission and have one vote each on the Tourism Commission. A final joint resolution will need to be approved by all municipalities that agree to be in the zone.

**ACTION REQUESTED:**

Motion to recommend the Common Council approve Res. No. 63-16-17 authorizing the creation of a Tourism Commission for a Tourism Zone to oversee the disbursement and spending of the City's room tax collections and direct staff to send notice to terminate the contract with the Sheboygan County Chamber of Commerce.

**ATTACHMENTS:**

1. Res. No. 63-16-17

# III

## DIRECT REFERRAL TO FINANCE COMMITTEE

Res. No. 63 - 16 - 17. By Alderperson Donohue. July 25, 2016.

A RESOLUTION authorizing the creation of a Tourism Commission for a Tourism Zone to oversee the disbursement and spending of the City's room tax collections.

WHEREAS, in the most recent state budget bill (2015 Wisconsin Act 55) the Wisconsin Legislature made numerous changes to Sec. 66.0615, Wis. Stats., relating to room tax; and

WHEREAS, the legislature made additional changes to the room tax statute in two subsequent bills: 2015 Wisconsin Act 60 and 2015 Wisconsin Act 301; and

WHEREAS, effective January 1, 2017, each Wisconsin municipality must spend at least 70% of all room tax funds collected on tourism promotion and tourism development. Those funds must either be forwarded to an appointed tourism commission or to a tourism entity. Municipalities may no longer expend such revenue themselves; and

WHEREAS, under the amended statute, a "tourism entity" is defined as "a nonprofit organization that came into existence before January 1, 2015, spends at least 51 percent of its revenues on tourism promotion and tourism development, and provides destination marketing staff and services for the tourism entity in a municipality;" and

WHEREAS, the City of Sheboygan currently contracts with the Sheboygan County Chamber of Commerce as our tourism entity; however, under the amended statute, the Chamber does not meet the definition of a "tourism entity" because they do not spend 51% of their budget on tourism promotion and tourism development; and

WHEREAS, the amended statute defines a tourism commission as "an entity created by one municipality or by 2 or more municipalities in a zone, to coordinate tourism promotion and tourism development for the zone;" and

WHEREAS, a zone is defined in the statute as "an area made up of 2 or more municipalities that, those municipalities agree, is a single destination as perceived by the traveling public;" and

WHEREAS, the City of Sheboygan and its neighboring towns (the Town of Sheboygan and the Town of Wilson) each collect room taxes and agree that the three municipalities make up a single destination as perceived by the traveling public; and

WHEREAS, it is in the best interest of the City to create a tourism commission for the zone that includes said municipalities.

*Finance*

NOW, THEREFORE, BE IT RESOLVED: That the City of Sheboygan Common Council approves the formation of a tourism commission for the zone.

BE IT FURTHER RESOLVED: That the Common Council authorizes City staff to work with the Town of Wilson and Town of Sheboygan to create a joint resolution for approval by each municipality to create said tourism commission.

BE IT FURTHER RESOLVED: That the commission would be comprised of three members from each municipality in which annual room tax collections exceed \$1,000,000 (City of Sheboygan), one member from each municipality in which annual room tax collections are \$300,000 or less (Town of Sheboygan and Town of Wilson) and two additional members representing the Wisconsin hotel and motel industry.

BE IT FURTHER RESOLVED: That the commission members from each municipality shall be appointed by the principal elected official in the municipality, with confirmation by a majority vote of the members of the municipality's governing body present when the vote is taken. The two hotel and motel industry representatives shall be appointed by the chairperson of the commission.

BE IT FURTHER RESOLVED: That commission members shall be appointed to one-year terms, and they may be reappointed at the pleasure of the appointing official.

BE IT FURTHER RESOLVED: That each municipality in the zone shall be required to levy the same percentage of tax.

BE IT FURTHER RESOLVED: That the following shall be the duties of the commission:

- a. It shall meet regularly, and from among its members shall elect a chairperson, vice-chairperson and secretary.
- b. It shall contract with a one tourism entity from within the municipalities in the zone to obtain staff, support services, and assistance in developing and implementing programs to promote the zone to visitors.
- c. It shall use the room tax revenue that it receives from a municipality for tourism promotion and tourism development in the zone.
- d. It shall report annually to each municipality from which it receives room tax revenue the purposes for which revenues were spent.
- e. It shall not use any of the room tax revenue to construct or develop a lodging facility.
- f. It shall monitor the collection of room taxes from each municipality in the zone that has a room tax.

- g. It shall report any delinquencies or inaccurate reporting to the municipality that is due the tax.

BE IT FURTHER RESOLVED: That if a municipality issued debt or bond anticipation notes before January 1, 2005, to finance the construction of a municipally owned convention or conference center, the commission shall take no action to prevent the municipality from meeting all of the terms of its obligation.

BE IT FURTHER RESOLVED: That the Common Council authorizes City staff to send notice to terminate the contract with the Sheboygan County Chamber of Commerce and agrees to allow the Tourism Commission to oversee the expenditures of the City's room tax collections.

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

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

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

**CITY OF SHEBOYGAN**

**REQUEST FOR FINANCE COMMITTEE CONSIDERATION**

---

**ITEM DESCRIPTION:** (1) Res No. \_\_\_-16-17: Resolution authorizing the purchase of equipment and software for the Information Technology Department. (2) Res. No. \_\_\_-16-17: Resolution authorizing a transfer in the 2016 Budget to establish an appropriation for equipment for the Information Technology Department.

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**REPORT PREPARED BY:** David Augustin, Information Technology Director  
Nancy Buss, Finance Director

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**REPORT DATE:** July 20, 2016

**MEETING DATE:** July 25, 2016

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**FISCAL SUMMARY:**

**STATUTORY REFERENCE:**

Budget Line Item: N/A  
Budget Summary: N/A  
Budgeted Expenditure: \$194,485  
Budgeted Revenue: \$194,485

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

**BACKGROUND / ANALYSIS:**

**Tyler Parks & Rec Software - \$21,850**

The city is in need of an online solution where citizens can place park reservations on the website as well as pay for the reservations with a credit card. This type of citizen self-service will make it easier for people to reserve park facilities, reduce the traffic in and out of the Department of Public Works, and interface with the current Munis system.

The software also has the capability to create activities and functions where citizens can sign up to attend. This can be used by any city department wishing to host an event where attendance is required to track and to make sure the meeting place has adequate capacity.

**Email Encryption - \$4,000**

It is vital that the city continues to improve its capability to protect personal information as well as health information. This solution provides an additional encryption feature for email to ensure any information going out via this means (intentionally or accidentally) will be properly protected and require the recipient to log on using a special code to access the information.

**Network Auditing Software - \$11,484**

In order to help keep track of changes on the city network, this software solution will track the changes happening in our network environment and allow for prompt reporting and inquiry. This is beneficial when a manager wants to know when an employee has last logged on, determine when/who has updated a file, determine the extent of impact if a virus were to enter the network and modify files.

**Backup Expansion - \$30,751**

Expand the backup capacity for network data with the introduction of video surveillance and evidence based information. This solution is in addition to the existing backup currently utilized. The analysis was performed on upgrading the existing backup to meet the capacity needs but turned out to be about \$60,000 more expensive.

**WiscNet Internet - \$6,000**

Convert all city internet connections over to WiscNet that utilizes the Ring of Fiber. This will provide the city with high speed access to the Internet and still see a reduction in cost of about \$5,400.

**Telephone System Upgrade - \$120,400**

The city currently has two primary means of phone systems. The ShoreTel IP phone system currently hosts the Police Department and Information Technology Department. The old one is Centrex and hosts the remainder of the city locations. The Centrex system is old and not implemented consistently. All locations on this system do not have DID and voice mail capability. There is also no integration with other applications with this system. Additionally there is no direct extension capability between the systems.

**STAFF COMMENTS:**

The requested items above are intended to enhance current technical features, to enhance current technical security capabilities, and to enhance the end user experience (employee and citizen).

The City Capital Improvements Commission approved these purchases during the 2016-2020 program review. Funding for the purchases was utilizing Fund Balance in the Information Technology Fund. The present fund balance of the IT Fund Balance at year close 2015 was \$902,341.

**ACTION REQUESTED:**

- (1) Motion to recommend the Common Council approve Res. No. \_\_-16-17 authorizing the purchase of equipment and software for the Information Technology Department.
- (2) Motion to recommend the Common Council approve Res. No. \_\_-16-17 authorizing a transfer in the amount of \$194,485 in the 2016 Budget to establish an appropriation for equipment and software for the Information Technology Department.

**ATTACHMENTS:**

- I. Res. No. \_\_-16-17
- II. Res. No. \_\_-16-17
- III. CIP Form – 2016 IP Phone Expansion
- IV. CIP Form – 2016 Backup Expansion
- V. CIP Form – 2016 Network Auditing
- VI. CIP Form – WiscNet
- VII. CIP Form – Tyler Parks and Rec

**VIII. CIP Form – Email Encryption**

# CAPITAL IMPROVEMENT REQUESTS

## 2016 - 2020

<b>Project Title:</b>	City Internet Access Conversion (WiscNet)
<b>Department:</b>	Information Technology
<b>Budgetary Fund:</b>	IT Fund Balance
<b>Account Number:</b>	70717100-649100 and 70717100-521900

### JUSTIFICATION

With the Ring of Fiber project having an estimated completion date of September 1, 2016, the City will need to convert its internet connections located at City Hall, fire stations and WSCS Studio from Charter Communications to WiscNet. This method of connecting to the internet will provide a high capacity feed to the internet for all city facilities connected to the fiber ring.

<p><b>Discussion of Operating Cost Impact:</b> This request is for 2016.</p> <p>Router provided by WiscNet for connection: \$4,500 (one-time cost 70717100-649100)</p> <p>Yearly subscription fee: \$1,500 (70717100-521900) Yearly bandwidth charge: \$7,200 (billed quarterly at \$1,800)</p> <p>Elimination of existing Charter connections: \$14,088 annual savings</p> <p>Net annual cost reduction: \$5,388</p>	<p><b>Item Replace</b></p> <p>Model <u>n/a</u></p> <p>Make/Model _____</p> <p>Age _____</p> <p><b>Disposition</b> (Check one box)</p> <p>Trade-In <input type="checkbox"/></p> <p>Sale/Auction <input type="checkbox"/></p> <p>Transfer <input type="checkbox"/></p> <p>Salvage <input type="checkbox"/></p>
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### DEPARTMENT OPERATING COST ANALYSIS

	2016	2017	2018	2019	2020	TOTAL
<b>Personnel Services</b>						\$0.00
<b>Supplies</b>						\$0.00
<b>Services</b>		-\$5,388.00	-\$5,388.00	-\$5,388.00	-\$5,388.00	-\$21,552.00
<b>Utilities</b>						\$0.00
<b>Other</b>						\$0.00
<b>Total</b>	\$0.00	-\$5,388.00	-\$5,388.00	-\$5,388.00	-\$5,388.00	-\$21,552.00

### DEPARTMENT REVENUE SUMMARY

	2016	2017	2018	2019	2020	TOTAL
<b>Fund Balance</b>	\$6,000.00					\$6,000.00
						\$0.00
						\$0.00
						\$0.00
<b>Total</b>	\$6,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$6,000.00

### DEPARTMENT COST ANALYSIS

	2016	2017	2018	2019	2020	TOTAL
<b>Planning</b>						\$0.00
<b>Land Acquisition</b>						\$0.00
<b>Purchase</b>	\$6,000.00					\$6,000.00
<b>Construction</b>						\$0.00
<b>Other</b>						\$0.00
<b>Total</b>	\$6,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$6,000.00



# CAPITAL IMPROVEMENT REQUESTS

## 2016 - 2020

<b>Project Title:</b>	Network Auditing Tool
<b>Department:</b>	Information Technology
<b>Budgetary Fund:</b>	IT Fund Balance
<b>Account Number:</b>	70717100-523122

### JUSTIFICATION

The Information Technology Department needs auditing software to track changes as they happen on the network. This tool will identify where, when, and by whom changes are made. This is especially helpful in the event of a virus outbreak, a hacker attack, or employee misconduct. The extent of the changes may be identified for disclosure purposes and restoration steps required.

The tool also provides a self-service feature for employees to unlock their account on the network via a secure portal. It will also send reminders that their password will be expiring soon, so they can pro-actively change it.

<p><b>Discussion of Operating Cost Impact:</b> The initial cost of the product is \$11,484 with the first year of support included. Additional years for support are \$2,297 annually.</p> <p>CIVMIC will provide a data theft insurance discount with the implementation of this type of auditing tool.</p>	<p><b>Item Replace</b></p> <p>Model            n/a _____</p> <p>Make/Model    _____</p> <p>Age                _____</p> <p><b>Disposition</b>    (Check one box)</p> <p>Trade-In            <input type="checkbox"/></p> <p>Sale/Auction        <input type="checkbox"/></p> <p>Transfer             <input type="checkbox"/></p> <p>Salvage             <input type="checkbox"/></p>
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### DEPARTMENT OPERATING COST ANALYSIS

	2016	2017	2018	2019	2020	TOTAL
<b>Personnel Services</b>						\$0.00
<b>Supplies</b>						\$0.00
<b>Services</b>		\$2,297.00	\$2,297.00	\$2,297.00	\$2,297.00	\$9,188.00
<b>Utilities</b>						\$0.00
<b>Other</b>						\$0.00
<b>Total</b>	\$0.00	\$2,297.00	\$2,297.00	\$2,297.00	\$2,297.00	\$9,188.00

### DEPARTMENT REVENUE SUMMARY

	2016	2017	2018	2019	2020	TOTAL
<b>Fund Balance</b>	\$11,484.00					\$11,484.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
<b>Total</b>	\$11,484.00	\$0.00	\$0.00	\$0.00	\$0.00	\$11,484.00

### DEPARTMENT COST ANALYSIS

	2016	2017	2018	2019	2020	TOTAL
<b>Planning</b>						\$0.00
<b>Land Acquisition</b>						\$0.00
<b>Purchase</b>	\$11,484.00					\$11,484.00
<b>Construction</b>						\$0.00
<b>Other</b>						\$0.00
<b>Total</b>	\$11,484.00	\$0.00	\$0.00	\$0.00	\$0.00	\$11,484.00





# CAPITAL IMPROVEMENT REQUESTS

## 2016 - 2020

<b>Project Title:</b>	Network Backup Expansion
<b>Department:</b>	Information Technology
<b>Budgetary Fund:</b>	IT Fund Balance
<b>Account Number:</b>	70717100-642200

### JUSTIFICATION

Recently, storage requirements have grown significantly with the addition of a new surveillance system and dash video system by the Police Department along with storing evidence photos. While the SAN can handle the additional space requirements, the existing backup system does not have the capacity to backup this information in a consistent manner. The City has also decided to move forward with the Tyler Content Manager Enterprise system that will be storing the City documents. Additional backup capacity is required to store the information in case it needs to be restored for any purposes.

<p><b>Discussion of Operating Cost Impact:</b>                  This project is requested to be done in 2013. An evaluation was done to compare adding a virtual back solution for this predominately "static" information versus using the existing Unitrends backup appliances to a higher capacity model. The virtual solution proved to be more economical by approximately \$60,000.</p> <p>Both solutions included the first three years of support in the purchase price.</p>	<p><b>Item Replace</b></p> <p>Model            n/a _____</p> <p>Make/Model    _____</p> <p>Age                _____</p> <p><b>Disposition</b>    (Check one box)</p> <p>Trade-In            <input type="checkbox"/></p> <p>Sale/Auction        <input type="checkbox"/></p> <p>Transfer             <input type="checkbox"/></p> <p>Salvage             <input type="checkbox"/></p>
--	---

### DEPARTMENT OPERATING COST ANALYSIS

	2016	2017	2018	2019	2020	TOTAL
<b>Personnel Services</b>						\$0.00
<b>Supplies</b>				\$5,175.00	\$5,175.00	\$10,350.00
<b>Services</b>						\$0.00
<b>Utilities</b>						\$0.00
<b>Other</b>						\$0.00
<b>Total</b>	\$0.00	\$0.00	\$0.00	\$5,175.00	\$5,175.00	\$10,350.00

### DEPARTMENT REVENUE SUMMARY

	2016	2017	2018	2019	2020	TOTAL
<b>Fund Balance</b>	\$30,751.00					\$30,751.00
						\$0.00
						\$0.00
						\$0.00
<b>Total</b>	\$30,751.00	\$0.00	\$0.00	\$0.00	\$0.00	\$30,751.00

### DEPARTMENT COST ANALYSIS

	2016	2017	2018	2019	2020	TOTAL
<b>Planning</b>						\$0.00
<b>Land Acquisition</b>						\$0.00
<b>Purchase</b>	\$30,751.00					\$30,751.00
<b>Construction</b>						\$0.00
<b>Other</b>						\$0.00
<b>Total</b>	\$30,751.00	\$0.00	\$0.00	\$0.00	\$0.00	\$30,751.00

RES. NO. \_\_\_\_\_ 16-17.

By Alderperson Wolf  
August 1, 2016.

A RESOLUTION authorizing the City of Sheboygan to purchase software and hardware equipment for the Information Technology Department.

WHEREAS, all of the projects were reviewed and approved as part of the 2016 Capital Improvement Projects and funding source was identified as Information Technology Fund, and

WHEREAS, the following purchases were recommended:

MUNIS Tyler Parks & Rec software module from Tyler Technologies at a cost not to exceed \$21,850, and

The first year subscription of email encryption software from Digi Corp, Inc. at a cost not to exceed \$4,000, and

The network auditing software from Newtrix, Inc. at a cost not to exceed \$11,484, and

A network data backup solution from Digi Corp, Inc. at a cost not to exceed \$30,571, and

A router from WiscNet for a new Internet connection at a cost not to exceed \$6,000, and

Telephone expansion for the city phone system from Digi Corp, Inc. at a cost not to exceed \$120,400.

WHEREAS, pricing is obtained from Unitrends, Inc. who works with a preferred reseller in this case is Digi Corp, Inc. so individual quotes are not needed for the network data backup solution, and

WHEREAS, pricing is obtained from ShoreTel, Inc. who works with a preferred reseller in this case is Digi Corp, Inc. so individual quotes are not needed for the telephone expansion for the City phone system, and

WHEREAS, the Information Technology Director has reviewed quotes.

NOW THEREFORE BE IT RESOLVED: That the City of Sheboygan is hereby authorized to purchase software and hardware for the Information Technology Department not to exceed a total of \$194,485.

BE IT FURTHER RESOLVED: That the appropriate city officials are hereby authorized to draw orders on the Information Technology Fund Software account 70717100-

523122; IT Equipment account 70717100-642200 and Communication Equipment account 70717100-642300 in payment of same.

RES NO.                     16 - 17. By Alderperson Wolf.  
August 1, 2016

A RESOLUTION to authorize a transfer of appropriations in the 2016 Budget.

RESOLVED: That the Finance Director be and is hereby authorized and directed to make the following transfers of appropriations in the 2016 Budget for the purpose of:

Establish appropriation for Information Technology Department equipment

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Information Technology Fund Unreserved Fund Balance 707-272000	Information Technology Fund Software 70717100-523122	\$37,334
	IT Equipment 70717100-642200	\$36,751
	Communication Equipment 70717100-642300	\$120,400

**CITY OF SHEBOYGAN**

**REQUEST FOR FINANCE COMMITTEE CONSIDERATION**

---

**ITEM DESCRIPTION:** R.C. No. 336-15-16 Notice of Claim from Judith A. Grimm for alleged injuries from a trip and fall while she was crossing the crosswalk at Tenth Street and Grand Avenue.

---

**REPORT PREPARED BY:** Laurie Suhrke, Auditor/Analyst

---

**REPORT DATE:** July 19, 2016

**MEETING DATE:** July 25, 2016

---

**FISCAL SUMMARY:**

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

**STATUTORY REFERENCE:**

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

---

**BACKGROUND / ANALYSIS**

The initial Notice of Claim was received by the City on April 10, 2014 and was pending at that time, and remains pending. After two years, a pending Notice of Claim can be filed by the Common Council.

**STAFF COMMENTS**

City staff has reviewed the claim. This claim has remained in the pending status for over the two year time period, and can now be closed due to lack of action on the claimant's part.

**ACTION REQUESTED**

Motion to recommend the Common Council file the claim from Judith A. Grimm, 1126 North Avenue, Sheboygan, WI 53083 as listed in R.C. No. 336-15-16.

**ATTACHMENTS**

1. R.C. No. 336-15-16



VI

6.4

R. C. No. 342-14-15. By FINANCE. April 8, 2015.

Your Committee to whom was referred R. O. No. 10-14-15 by the City Clerk submitting a claim from Judith A. Grimm for alleged injuries when she was crossing in the crosswalk at 10<sup>th</sup> St. and Grand Ave. and tripped on an uneven section of the crosswalk; recommends referral to the new Common Council.

*refer to  
new Council  
(Finance)*

*John B...*  
\_\_\_\_\_  
*Julie Kath*  
\_\_\_\_\_  
*DAA*  
\_\_\_\_\_

*Paul J. ...*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ 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**

3.3

R. O. No. 10 - 14 - 15. By CITY CLERK. May 5, 2014.

Submitting a claim from Judith A. Grimm for alleged injuries when she was crossing in the crosswalk at 10<sup>th</sup> St. and Grand Ave. and tripped on uneven section of the crosswalk.

*Susan Richards*

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

~~Inquest~~  
new CC

DATE RECEIVED 4-10-14

RECEIVED BY LS Schneider

CLAIM NO. 2-14  
APR 10 '14 AM 11:01

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: Judith A. Grimm
- 2. Home address of Claimant: 1126 North Ave, Sheboygan, WI 53083
- 3. Home phone number: 920-457-5459
- 4. Business address and phone number of Claimant: 459-4441 ext. 72204

- 5. When did damage or injury occur? (date, time of day) Sunday, 3/30/14 afternoon
- 6. Where did damage or injury occur? (give full description) 10<sup>th</sup> & Grand Ave. Sheboygan - Southeast crosswalk on corner

7. How did damage or injury occur? (give full description) I took a couple steps into the crosswalk, happened to look up a moment, because a young couple with a little girl were on the opposite corner of the crosswalk. I didn't know if they were going to cross the street within the crosswalk. Just as I looked up I fell down, very hard on my knees, hands/wrists, knees and left shoulder. I couldn't get up. The lady ran over to help me and kept asking if I was okay. (page 2)

- 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: N/A
  - (b) Claimant's statement of the basis of such liability: Crosswalks should be safe to walk within-

- 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: Within the walkway in Southeast crosswalk at 10<sup>th</sup> & Grand Ave
  - (b) Claimant's statement of basis for such liability: the street seam has raised greatly inside the crosswalk-

① →

7. Pont' I wasn't sure if I was okay, I hurt a lot, but she was able to pull me up. After I stood a while, I knew I didn't break anything. I told her I could walk back home ok. It hurt walking; my knees, wrists and shoulder hurt. As soon as I got home I took cold gel compresses from the freezer and placed on my knees, wrists/hands and left shoulder. I did not go to the doctor, My knees are black and blue as well as my hands/wrists.

My main concern is if there may be damage to my knees/cartilage as time goes on. I've had no problems with my knees, arms or shoulders in the past.

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 #7 and back of pg. 1  
Sore knees, wrists, left shoulder

11. Name and address of any other person injured: N/A

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

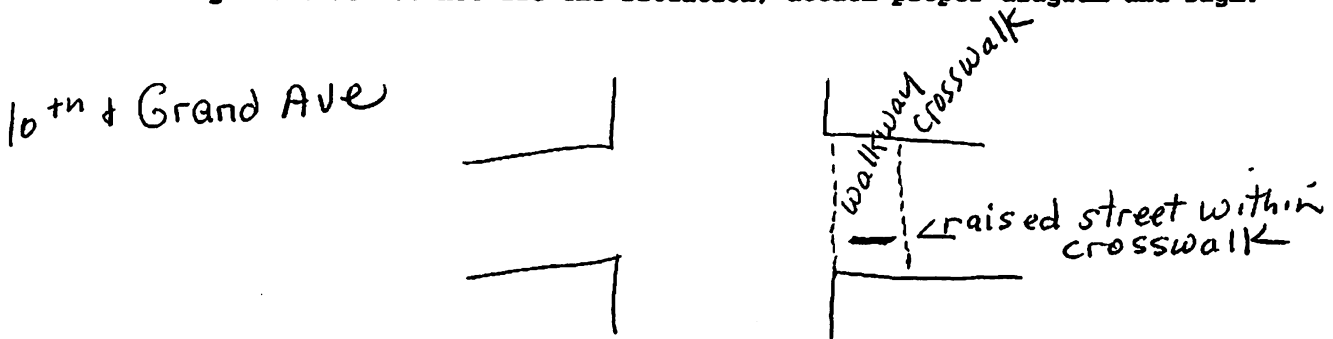
Auto: \$ N/A  
Property: \$ N/A  
Personal injury: \$ Unknown at this time  
Other: (Specify below) \$ \_\_\_\_\_  
**TOTAL** \$ \_\_\_\_\_

Damaged vehicle (if applicable) N/A  
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.



SIGNATURE OF CLAIMANT Judith a Grumm DATE 4/5/14  
BY SIGNING THIS I ACKNOWLEDGE I HAVE READ AND UNDERSTAND THE INSTRUCTIONS

DATE RECEIVED 4-10-14

RECEIVED BY LSSchneider

CLAIM NO. 2-14

APR 10 '14 AM 11:01

CLAIM

Claimant's Name:	<u>Judith A Grimm</u>	Auto	\$ <u>N/A</u>
Claimant's Address:	<u>1126 North Ave</u>	Property	\$ _____
	<u>Sheboygan, WI 53083</u>	Personal Injury	\$ _____
Claimant's Phone No.	<u>920-457-5459</u>	Other (Specify below)	\$ _____
		TOTAL	\$ _____

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 \$ \_\_\_\_\_.

*Pending*  
Unknown at this time until something shows up due to the fall. Nothing is broken, or I couldn't walk. My knees are black & blue. I do not know if my cartilage is compromised or damaged or there is any problems with any joints at this time. Until I experience any kind of weakness, as time goes on, this is considered pending unless you want to pay upfront for x-rays etc. at this point, for any determination,

SIGNED Judith A Grimm DATE: initially.

ADDRESS: 1126 North Ave Sheboygan, WI  
53083

BY SIGNING THIS I ACKNOWLEDGE I HAVE READ AND UNDERSTAND THE INSTRUCTIONS.  
MAIL TO: CLERK'S OFFICE  
828 CENTER AVE #100  
SHEBOYGAN WI 53081

**CITY OF SHEBOYGAN**

**REQUEST FOR FINANCE COMMITTEE CONSIDERATION**

---

**ITEM DESCRIPTION:** R.C. No. 337-15-16 Notice of Claim from Weiss Law Office, S.C. representing Sharon Janey. Sharon Janey has alleged injuries from a fall over a piece of raised concrete on Elm Avenue.

---

**REPORT PREPARED BY:** Laurie Suhrke, Auditor/Analyst

---

**REPORT DATE:** July 19, 2016

**MEETING DATE:** July 25, 2016

---

**FISCAL SUMMARY:**

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

**STATUTORY REFERENCE:**

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

---

**BACKGROUND / ANALYSIS**

The initial Notice of Claim was received by the city on July 9, 2014 and was pending at that time, and remains pending. After two years, a pending Notice of Claim can be filed by the Common Council.

**STAFF COMMENTS**

City staff has reviewed the claim. This claim has remained in the pending status for over the two year time period, and can now be closed due to lack of action on the claimant's part.

**ACTION REQUESTED**

Motion to recommend the Common Council file the claim from Weiss Law Office, S.C., 1017 W. Glen Oaks Lane, Suite 207, Mequon, WI 53902 as listed in R.C. No. 337-15-16.

**ATTACHMENTS**

1. R.C. No. 337-15-16



VI

6.6

R. C. No. 344 14 - 15. By FINANCE. April 8, 2015.

Your Committee to whom was referred R. O. No. 88-14-15 by the City Clerk submitting a Notice of Claim in the matter of Sharon Janey v. City of Sheboygan et al.; recommends that the document be referred to the new Common Council.

*Refer to  
new Council  
(Finance)*

<u>DA J</u>	_____
<i>Julie Kath</i>	_____
<u>[Signature]</u>	_____
	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

3.4

R. O. No. 88 - 14 - 15. By CITY CLERK. July 21, 2014.

Submitting a Notice of Claim in the matter of Sharon Janey v. City of Sheboygan et al.

~~Inance~~  
new CC

Luan Richards  
City Clerk

claim # 13-14

JUL 9 '14 PM12:09

## WEISS LAW OFFICE, S.C.

ATTORNEYS AT LAW

Hannah R. Jahn  
Charles W. Kramer  
Justin M. Schuessler  
Monte E. Weiss

1017 W. Glen Oaks Lane, Suite 207  
Mequon, WI 53092  
(262) 240-9663 - Telephone  
(262) 240-9664 - Fax  
justin.schuessler@mwweisslaw.net - email

July 7, 2014

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

RE: Sharon Janey v. City of Sheboygan, et al

Dear Ms. Richards:

Please find enclosed for service on you one (1) original Notice of Claim concerning an incident that occurred on **May 22, 2014**.

If you have any questions, please feel free to contact me.

Very truly yours,

WEISS LAW OFFICE, S.C.

  
Justin M. Schuessler

JMS/tbm  
Enclosure

Claim # 10-14  
LS Schuessler  
7-9-14

NOTICE OF CLAIM

TO:

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

PLEASE TAKE NOTICE that pursuant to Wis. Stat. §345.05, SHARON JANEY makes the following claim for damages against the City of Sheboygan:

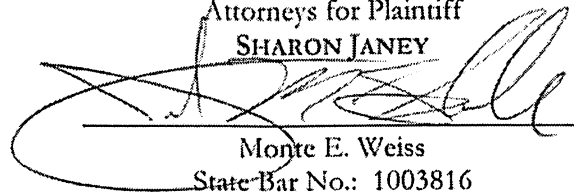
1. That the Plaintiff, SHARON JANEY, is an individual and resides at 1717 Camelot Boulevard, Sheboygan, Wisconsin 53081.
2. That on or about May 22, 2014, the Plaintiff was walking along a public sidewalk on Elm Street at or near 2328 Elm Street.
3. At the same time and place the Plaintiff tripped on a piece of raised concrete, fell, and was injured. The City of Sheboygan was negligent in its failure to repair the sidewalk.
4. That as a direct and proximate result of the negligence of the City of Sheboygan the Plaintiff sustained personal injuries and has incurred medical bills.
5. SHARON JANEY makes a claim for damages in the amount of the medical bills incurred, lost wages, and any other damages incurred by the Plaintiff.

Dated this 7<sup>th</sup> day of July, 2014

WEISS LAW OFFICE, S.C.

Attorneys for Plaintiff

SHARON JANEY



Monte E. Weiss

State Bar No.: 1003816

Charles W. Kramer

State Bar No.: 1021504

Justin M. Schuessler

State Bar No.: 1087974

**P.O. Address:**

1017 W. Glen Oaks Lane

Suite 207

Mequon, WI 53092

(262) 240-9663 (Telephone)

(262) 240-9664 (Facsimile)

Justin.schuessler@mweisslaw.net - Email

**CITY OF SHEBOYGAN**

**REQUEST FOR FINANCE COMMITTEE CONSIDERATION**

---

**ITEM DESCRIPTION:** R.O. No. 340-15-16 is a claim from Scott Mulder for alleged damages to his right hand side mirror when he struck a bent over orange metal rebar marker.

---

**REPORT PREPARED BY:** Laurie Suhrke, Auditor/Analyst

---

**REPORT DATE:** July 19, 2016

**MEETING DATE:** July 25, 2016

---

**FISCAL SUMMARY:**

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

**STATUTORY REFERENCE:**

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

---

**BACKGROUND / ANALYSIS**

The initial claim was received on April 15, 2016. The claim is for damage to the vehicle when the claimant's vehicle struck a bent over orange metal rebar marker.

**STAFF COMMENTS**

City staff has reviewed the claim. It was determined that there was no negligence on the City's part.

**ACTION REQUESTED**

Motion to recommend the Common Council deny the claim from Scott Mulder, 519 N 27<sup>th</sup> Street, Sheboygan, WI 53083 as listed in R.O. No. 340-15-16

**ATTACHMENTS**

R.O. No. 340-15-16

II

Other Matters

9.2

R. O. No. 340-15-16. By CITY CLERK. April 18, 2016.

Submitting a claim from Scott P. Mulder for alleged damages to his right hand side mirror struck by a bent over orange metal rebar marker.

*Finance of  
new Council*

---

City Clerk



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 hand outside mirror struck by  
marker rebar - it broke mirror glass &  
PAINT DAMAGED.

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

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

Auto:	\$	<u>ESTIMATES ATTACHED 4/63.97</u>
Property:	\$	<u>—</u>
Personal injury:	\$	<u>—</u>
Other: (Specify below)	\$	<u>—</u>
<b>TOTAL</b>	\$	<u>SEE ESTIMATES 4/63.97</u>

Damaged vehicle (if applicable)

Make: GMC Model: ACADIA Year: 2010 Mileage: 59,000

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.

SIGNATURE OF CLAIMANT

Scott P. Meder

DATE

4/12/16

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

DATE RECEIVED 4-15-16

RECEIVED BY MMD

CLAIM NO. 2715

CLAIM

Claimant's Name: Scott P. Mulder

Auto \$ 463.97

Claimant's Address: 519 N. 27th St.

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

Sheboygan, WI 53081

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

Claimant's Phone No. 920-287-5865

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

TOTAL \$ 463.97

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 \$ 463.97.

SIGNED Scott P. Mulder

DATE: 4/12/16

ADDRESS: \_\_\_\_\_

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

MAIL TO: CLERK'S OFFICE  
828 CENTER AVE #100  
SHEBOYGAN WI 53081

EXPAND/MODIFY OPERATIONS

Acadia

PL 1

OP NUMBER : BRD2

TOTAL \$ 479.41

MODIFIER :

1. OPERATION : Body Repair Diagnosis II

2. DESCRIPTION: RIGHT FRONT MIRROR REPLACEMENT PAINT TO MATCH

3. HOURS : 2.00 LABOR: 198.00

SPG LABOR CODE: X

LN	PART NUMBER	DESCRIPTION	REQ	AVAIL	PRICE	TOTAL
4.	GM23329907	MIRROR	1	NS	248.68	248.68

PARTS: \$ 248.68

LABOR: \$ 198.00

ENVIROMENTAL CHARGES: \$ 9.90

TAX: \$ 22.83

=====  
TOTAL: \$ 479.41

(E=ENTER) (LINE#) (A=ADD PARTS) (O=NOTES) (C=CANCEL)

*SHEBOYGAN CHEVROLET*

DEAN'S AUTO BODY INC  
1407 N. 29TH STREET  
SHEBOYGAN, WI 53081  
OFFICE: 920-457-5494 FAX: 920-457-6495  
"DEAN'S HAS THE MEANS FOR ALL YOUR AUTO NEEDS"

\*\*\* PRELIMINARY ESTIMATE \*\*\*

04/11/2016 11:53 AM

**Owner**

**Owner:** Denise Delorme  
**Address:** 519 N 27th St  
**City State Zip:** Sheboygan, WI 53081  
**Email:** denisedelorme@hotmail.com

**Home/Day:** (920)207-4605  
**FAX:**

**Inspection**

**Inspection Date:** 04/11/2016 03:50 PM  
**Inspection Location:** Dean's Auto Body  
**Address:** 1407 North 29th St.  
**City State Zip:** Sheboygan, WI 53081  
**Driveable:** Yes

**Inspection Type:** Drive In  
**Contact:** Phil Black  
**Work/Day:** (920)457-5494x  
**FAX:** (920)457-6495x  
**Rental Assisted:**

**Appraiser Name:** PHIL BLACK

**Appraiser License # :**

**Repairer**

**Repairer:** Dean's Auto Body  
**Address:** 1407 North 29th St.  
**City State Zip:** Sheboygan, WI 53081

**Contact:** Phil Black  
**Work/Day:** (920)457-5494  
**FAX:** (920)457-6495

**Target Complete Date/Time:**

**Days To Repair:** 2\*

**Remarks**

\*\*\* Original Estimate \*\*\*  
I have not seen Vehicle. Owner called and gave us ID Number and I wrote my estimate by what the owner told me.

**Vehicle**

**OEM Part Price Quote ID:** 5878641

2010 GMC Acadia SLT-1 4 DR Wagon  
6cyl Gasoline 3.6  
6-Speed Automatic

**Lic Expire:**  
**Veh Insp# :**  
**Condition:**  
**Ext. Refinish:** Two-Stage

**VIN:** 1GKLRMED4AJ267454  
**Mileage Type:** Actual  
**Code:** U7764B  
**Int. Refinish:** Two-Stage

**Options**

7 Passenger Seating  
Aluminum/Alloy Wheels  
Auto Headlamp Control  
Bose Sound System

AM/FM CD Player  
Amplifier  
Automatic Dimming Mirror  
Bucket Seats

Alarm System  
Anti-Lock Brakes  
Bodyside Cladding  
Center Console

Cruise Control	Daytime Running Lights	Digital Signal Processor
Dual Air Conditioning	Dual Airbags	Dual Power Seats
Dual Zone Auto A/C	Emergency S.O.S. System	Floor Mats
Fog Lights	Garage Door Opener	Halogen Headlights
Head Airbags	Heated Front Seats	Heated Power Mirrors
Illuminated Visor Mirror	Intermittent Wipers	Keyless Entry System
Leather Seats	Leather Steering Wheel	Lighted Entry System
MP3 Decoder	OnStar System	Overhead Console
Power Brakes	Power Door Locks	Power Liftgate
Power Steering	Power Windows	Privacy Glass
Pwr Driver Lumbar Supp	Rear Seat Audio Controls	Rear Spoiler
Rear View Camera	Rear Window Defroster	Rear Window Wiper/Washer
Rem Trunk-L/Gate Release	Remote Starter	Reverse Sensing System
Roof/Luggage Rack	Side Airbags	Split Folding Rear Seat
Stability Cntrl Suspensn	Strg Wheel Radio Control	Tachometer
Theft Deterrent System	Third Seat (trucks)	Tilt & Telescopic Steer
Tinted Glass	Tire Pressure Monitor	Traction Control System
Trip Computer	Wood Interior Trim	XM Satellite Radio

**Damages**

Line	Op	Guide	MC	Description	MFR.Part No.	Price	ADJ%	B%	Hours	R	
<b>Front Doors</b>											
1	E	1131		Mirror,Outer R/C RT	23329907 GM Part	\$248.68			0.8	SM	
2	L	1131	13	Mirror,Outer R/C RT	Refinish				1.2	RF	
					0.5 Surface						
					0.6 Two-stage setup						
					0.1 Two-stage						
<b>Manual Entries</b>											
3	N			Hazad, waste	Additional Labor	\$5.00*				SM	
4	N			Dismantal Mirror to Paint	Additional Labor				0.5*	SM*	
4				Items							
			MC	Message							
			13	INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE							

**Estimate Total & Entries**

Gross Parts	\$248.68
Other Parts	\$5.00
Paint & Materials	1.2 Hours @ \$36.00 \$43.20
Parts & Material Total	\$296.88
Tax on Parts & Material	@ 5.000% \$14.84

Labor	Rate	Replace Hrs	Repair Hrs	Total Hrs	
Sheet Metal (SM)	\$58.00	0.8	0.5	1.3	\$75.40
Mech/Elec (ME)	\$75.00				
Frame (FR)	\$70.00				
Refinish (RF)	\$58.00	1.2		1.2	\$69.60
<b>Labor Total</b>				<b>2.5 Hours</b>	<b>\$145.00</b>
<b>Tax on Labor</b>			@ 5.000%		<b>\$7.25</b>
<b>Gross Total</b>					<b>\$463.97</b>
<b>Net Total</b>					<b>\$463.97</b>

Alternate Parts Y/00/00/00/00/00 CUM 00/00/00/00/00 Zip Code: 53081 Default  
OEM Part Prices DT 04/11/2016 03:52 PM EstimateID 148893540829634560 QuoteID 5878641  
SPPL Yes Zip Code: 53081 Default  
Rate Name Default

Audatex Estimating 7.0.813 ES 04/11/2016 04:09 PM REL 7.0.813 DT 03/01/2016 DB 04/08/2016  
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**0.7 HRS WERE ADDED TO THIS ESTIMATE BASED ON AUDATEX'S TWO-STAGE REFINISH FORMULA.**

MOTOR VEHICLE REPAIR PRACTICES ARE REGULATED BY CHAPTER ATCP 132, WIS.ADM.  
CODE, ADMINISTERED BY THE BUREAU OF CONSUMER PROTECTION, WISCONSIN  
DEPT. OF AGRICULTURE, TRADE AND CONSUMER PROTECTION, P.O. BOX 8911,  
MADISON, WISCONSIN 53708-8911.

THIS ESTIMATE IS BASED ON OUR INSPECTION AND DOES NOT COVER ADDITIONAL PARTS  
OR LABOR THAT MAY BE REQUIRED AFTER THE WORK HAS BEEN STARTED. OCCASIONALLY,  
WORN OR DAMAGED PARTS ARE DISCOVERED THAT WERE NOT EVIDENT ON THE FIRST  
INSPECTION. THEREFORE, THE ABOVE PRICED ARE NOT GUARANTEED. PARTS PRICES  
SUBJECTED TO CHANGE DUE TO MANUFACTURER'S PRICE INCREASES.

**Op Codes**

• = User-Entered Value	E = Replace OEM	NG = Replace NAGS
EC = Replace Economy	OE = Replace PXN OE Srpls	UE = Replace OE Surplus
ET = Partial Replace Labor	EP = Replace PXN	EU = Replace Recycled
TE = Partial Replace Price	PM = Replace PXN Reman/Reblt	UM = Replace Reman/Rebuilt
L = Refinish	PC = Replace PXN Reconditioned	UC = Replace Reconditioned
TT = Two-Tone	SB = Sublet Repair	N = Additional Labor
BR = Blend Refinish	I = Repair	IT = Partial Repair
CG = Chipguard	RI = R & I Assembly	P = Check
AA = Appearance Allowance	RP = Related Prior Damage	



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