

**CITY OF SHEBOYGAN FALLS COMMON COUNCIL MEETING
SHEBOYGAN FALLS MUNICIPAL BUILDING
1ST FLOOR COUNCIL CHAMBERS
375 BUFFALO STREET**

**COUNCIL MEETING
APRIL 15, 2020
6:30 P.M.**

Committee of the Whole 6:15 P.M.

**ROLL CALL
MINUTES**

PUBLIC HEARING – Special Assessments for the Replacement of Lead Water Service Laterals and Non-Code Compliant Sanitary Sewer Laterals on Fourth Street from Western Avenue to Leavens Avenue

GENERAL

1. Appearances
2. Correspondence
3. Announcements
 1. 2020 Spring Election and Presidential Preference

CITY SERVICES

1. Resolution No. 19 – Final Resolution Determining and Levying Special Assessments for the Replacement of Lead Water Service Laterals and Non-Code Compliant Sanitary Sewer Laterals on Fourth Street from Western Avenue to Leavens Avenue

BILLS

1. Approve: T.B. – J.I.

ADJOURN

Please Note:

There has been a Zoom Conference meeting set up for the Committee of the Whole and Common Council meeting. Members of the Council may be appearing remotely. The public is welcome to attend either in person or by one of the options below:

Online: <https://zoom.us/j/316159425?pwd=ZXlzc0o0bng3NzJOdE9KNWtLYTIvQT09>

Via Phone: 1-312-626-6799

Meeting ID: 316 159 425

Password: 009050

****Please call the City Clerk's office if you need assistance joining the meeting remotely at 920-467-7900 ext.110**



City of
SHEBOYGAN FALLS

MEETING NOTICE

COMMITTEE OF THE WHOLE

WEDNESDAY, APRIL 15, 2020

1ST FLOOR COUNCIL CHAMBERS

MUNICIPAL BUILDING, 375 BUFFALO STREET

6:15 P.M.

I. CITY SERVICES

1. Final Resolution No. 19 – A Final Resolution Determining and Levying Special Assessments for the Replacement of Lead Water Service Laterals and Non-Code Compliant Sanitary Sewer Laterals on Fourth Street from Western Avenue to Leavens Avenue

BY THE ORDER OF CHAIRPERSON:

PAUL JENSEN

PETER WEBER

TOM BIGLER

COMMITTEE OF THE WHOLE

BY ORDER OF MAYOR RANDY J. MEYER

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CITY OF SHEBOYGAN FALLS COMMON COUNCIL MEETING MINUTES

APRIL 1, 2020

CALLED TO ORDER: 6:30 P.M.

ADJOURNED: 6:38 P.M.

Roll Call: Alderpersons present - Alan Mayer, Peter Weber, Jacob Immel, Terry Van Engen, Tom Bigler, and Paul Jensen. Mayor Randy Meyer presiding.

Minutes:

Aldersperson Immel made a motion to approve the minutes from the March 18, 2020 council meeting. Aldersperson Bigler seconded the motion. Motion carried on unanimous roll call vote of the council.

Announcements:

Mayor Meyer announced that the City of Sheboygan Falls was awarded the Chamber Partnership award for the Developer Tour.

City Clerk Alyssa Walford announced that 2020 Spring Election and Presidential Preference will be on Tuesday, April 7, 2020 from 7:00 A.M. – 8:00 P.M.

City Administrator Shad Tenpas announced that the Public Information Meeting for the 2020 Utility Improvement Project has changed from an in-person meeting to a recorded meeting due to the Coronavirus. A copy of the informational meeting will be available on the City website and saved on memory sticks for residents.

General:

Aldersperson Van Engen made a motion to approve Resolution No. 18 – A Resolution for the Common Council to Ratify and Confirm Mayor Meyer’s Emergency Contingency Policy for Employees Regarding Coronavirus (COVID-19) for the City of Sheboygan Falls. Aldersperson Immel seconded the motion. Motion carried on unanimous roll call vote of the council.

Aldersperson Mayer made a motion to approve the Conditional Use Application for the property located at 311 Fond du Lac Avenue in Sheboygan Falls for use as a take and bake pizza business. Aldersperson Immel seconded the motion. Motion carried on unanimous roll call vote of the council.

Aldersperson Mayer made a motion to approve the rezoning request from Morrelle Warehousing LLC to rezone 14.90 acres North of, and adjacent to N5252 County Road TT in Sheboygan Falls from A-3 Agricultural to L-1 Light Industrial. Aldersperson Weber seconded the motion. Motion carried on unanimous roll call vote of the council.

Aldersperson Van Engen made a motion to approve the City of Sheboygan Falls Employee Handbook. Aldersperson Weber seconded the motion. Motion carried on unanimous roll call vote of the council.

City Hall and Utility bills were assigned to Aldersperson Bigler and Aldersperson Immel.

Aldersperson Weber made a motion to adjourn. Aldersperson Jensen seconded the motion. Motion carried on unanimous roll call vote of the council.

Randy J. Meyer, Mayor

Alyssa M. Walford, City Clerk

CITY OF SHEBOYGAN FALLS COMMITTEE OF THE WHOLE MEETING MINUTES

APRIL 1, 2020

CALLED TO ORDER: 5:30 P.M.

CLOSED: 6:10 P.M.

Alderspersons present: Alan Mayer, Peter Weber, Jacob Immel, Terry Van Engen, Tom Bigler, and Paul Jensen. Mayor Randy Meyer presiding.

I. ECONOMIC DEVELOPMENT

Aldersperson Mayer moved to go into closed session pursuant to WI State Statute 19.85(1)(e) – for purposes of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business. The committee reconvened in open session and then closed the Economic Development meeting.

II. FINANCE & PERSONNEL

Aldersperson Van Engen made a motion to recommend the Employee Handbook to the council for approval. Aldersperson Mayer seconded the motion. Motion carried on unanimous roll call vote of the committee.

III. BOARD OF PUBLIC WORKS

City Administrator and Utility Manager Shad Tenpas provided the board a final update on the 2019 Voltage Conversion and Sub-Station Upgrade project. Shad thanked the public and local businesses for their cooperation and patience on the project. He also thanked ECI, Mi-Tech Engineers, Michels Power, MJ Electric, consultant Jill Frank, Alliant Energy, the Wisconsin Public Service Commission, Border States, Joel Tauschek, Dave Schmitz, and the council. Shad continued to thank the Utility Department of Joel, Brad, Mike, Justin, and Joe for their hard work and overtime put in to complete the project, Wendy for her work on the work orders and audit, Sara for her work on the PSC report and audit, and Therese and Alyssa for helping to cover while other staff were busy. Shad also provided a final update on costs and change orders.

Mayor Meyer closed the Committee of the Whole Meeting at 6:10 P.M.

Randy J. Meyer, Mayor

Alyssa M. Walford, City Clerk

**FINAL RESOLUTION DETERMINING AND LEVYING SPECIAL
ASSESSMENTS FOR THE REPLACEMENT OF LEAD WATER SERVICE LATERALS AND NON-
CODE COMPLIANT SANITARY SEWER LATERALS ON FOURTH STREET FROM WESTERN
AVENUE TO LEAVENS AVENUE IN THE CITY OF SHEBOYGAN FALLS,
SHEBOYGAN COUNTY, WISCONSIN**

WHEREAS, the Common Council of the City of Sheboygan Falls having on March 18, 2020, adopted a Preliminary Resolution declaring its intent to exercise its police power to levy and collect special assessments against properties benefitted, relating to the replacement of lead water service laterals and non-code compliant sanitary sewer laterals on Fourth Street from Western Avenue to Leavens Avenue, hereinafter referred to as "the Project;" and

WHEREAS, the final report has been filed as directed by the Common Council of the City of Sheboygan Falls; and

WHEREAS, the owners of the benefitted properties, pursuant to Wis. Stat. § 66.0703 having had an opportunity to be heard at a public hearing thereon; and

WHEREAS, the Common Council having been fully informed as to the particulars of the Project and having considered all comments, if any, from the owners of the benefitted properties.

NOW, THEREFORE, IT IS RESOLVED by the Common Council of the City of Sheboygan Falls as follows:

1. **DETERMINATION TO PROCEED.** The Common Council of the City of Sheboygan Falls does hereby ratify its prior determination to levy special assessments for the Project and to proceed with the Project in the following areas, shown as a "Project Location" on Exhibit A attached:

1. Fourth Street from Western Avenue to Leavens Avenue

Only property owners within the Project Location, who have lead water laterals and non-code compliant sanitary sewer laterals replaced by City contractors at the time of the 2020 water main replacement, and receive the benefit therefrom, shall be subject to a special assessment.

2. **APPROVAL OF PLANS AND SPECIFICATIONS.** The plans and specifications prepared by Donohue & Associates, Inc. which are on file at City Hall, located at 375 Buffalo Street, Sheboygan Falls, Wisconsin, are hereby approved.

3. **AUTHORIZATION TO PROCEED.** The final report is hereby approved, and the Common Council does hereby direct and ratify its prior decision that said public work be carried out in accordance with the Project plans and specifications and payment therefor be made as herein provided.

4. **LEVY OF SPECIAL ASSESSMENTS.** Each parcel of property in the Project Location receiving a lead water lateral and/or non-code compliant sanitary sewer lateral replacement is benefitted from the proposed improvements and the proposed assessments against each property as shown in the final report, are made on a reasonable basis. All assessments are set forth in the final assessment report and are found and determined to be fair and reasonable. It having been determined that the total cost of the Project would equal approximately \$359,725.00, and that \$69,081.00 shall be assessed against the parcels benefitting from the Project. Accordingly, there is hereby levied special assessments against each benefitting property involved, all as more particularly set forth in the final report, which is made a part hereof by reference as though set forth herein in complete detail. All special assessments hereby levied shall be a lien against the property described in said report until the same shall have been paid in full.

5. **POLICE POWER.** The assessments hereinabove levied are made pursuant to the police powers of the Common Council of the City of Sheboygan Falls, pursuant to Wis. Stat. § 66.0703.

6. **COLLECTION OF SPECIAL ASSESSMENTS.** It is further determined that said special assessments hereinabove levied shall be collected as follows:

- A. The assessment shall be payable in ten (10) equal annual principal payments, plus interest at the rate being charged for loans from the Wisconsin Trust Fund, plus one (1) percent, commencing with the 2020 tax roll. Installments shall be added to each applicable real estate tax bill and payable pursuant to the terms, conditions, rules, policies, charges and penalties applicable to the payment of real estate taxes within Sheboygan County; or
- B. In the event of sale, gift, transfer, or other conveyance of an assessed property, then any or all outstanding assessment charges and interest shall be due and payable at closing or conveyance.
- C. In the event any land assessed shall be the subject of an In Rem Real Estate Tax foreclosure by Sheboygan County then this special assessment shall become immediately due and payable in full with interest at the rate of 6.0% APR from the date of the Final Assessment to the end of the month in which payment is received.

7. **NOTIFICATION.** The City Clerk/Treasurer, in accordance with Wis. Stat. § 66.0703(8)(d) shall publish the herein Resolution as a Class 1 notice and shall mail a copy to every interested person.

8. **APPEAL.** Any person having an interest in any parcel of land affected by the Resolution of the Common Council of the City of Sheboygan Falls who feels aggrieved may, within ninety (90) days after the date of notice or the publication of this Final Resolution, appeal this determination to the Circuit Court of Sheboygan County by causing a written notice of appeal to be served upon the City Clerk/Treasurer and by executing a bond to the City of Sheboygan Falls in the sum of \$150.00 with two (2) sureties or a bonding company approved by the City Clerk/Treasurer, conditioned for the faithful prosecution of such appeal and the payment of all costs that may be adjudged against that person.

Adopted this 15th day of April, 2020.

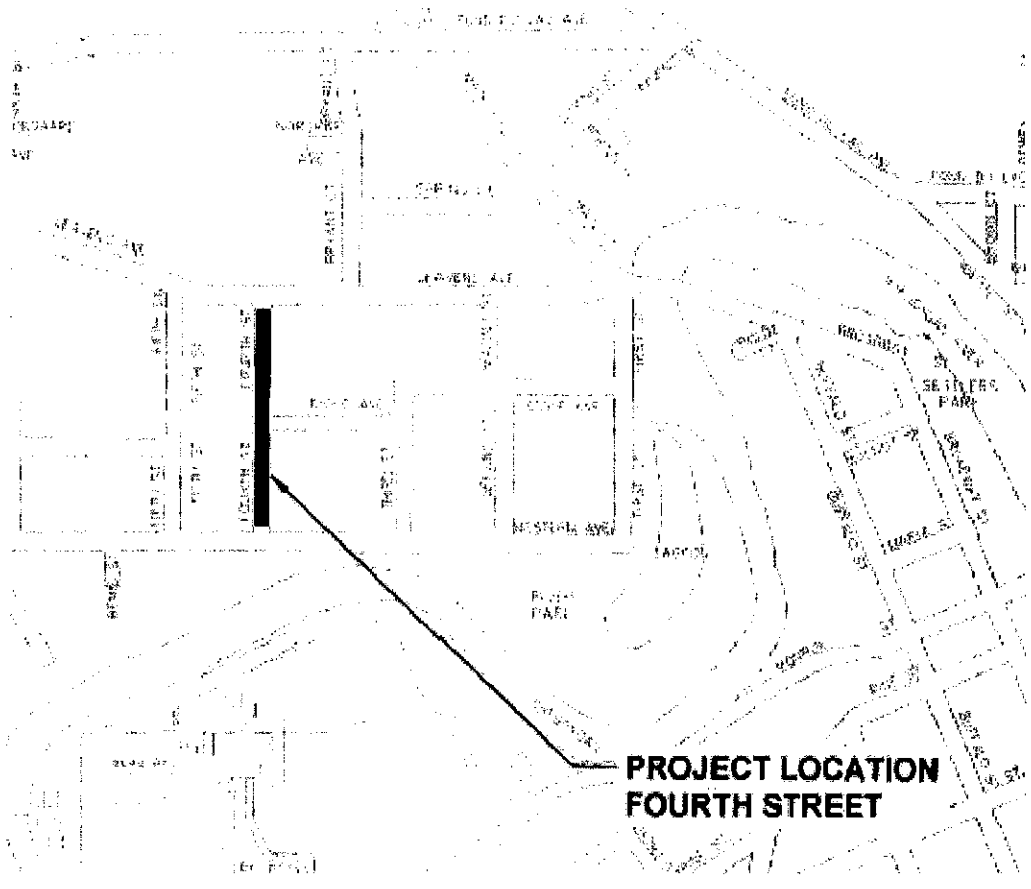
CITY OF SHEBOYGAN FALLS

By _____
RANDY MEYER, Mayor

CERTIFICATION

I hereby certify that the foregoing Resolution was duly adopted by the Common Council of the City of Sheboygan Falls on this 15th day of April, 2020.

ALYSSA WALFORD, Clerk/Treasurer
EXHIBIT A



**PROJECT LOCATION
FOURTH STREET**