

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

**COUNCIL MEETING
SEPTEMBER 15, 2021
6:30 P.M.**

Joint Review Board	5:00 P.M.
Plan Commission	6:00 P.M.
Committee of the Whole	6:15 P.M.

AMENDED

ROLL CALL

MINUTES

GENERAL

1. Appearances
2. Correspondence
3. Announcements
4. ~~Ordinance No. 7 – An Ordinance Annexing Territory from the Town of Sheboygan Falls to the City of Sheboygan Falls~~

ECONOMIC DEVELOPMENT

1. Resolution No. 18 – A Resolution Approving an Amendment to the Project Plan and Boundaries of Tax Incremental District No. 5, City of Sheboygan Falls, Wisconsin

FINANCE & PERSONNEL

1. Travel Request – David Green, Fire Department to attend Wisconsin IAAI Fall Seminar September 21-23, 2021, in Grand Chute, WI. Total cost \$581

PROPERTY

1. Consideration of Ice Rink Purchase

PUBLIC HEALTH & WELFARE

1. Beverage Operator License Applications: Shelly Gates, Jazzmon Black, & Jada Servant

BILLS

Approve: P.J. – P.W.

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 online or via phone. Please contact the City Clerk's office to obtain the Meeting ID at 920-467-7900 ext. 110



MEETING NOTICE - AMENDED
COMMITTEE OF THE WHOLE
WEDNESDAY, SEPTEMBER 15, 2021
1ST FLOOR COUNCIL CHAMBERS
MUNICIPAL BUILDING, 375 BUFFALO STREET

6:15 P.M.

I. ECONOMIC DEVELOPMENT

1. Resolution No. 18 – A Resolution Approving an Amendment to the Project Plan and Boundaries of Tax Incremental District No. 5, City of Sheboygan Falls, Wisconsin
2. Sealed Bid Process – Forest Avenue

BY THE ORDER OF CHAIRPERSON:

ALAN MAYER

MEMBERS:

TERRY VAN ENGEN

JACOB IMMEL

II. PROPERTY

1. Consideration of Ice Rink Purchase
2. Discussion on 414 Broadway Property
3. Selling City Property

BY THE ORDER OF CHAIRPERSON:

TOM BIGLER

MEMBERS:

PAUL JENSEN

JACOB IMMEL

III. PUBLIC HEALTH & WELFARE

1. DRAFT – Ordinance No. __ - An Ordinance Amending Chapter 12 of the Municipal Code of the City of Sheboygan Falls – Operators' Licenses

BY THE ORDER OF CHAIRPERSON:

JACOB IMMEL

MEMBERS:

PAUL JENSEN

ALAN MAYER

IV. FINANCE & PERSONNEL

1. 2022 City of Sheboygan Falls Budget Discussion

BY THE ORDER OF CHAIRPERSON:

TERRY VAN ENGEN

MEMBERS:

PETER WEBER

ALAN MAYER

COMMITTEE OF THE WHOLE

BY ORDER OF MAYOR RANDY J. MEYER

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 online or via phone. Please contact the City Clerk's office to obtain the Meeting ID at 920-467-7900 ext. 110

CITY OF SHEBOYGAN FALLS COMMON COUNCIL MEETING MINUTES

SEPTEMBER 1, 2021

CALLED TO ORDER: 6:30 P.M.

ADJOURNED: 6:39 P.M.

Alderspersons 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 August 18, 2021 council meeting. Aldersperson Weber seconded the motion. Motion carried on unanimous roll call vote of the council.

General:

Aldersperson Mayer made a motion to pay the rescinded portion of the tax payment for parcel 59282925826 for Karen Morauski in the amount of \$1,461.17. Aldersperson Weber seconded the motion. Motion carried on unanimous roll call vote of the council.

Aldersperson Jensen made a motion to approve the purchase an International plow truck in the amount of \$199,618 from the capital budget to replace DPW Truck #9. Aldersperson Weber seconded the motion. Motion carried on 5-1 vote of the council. Aldersperson Bigler voting Nay.

Aldersperson Jensen made a motion to approve the purchase of two DPW pick up trucks in the amount of \$91,508 from the capital budget. Aldersperson Weber seconded the motion. Motion carried on unanimous roll call vote of the council.

Aldersperson Van Engen made a motion to approve the ordering of the 2022 Police squad car. Aldersperson Mayer seconded the motion. Motion carried on unanimous roll call vote of the council.

Aldersperson Van Engen made a motion to confirm the hiring of Michael Skifton, Eric Osesek, and Matthew Ehlers in the Electric Utility Department. Aldersperson Weber seconded the motion. Motion carried on unanimous roll call vote of the council.

Aldersperson Van Engen made a motion to approve the bonus for the Deputy Police Chief for serving as Police Chief during the hiring process. Aldersperson Mayer seconded the motion. Motion carried on unanimous roll call vote of the council.

Aldersperson Van Engen made a motion to approve an update to 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 Weber and Aldersperson Jensen.

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

Randy J. Meyer, Mayor

Shad Tenpas, Deputy Clerk

CITY OF SHEBOYGAN FALLS COMMITTEE OF THE WHOLE MEETING MINUTES

SEPTEMBER 1, 2021

CALLED TO ORDER: 5:30 P.M.

CLOSED: 7:38 P.M.

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

I. CITY SERVICES

Aldersperson Weber made a motion to recommend the purchase of an International plow truck with capital budget funds to replace DPW Truck #9 to the council for approval. Aldersperson Jensen seconded the motion. Motion carried on a 2-1 vote of the committee.

Aldersperson Weber made a motion to recommend the purchase of two new DPW pick-up trucks with capital budget funds to the council for approval. Aldersperson Jensen seconded the motion. Motion carried on unanimous roll call vote of the committee.

II. ECONOMIC DEVELOPMENT

The committee held a discussion on the options for selling a City owned property on Forest Avenue. There are currently two active offers on the property. The committee will discuss a sealed bid process at an upcoming meeting. Aldersperson Mayer made a motion to let both offers expire or decline both offers. Aldersperson Van Engen seconded the motion. Motion carried on unanimous roll call vote of the committee.

III. FINANCE & PERSONNEL

Aldersperson Van Engen made a motion to recommend the ordering of the 2022 Police Squad to the council for approval. Aldersperson Mayer seconded the motion. Motion carried on unanimous roll call vote of the committee.

Aldersperson Weber made a motion to recommend the confirmation of hiring Michael Skifton, Eric Osesek, and Matthew Ehlers in the Electric Utility Department to the council for approval. Aldersperson Van Engen seconded the motion. Motion carried on unanimous roll call vote of the committee.

Aldersperson Van Engen made a motion to recommend a bonus for the Deputy Chief serving as Police Chief during the hiring process. Aldersperson Mayer seconded the motion. Motion carried on unanimous roll call vote of the committee.

Aldersperson Weber made a motion to recommend an update to the City of Sheboygan Falls Employee Handbook to the council for approval. Aldersperson Van Engen seconded the motion. Motion carried on unanimous roll call vote of the committee.

The committee received a presentation from Director of Public Works Jerry Benzschawel for the Department of Public Works 2022 Budget.

Mayor Meyer suspended the Committee of the Whole meeting at 6:30 P.M. for the Common Council meeting.

The Committee of the Whole reconvened at 6:40 P.M.

Police Chief Eric Miller presented the 2022 Police Department Budget to the committee.

Fire Department Chief Chris Wesendorf shared the 2022 Fire Department Budget with the committee.

Aldersperson Bigler presented the 2022 Library Budget on behalf of the Library Board.

City Administrator Shad Tenpas provided an update on the court and their 2022 Budget request.

Mayor Meyer closed the Committee of the Whole meeting at 7:39pm.

Randy J. Meyer, Mayor

Shad Tenpas, Deputy Clerk

RESOLUTION NO. 18

**RESOLUTION APPROVING AN AMENDMENT TO THE PROJECT PLAN AND BOUNDARIES OF TAX
INCREMENTAL DISTRICT NO. 5,
CITY OF SHEBOYGAN FALLS, WISCONSIN**

WHEREAS, the City of Sheboygan Falls (the "City") has determined that use of Tax Incremental Financing is required to promote development and redevelopment within the City; and

WHEREAS, Tax Incremental District No. 5 (the "District") was created by the City on March 21, 2018 as a mixed-use district; and

WHEREAS, the City now desires to amend the Project Plan and boundaries of the District (the "Amendment") in accordance with the provisions of Wisconsin Statutes Section 66.1105 (the "Tax Increment Law"); and

WHEREAS, such Amendment will:

- a. Add territory to the District as permitted under Wisconsin Statutes Section 66.1105(4)(h)2.
- b. Amend the categories, locations or costs of project costs to be made as permitted under Wisconsin Statutes Section 66.1105(4)(h)1.

WHEREAS, an amended Project Plan for the District has been prepared that includes:

- a. A statement listing of the kind, number and location of all proposed public works or improvements within the District, or to the extent provided in Wisconsin Statutes Sections 66.1105(2)(f)1.k. and 66.1105(2)(f)1.n., outside of the District;
- b. An economic feasibility study;
- c. A detailed list of estimated project costs;
- d. A description of the methods of financing all estimated project costs and the time when the related costs or monetary obligations are to be incurred;
- e. A map showing existing uses and conditions of real property in the District;
- f. A map showing proposed improvements and uses in the District;
- g. Proposed changes of zoning ordinances, master plan, map, building codes and City ordinances;
- h. A list of estimated non-project costs;
- i. A statement of the proposed plan for relocation of any persons to be displaced;
- j. A statement indicating how the amendment of the District promotes the orderly development of the City;
- k. An opinion of the City Attorney or of an attorney retained by the City advising that the Project Plan is complete and complies with Wisconsin Statutes Section 66.1105(4)(f).; and

WHEREAS, prior to its publication, a copy of the notice of public hearing was sent to the chief executive officers of Sheboygan County, the Sheboygan Falls School District, and the Lakeshore Technical College District, and any other entities having the power to levy taxes on property located within the District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on September 15, 2021 held a public hearing concerning the proposed amendment to the

Project Plan and boundaries of the District, providing interested parties a reasonable opportunity to express their views thereon; and

WHEREAS, after said public hearing, the Plan Commission designated the boundaries of the amended district, adopted the Project Plan, and recommended to the Common Council that it amend the Project Plan and boundaries for the District.

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

1. The boundaries of the District named "Tax Incremental District No. 5, City of Sheboygan Falls", are hereby amended as identified in Exhibit A of this Resolution.
2. The territory being added shall become part of the District effective as of January 1, 2021.
3. The Common Council finds and declares that:
 - (a) Not less than 50% by area of the real property within the District, as amended, is suitable for mixed-use development as defined by Wisconsin Statutes Section 66.1105(2)(cm).
 - (b) Based upon the finding stated in 3.a. above, the District was declared to be, and remains, a mixed-use district based on the identification and classification of the property included within the District.
 - (c) When all the project costs have been made within the District they will significantly enhance the value of all of the other real property in the District.
 - (d) The equalized value of the taxable property within the territory to be added to the District plus the value increment of all other existing tax incremental districts within the City, does not exceed 12% of the total equalized value of taxable property within the City.
 - (e) That for those parcels to be added to the District that were annexed by the City within the three-year period preceding adoption of this Resolution, the City pledges to pay the Town of Sheboygan Falls an amount equal to the property taxes the town last levied on the territory for each of the next five years.
 - (f) The City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Wisconsin Statutes Section 66.1105(5)(b).
 - (g) The project costs relate directly to promoting mixed-use development in the District consistent with the purpose for which the District is created.
 - (g) Lands proposed for newly platted residential development comprise no more than 35% of the real property area within the District, as amended.

(h) Costs related to newly-platted residential development may be incurred based on the proposed development having a density of at least three (3) units per acre as defined in Wisconsin Statutes Section 66.1105(2)(f)3.a.

4. The Project Plan for "Tax Incremental District No. 5, City of Sheboygan Falls" (see Exhibit B), as amended, is approved, and the City further finds the Project Plan is feasible and in conformity with the master plan of the City.

BE IT FURTHER RESOLVED THAT the City Clerk is hereby authorized and directed to apply to the Wisconsin Department of Revenue, in such form as may be prescribed, for a "Determination of Tax Incremental Base", as of January 1, 2021, pursuant to the provisions of Wisconsin Statutes Section 66.1105(5)(b).

BE IT FURTHER RESOLVED THAT pursuant to Section 66.1105(5)(f) of the Wisconsin Statutes that the City Assessor is hereby authorized and directed to identify upon the assessment roll returned and examined under Wisconsin Statutes Section 70.45, those parcels of property which are within the District, specifying thereon the name of the said District, and the City Clerk is hereby authorized and directed to make similar notations on the tax roll made under Section 70.65 of the Wisconsin Statutes.

Adopted this _____ day of _____, 2021.

City Mayor

City Clerk

**LEGAL BOUNDARY DESCRIPTION
OR
MAP OF
TAX INCREMENTAL DISTRICT NO. 5
CITY OF SHEBOYGAN FALLS**

[INCLUDED WITHIN PROJECT PLAN]

PROJECT PLAN

[DISTRIBUTED SEPARATELY]

**VACATION/TRAVEL
APPROVAL & EXPENSE FORM**

Projected OT Costs

NAME: _____

TRAVEL DAYS REQUESTED: _____

PURPOSE OF TRAVEL

David Green- Fire Department

COST OF TRAVEL

	ESTIMATED	ACTUAL
Registration	275.00	_____
Meals	60.00	_____
Lodging	246.00	_____
Mileage	_____	_____
Total	_____	_____
	581.00	_____

COUNCIL APPROVAL RECEIVED

(TRAVEL OVERNIGHT)

DATE: _____

APPROVED BY: _____ **DATE:** _____

SUPERVISOR/CHAIRPERSON

VERBAL APPROVAL (TRAVEL NOT OVERNIGHT)

APPROVED BY: _____ **DATE:** _____

SUPERVISOR/CHAIRPERSON

THIS FORM MUST BE COMPLETED WITH ALL NECESSARY APPROVALS AND FILED WITH THE CITY CLERK PRIOR TO TAKING ANY VACATION OR ENGAGING IN ANY TRAVEL. WHEN USING THE FORM FOR TRAVEL EXPENSE REIMBURSEMENT A COPY OF THE ORIGINAL FORM SHOULD BE RETAINED AND SUBMITTED TO THE CITY CLERK.

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FALL SEMINAR

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If you are a member, please login to receive discounts for the seminar.

Hotel Registration Information:

Double Tree by Hilton-Appleton
150 S. Nicolet Road, Grand Chute, WI 54914
Phone # 920-735-9955

The hotel will honor the state rate of \$82 a night for single occupancy for this seminar.

Please book on line by: **September 6, 2021.**

To book by phone, please call: 920-735-9955 Please reference the group name **C-IAS**

Booking Link: **[Double Tree by Hilton-Appleton](#)**

Seminar Refund Information:

Seminar registration will be refunded at:

Full Refund up to 30 Days before the seminar

50% Refund 30 to 14 Days before the seminar

No Refund 14 Days or less before the seminar

***All Refunds charged a 5% administrative fee.**

Seminar Agenda

Agenda Subject to Change Due to Weather

Monday Sep. 20

6:00 pm - 7:30 pm Early Registration

Tuesday Sep. 21

7:00 am - 8:00 am Registration

8:00 am - 8:30 am Opening Ceremonies (Grand Chute Ballroom)

8:30 am - 9:00 am Chapter Meeting

9:00 am - 12:00 pm Advanced Fire Dynamics - Barry Grimm IAAI-CI - NFA

12:00 pm - 1:00 pm Lunch (On your Own)

1:00 pm - 5:00 pm Advanced Fire Dynamics - Barry Grimm IAAI-CI - NFA

5:30 pm - 9:00 pm Tailgate Social and Bean Bag Toss Tournament (Meal Provided by Chapter)

Wednesday Sep. 22

8:00 am - 12:00 pm Advanced Fire Dynamics - Barry Grimm IAAI-CI - NFA

12:00 pm - 13:00 pm Lunch (On your Own)

1:00 pm - 05:00 pm Burn Cell and Vehicle Fire Investigation **(Hands On) @ FVTC**

Thursday Sep. 23

8:00 am - 12:00 pm Investigation Findings - Barry Grimm IAAI-CI - NFA

Cardholder Name

Total

\$275.00

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**AN ORDINANCE AMENDING CHAPTER 12 OF THE
MUNICIPAL CODE OF THE CITY OF SHEBOYGAN FALLS
OPERATORS' LICENSES**

WHEREAS, pursuant to Wis. Stat. § 125.17(1), the City of Sheboygan Falls, Sheboygan County, is authorized to designate a municipal official to issue operators' licenses; and

WHEREAS, the Common Council hereby determines that the issuance of operator's licenses is more efficiently and appropriately delegated to the City Clerk, or designee.

NOW, THEREFORE, the Common Council of the City of Sheboygan Falls, Sheboygan County, Wisconsin, does ordain as follows:

Section 1. **Amending Code.** Section 12.02(5), Granting of Licenses, of the Municipal Code of the City of Sheboygan Falls is hereby amended/created to read as follows (additions indicated by underline; deletions by ~~strikeout~~):

- "(5) Granting of Licenses – Unless otherwise designated, licenses required by this chapter shall be issued by the City Clerk only with the approval of the Council, except the City Clerk may issue the following licenses subject to the standards established by this chapter without prior approval of the Council:
- (a) Dog licenses.
 - (b) Direct sellers.
 - (c) Bicycle licenses.
 - (d) Tree trimmers.
 - (e) Operator's license."

Section 2. **Amending Code.** Section 12.03(4), Classes of Licenses and Fees, of the Municipal Code of the City of Sheboygan Falls is hereby amended/created to read as follows (additions indicated by underline; deletions by ~~strikeout~~):

- "(4) Classes of Licenses and Fees – The following classes of license may be issued by the City Clerk under the authority of the City Council after payment of the fee herein specified, which, when so issued, shall permit the holder to sell, deal, or traffic in alcohol beverages as provided in Chapter 125, Wisconsin Statutes. Except as provided in subsection (b) below, an operator's license may be issued by the City Clerk.

(a) Retail Licenses – Each of the following licenses may be issued to any person qualified under Wis. Stat. § 125.04(5), except a person acting as an agent for or in the employ of another. Each license must particularly describe the premises for which issued and is not transferable, except as provided in Wis. Stat. § 125.04(12) (1994-95).

1. "Class A" Liquor License –

- a. A "Class A" license authorizes the retail sale of intoxicating liquor for consumption off the premises where sold and in original packages and containers.
- b. The annual fee for a "Class A" license shall be as provided in Section 12.01 of this Code.

2. "Class B" Liquor License -

- a. A "Class B" license authorizes the retail sale of intoxicating liquor for consumption on the premises where sold by the glass and not in the original package or container.
- b. The fee for an initial issuance of a "Class B" license shall be Ten Thousand Dollars (\$10,000.00). The initial issuance of a "Class B" license for a bona fide club or lodge situated and incorporated in the state, however, shall be the fee set forth in subparagraph c., below.
- c. The annual fee for renewal of an existing "Class B" license shall be as provided in Section 12.01 of this Code.

3. Class "A" Fermented Malt Beverage License -

- a. A Class "A" license authorizes retail sales of fermented malt beverages for consumption off the premises where sold and in original packages, containers, and bottles.
- b. The annual fee for a Class "A" license shall be as provided in Section 12.01 of this Code.

4. Class "B" Fermented Malt Beverage License -

- a. A Class "B" license authorizes retail sales of fermented malt beverages to be consumed, either on the premises where sold, or off the premises.

b. The annual fee for a Class "B" license shall be as provided in Section 12.01 of this Code.

(b) Operator's Licenses – Any person eighteen (18) years or older who is serving alcohol beverages in an establishment with a Class A or B license must obtain an operator's license, unless the person is under the immediate supervision of someone with an operator's license. An operator's license may be issued to an applicant by the City Clerk upon submittal of a complete operator's license application, the payment of the annual fee and subject to the provisions of this ordinance.

1. Operator's licenses may be issued only on written applications on forms provided by the City Clerk and upon a criminal background check completed by the Chief of Police, or designee, pursuant to Wis. Stat. § 111.321, 111.322 and 111.335, confirming that the applicant does not have an arrest or conviction record substantially related to the alcohol licensing activity.

2. Operator's licenses shall be valid for one (1) year and shall expire on June 30 of each year.

3. The annual fee for an operator's license shall be as provided in Section 12.01 of this Code.

4. A provisional operator's license may be issued to any individual who has submitted an initial application for an operator's license under this section, is enrolled in a responsible beverage server training course, and who has met all the other requirements of this section. This license shall be valid for a period of sixty (60) days, or until the regular operator's license is issued. The fee for a provisional operator's license shall be as provided in Section 12.01 of this Code, which shall be nonrefundable and shall not apply toward any other operator's license under this section.

5. An operator's license shall not be granted if the applicant has provided false information on their application; or if the applicant, pursuant to Wis. Stat. §§ 111.321, 111.322 and 111.335, has an arrest or conviction record substantially related to the alcohol licensing activity. The City Clerk shall provide a written explanation of the reason(s) for the denial to the applicant pursuant to Wis. Stat. § 125.12(3m).

6. An applicant may appeal the denial of an operator's license under subsection 5 to the Public Health and Welfare Committee. The applicant shall be allowed to show evidence of rehabilitation and fitness to engage in the

licensed activity pursuant to Wis. Stat. § 111.335(4)(c). The Public Health and Welfare Committee may sustain the denial or upon receipt of competent evidence of sufficient rehabilitation and fitness to engage in the activities of an alcohol license operator the Public Health and Welfare Committee may not refuse to approve the operator's license.

7. The City Clerk may not suspend, revoke, or non-renew an operator's license. Such actions may be taken by the Common Council after the necessary procedures outlined under Wis. Stat. § 125.12 have been followed.

(c) Wholesaler's Licenses -

A wholesaler's license authorizes wholesale sales of fermented malt beverages in original packages or containers to retailers or other wholesalers.

1. A wholesaler's license may not be issued to an entity that has an interest, directly or indirectly, in any retail license issued under subparagraph (a), above.
2. Each license must particularly describe the premises for which it is issued and is not transferable, except as provided in Wis. Stat. § 125.04(12) (1994-95).
3. The annual fee for a wholesaler's license shall be as provided in Section 12.01 of this Code."

Section 3. **Repeal of Code.** All ordinances or parts of ordinances heretofore adopted by the City of Sheboygan Falls in conflict herewith are hereby repealed.

Section 4. **Severability.** Should any portion of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected.

Section 5. **Effective Date.** This Ordinance shall take effect upon publication as required by law.

Enacted this _____ day of _____, 2021.

CITY OF SHEBOYGAN FALLS

By _____

RANDY MEYER, Mayor

Date Approved: _____

Introduced by:

CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing Ordinance was duly enacted by the Common Council and approved by the Mayor of the City of Sheboygan Falls on the date indicated above.

ALYSSA WALFORD, Clerk/Treasurer