

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

**COUNCIL MEETING
MAY 17, 2023
6:30 P.M.**

Committee of the Whole

5:30 P.M.

ROLL CALL

MINUTES – May 3, 2023

GENERAL

1. Appearances
2. Correspondence
3. Announcements

FINANCE & PERSONNEL

1. Ordinance #1 – Amending Section 1.38 of the Municipal Code of the City of Sheboygan Falls Purchasing Procedures
2. Update Fee Schedule
3. Revised Revolving Loan Program Manual
4. Travel Request – League Board Meeting & Lobby

ECONOMIC DEVELOPMENT

1. Developer Agreement – Werner Homes
2. Resolution No. 5 – Approving the Sale of Vacant Land on Vision Parkway in the City of Sheboygan Falls to SMU Holdings Co., LLC

PROPERTY

1. Put Out to Bid Accessible Kayak/Canoe and Boat Launch, with Park Board Funds Covering Difference Above Grants and Funds Raised

PUBLIC HEALTH & WELFARE

1. 2023/2024 Liquor Licenses – Authorization to Publish

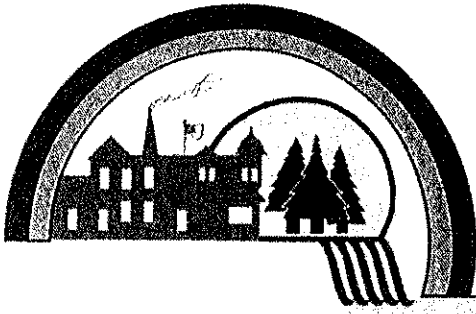
BILLS

1. Approve: A.M. & T.V.E.

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. 5



City of
SHEBOYGAN FALLS

MEETING NOTICE

**COMMITTEE OF THE WHOLE
WEDNESDAY, MAY 17, 2023
1ST FLOOR COUNCIL CHAMBERS
MUNICIPAL BUILDING, 375 BUFFALO STREET**

5:30 P.M.

I. FINANCE & PERSONNEL

1. Ordinance #1 – Amending Section 1.38 of the Municipal Code of the City of Sheboygan Falls Purchasing Procedures
2. Update Fee Schedule
3. Revised Revolving Loan Program Manual

BY ORDER OF THE CHAIRPERSON:

TERRY VAN ENGEN

MEMBERS:

PETER WEBER

AL MAYER

II. ECONOMIC DEVELOPMENT

1. Resolution No. 5 – Approving the Sale of Vacant Land on Vision Parkway in the City of Sheboygan Falls to SMU Holdings Co., LLC

BY ORDER OF THE CHAIRPERSON:

AL MAYER

MEMBERS:

TERRY VAN ENGEN

JACOB IMMEL

III. PUBLIC HEALTH & WELFARE

1. Downtown Parking

BY ORDER OF THE CHAIRPERSON:

RACHEL HOWARD

MEMBERS:

JACOB IMMEL

ALAN MAYER

IV. PROPERTY

1. Put Out to Bid Accessible Kayak/Canoe and Boat Launch, with Park Board Funds Covering Difference Above Grants and Funds Raised
2. Broadway Street Pocket Property Proposal
3. Move to Closed Session-Pursuant to WI State Statute 19.85 (1)(e)-Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.
4. Open Session-Committee will consider any motions that arise due to discussion in closed session.

BY ORDER OF THE CHAIRPERSON:

TOM BIGLER

MEMBERS:

PETER WEBER

RACHEL HOWARD

Please Note:

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CITY OF SHEBOYGAN FALLS COMMITTEE OF THE WHOLE MEETING MINUTES

MAY 3, 2023

CALLED TO ORDER: 6:02 P.M.

CLOSED: 7:24 P.M.

Alderspersons present: Peter Weber, Jacob Immel, Tom Bigler, Alan Mayer, Terry Van Engen, and Rachel Howard. Mayor Randy Meyer Presiding.

I. GENERAL

Tammy Meyer, representing the Sheboygan Falls Kiwanis, presented Police Officer Jade Sand with the 2022 Police Officer of the Year Award.

II. BOARD OF PUBLIC WORKS

City Administrator and Utilities Manager, Shad Tenpas, presented the information and different bids for the Underground Distribution Cable Replacement project and also the overall cost of the project that was determined after the winning bid had been selected. Alderperson Mayer made a motion to recommend the awarding of the bid to H&H Utility Excavating at a cost of \$184,900, which would then bring the total project cost to \$794,425, to the council for approval. Alderperson Immel seconded the motion. The motion was carried on a unanimous voice vote of the committee.

Alderperson Weber made a motion to recommend the engineering agreement from ECI regarding TDS Telecom installation support to the council for approval. Alderperson Van Engen seconded the motion. The motion was carried on a unanimous voice vote of the committee.

Mr. Tenpas described the reasons for the insurance claim that was made against the City Utilities in January 2023. Alderperson Bigler made a motion to recommend the completed Notice of Disallowance to the council for approval. Alderperson Mayer seconded the motion. The motion was carried on a unanimous voice vote of the council.

III. CITY SERVICES

Alderperson Weber made a motion to recommend Resolution No. 3, regarding the Special Assessment project for 2023, to the council for approval. Alderperson Bigler seconded the motion. The motion was carried on a unanimous voice vote of the council.

Mayor Meyer suspended the Committee of the Whole meeting at 6:26 P.M. for the Common Council Meeting.

The Committee of the Whole reconvened at 6:52 P.M.

IV. ECONOMIC DEVELOPMENT

Alderperson Mayer moved to go into closed session pursuant to WI State Statute 19.85 (1)(E)-Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. The committee returned to open session on a unanimous voice vote of the committee.

Mayor Meyer closed the Committee of the Whole meeting at 7:24 P.M.

Randy J. Meyer, Mayor

Paul Seymour, City Clerk

CITY OF SHEBOYGAN FALLS COMMON COUNCIL MEETING MINUTES

MAY 4, 2023

CALLED TO ORDER: 6:30 P.M.

ADJOURNED: 6:45 P.M.

Alderspersons present: Pete Weber, Tom Bigler, Jacob Immel, Alan Mayer, Terry Van Engen, and Rachel Howard. Mayor Randy Meyer presiding.

Public Hearing: Mayor Meyer opened the public hearing regarding the 2023 Special Assessment project. No one from the public made an appearance. Alderperson Mayer made a motion to close the public hearing. Alderperson Howard seconded the motion. The motion was carried on a unanimous voice vote of the council. The public meeting closed at 6:31 P.M.

Minutes:

Alderperson Immel made a motion to approve the minutes from April 19, 2023. Alderperson Van Engen seconded the motion. The motion was carried on a unanimous voice vote of the council.

Appearances: Mark Hiebing of 204 Mill Street made an appearance regarding semi traffic on his residential street. He stated that the 10-ton weight limit sign was not an effective means of preventing truck traffic. The Mayor and the Council thanked him for his appearance and Mayor Meyer assigned the matter to the City Services Committee.

Correspondence: None

Announcements: Mayor Meyer announced that there will be a ground-breaking ceremony at the Founders Pointe subdivision on Monday, May 8th, at 3 PM.

General

Alderperson Mayer made a motion to the Conditional Use Permit for SMJZ LLC in Vision Business Park. Alderperson Weber seconded the motion. The motion was carried on a unanimous voice vote of the council.

Alderperson Weber made a motion to approve Resolution No. 4 – A Grant Project Resolution Allowing the City to Submit an Amended Grant Application Requesting Additional Funding for the Accessible Kayak/Canoe and Boat Launch. Alderperson Immel seconded the motion. The motion was carried on a unanimous voice vote of the council.

Alderperson Mayer made a motion to approve the Final Plat of the Founders Pointe subdivision. Alderperson Howard seconded the motion. The motion was carried on a unanimous voice vote of the council.

Alderperson Immel made a motion to approve the National Day of Prayer Proclamation. Alderperson Weber seconded the motion. The motion was carried on a unanimous voice vote of the council.

City Services

Alderperson Weber made a motion to approve Resolution 3 – the Final Resolution concerning the 2023 Special Assessment project. Alderperson Bigler seconded the motion. The motion was carried on a unanimous voice vote of the council.

Alderperson Weber made a motion to approve the awarding of the underground distribution cable replacement bid to H&H Excavating at the price of \$184,900 which made the total project cost come out to \$794,425. Alderperson Howard seconded the motion. The motion was carried on a unanimous voice vote of the council.

Finance & Personnel

Aldersperson Van Engen made a motion to approve the engineering agreement from ECI regarding TDS Telecom installation support. Aldersperson Mayer seconded the motion. The motion was carried on a unanimous voice vote of the council.

Aldersperson Van Engen made a motion to approve the sending of the Notice of Disallowance to Donegal Insurance Group regarding an insurance claim made for the date of January 26, 2023. Aldersperson Weber seconded the motion. The motion was carried on a unanimous voice vote of the council.

Bills

Bills were assigned to Alderspersons Van Engen and Mayer.

Aldersperson Howard made a motion to adjourn. Aldersperson Immel seconded the motion. The motion was carried on a unanimous voice vote of the council.

Randy J. Meyer, Mayor

Paul Seymour, City Clerk

**AN ORDINANCE AMENDING SECTION 1.38 OF THE
MUNICIPAL CODE OF THE CITY OF SHEBOYGAN FALLS
PURCHASING PROCEDURES**

WHEREAS, the Common Council has determined that it is necessary for the efficient management of City operations to update the City’s purchasing procedures.

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

Section 1. **Amending Code.** Section 1.38 of the Municipal Code of the City of Sheboygan Falls is hereby amended to read as follows (additions indicated by underline; deletions by ~~strikeout~~):

“1.38 Purchasing Procedures

The purchasing procedures for purchases by or on behalf of the City shall be as follows:

- (1) Approval Shall First be Obtained, if Required, as Outlined Below:

<u>Type of Purchase</u>	<u>Approval Prerequisite</u>
(a) Budgeted Line Items	No Approval Required
(b) Budgeted Capital Items	Standing Committee Approval Required
(c) Non-Budgeted Items	Full Council Approval Required

- (2) Use of a Written Purchase Order -

- (a) Requirement Defined -

A written purchase order is required for all purchases which will obligate the City to pay for ~~\$250.00~~ \$1,000.00 or more of goods or services from all vendors involved in the purchase transaction.

- (3) Approved Vendors -

The City does not distinguish any vendors with preferential standing regarding purchases.

- (4) Duty of Purchasers -

No purchaser may accept anything of value from a vendor for him/herself or

his/her department in return for placing an order. Any items of value provided by a vendor for placing an order must be turned over to the City for disposal.

(5) Approval of Purchases -

The City will specify procedures from time to time in such form as it considers useful to define how expenditures must be approved. Such procedures do not alter the requirement to use a written purchase order as defined in this Ordinance.”

Section 2. **Repeal of Code.** All ordinances or parts of ordinances heretofore adopted by the City of Sheboygan Falls in conflict herewith are hereby repealed.

Section 3. **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 4. **Effective Date.** This Ordinance shall take effect upon publication as required by law.

Enacted this _____ day of May, 2023.

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.

PAUL SEYMOUR, Clerk



Borrower	Business that is requesting funds
Minimum Requirements	<ul style="list-style-type: none"> * Project located in the corporate limits of the City of Sheboygan Falls * Matching Funds - Equity injection or Borrowed funds from other source of equal or greater amount than what is being requested from RLF. <ul style="list-style-type: none"> * Viable business and financially feasible project * Compliant with local, state, and federal laws and codes * Project must be completed within 36 months from date of approval
Ineligible Businesses	<ul style="list-style-type: none"> Speculative Investment Companies Lending Institutions Gambling Operations
Eligible Uses	<ul style="list-style-type: none"> * Acquisition of business, land, buildings, and fixed equipment * Site preparation, construction or reconstruction of buildings <ul style="list-style-type: none"> * Installation of fixed equipment * Clearance, demolition, or removal of structures or rehabilitation of buildings * Payment of assessments for sewer, water, street or other public utilities <ul style="list-style-type: none"> * Working Capital - Inventory and direct labor only
Ineligible Uses	<ul style="list-style-type: none"> * Refinancing or consolidation of existing debt * Reimbursement for expenditures prior to loan approval * Specialized equipment that is not essential for the business operation <ul style="list-style-type: none"> * Routine maintenance * Professional services like feasibility and marketing studies, accounting, management services * Other activities identified by Loan Review Committee during administration of program
Terms & Conditions	<ul style="list-style-type: none"> * Loan amount subject to availability of program funds and discretion of Loan Review Committee * Term Limits - Working capital maximum of 7 years; Machinery, equipment, and fixtures maximum of 10 years; Real estate maximum term of 20 years. Blended terms may be available based on mixed collateral pledged.
Interest Rate	* Interest rate not to exceed prevailing prime rate
Other costs	Borrower responsible for any third party costs including origination, attorney, title and recordings.
Estimated Monthly Payments	Monthly payments will be determined based on term, amortization, rate, and amount borrowed Automatic payments required from business. No prepayment penalties.
Collateral	Will seek to adequately secure RLF with available collateral. A minimum personal leverage injection of 10% of the entire project cost is required. Exceptions may be considered.
Guarantors	Owners of 20% or more may be asked to personally guarantee.
Other	<ul style="list-style-type: none"> * Borrower must provide completed Loan Application and supporting documents * Subject to Loan Review Committee Underwriting/Approval * Appraisal / Evaluation may be required
Program Contact	<p style="text-align: center;">Shad Tenpas City Administrator 920.467.7900 ext. 102 Shad@citysheboyganfalls.wi.gov</p>

**RESOLUTION APPROVING THE SALE OF
VACANT LAND ON VISION PARKWAY IN THE CITY OF SHEBOYGAN FALLS
TO SMU HOLDINGS CO., LLC**

WHEREAS, the City of Sheboygan Falls, Sign Me Up of Wisconsin, LLC and SMU Holdings Co., LLC entered into a Development Agreement on April 20, 2023; and

WHEREAS, pursuant to the terms and conditions of the Development Agreement, the City of Sheboygan Falls agreed to sell and SMU Holdings Co., LLC agreed to purchase the property (the "Sale") described on Exhibit A, attached hereto and incorporated herein.

NOW, THEREFORE, IT IS RESOLVED that the Common Council of the City of Sheboygan Falls hereby approves the Sale of approximately 2.00 acres of land on Vision Parkway to SMU Holdings Co., LLC and authorizes the Mayor and City Clerk to execute any and all documents required and necessary to complete this Sale.

Adopted this _____ day of May, 2023.

CITY OF SHEBOYGAN FALLS

By: _____
Randy J. Meyer, Mayor

By: _____
Paul Seymour, City Clerk

CERTIFICATION

I hereby certify that the foregoing Resolution was duly adopted by the Common Council of the City of Sheboygan Falls on this _____ day of _____, 2023.

Paul Seymour, City Clerk

EXHIBIT A

Lot 1 of Certified Survey Map, in Volume 31 of Certified Survey Maps, on Pages 93-95, as Document No. 2147743, being a redivision of Lot 12 of Certified Survey Map, in Volume 28 of Certified Survey Maps, on Pages 154-158, as Document No. 2049043 and being part of the Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4) of Section 27, Township 15 North, Range 22 East, City of Sheboygan Falls, Sheboygan County, Wisconsin.

Part of Tax Parcel Number: 59282-918097 (New for 2023: 59282-918121)

TRAVEL APPROVAL & EXPENSE FORM

EMPLOYEE: Bandy Meyer

TRAVEL DAYS REQUESTED: 1

PURPOSE FOR TRAVEL: League Board Meeting & Lobby Day

CITY/DEPARTMENT VEHICLE: DEPT: _____ MAKE: _____

MODEL: _____ LICENSE PLATE #: _____

PERSONAL VEHICLE: KIA Niro AUTOMOBILE CERTIFICATE OF INSURANCE

SUBMITTED TO CITY ADMINISTRATIVE OFFICE _____ (DATE) LICENSE PLATE# _____

INSURANCE COVERAGE - \$100,000/PERSON - \$300,000/INCIDENT - \$100,000/PROPERTY DAMAGE

	ESTIMATE COST OF TRAVEL	ACTUAL COST OF TRAVEL
MEAL	_____	_____
MILEAGE	<u>\$127.53</u>	_____
LODGING	<u>\$90.00/night</u>	_____
REGISTRATION	_____	_____
MISC	_____	_____
TOTAL	<u>217.53</u>	_____

COUNCIL APPROVAL RECEIVED.....(OVERNIGHT TRAVEL ONLY)

_____ DATE

APPROVED BY: _____ SUPERVISOR/DEPT. HEAD/CLERK/ADMINISTRATOR

DATE: _____

VERBAL APPROVAL.....(DAY TRAVEL)

_____ DATE

APPROVED BY: _____ SUPERVISOR/DEPT. HEAD/CLERK/ADMINISTRATOR

THIS FORM MUST BE COMPLETED WITH ALL NECESSARY APPROVALS AND FILED WITH THE CITY ADMINISTRATOR'S OFFICE 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 ADMINISTRATOR'S OFFICE AFTER COMPLETING THE ACTUAL COST SECTION.