



**CITY OF STURGEON BAY COMMON COUNCIL AGENDA  
TUESDAY, DECEMBER 17, 2013  
IMMEDIATELY FOLLOWING BOARD OF PUBLIC WORKS  
WHICH BEGINS AT 6:00 P.M.  
COUNCIL CHAMBERS, CITY HALL – 421 MICHIGAN ST  
THAD G. BIRMINGHAM, MAYOR**

1. Call to order.
2. Pledge of Allegiance.
3. Roll call.
4. Adoption of agenda.
5. Consideration of the following bills: General Fund – \$149,600.83, Capital Fund - \$322.20, Cable TV - \$133.27, TID #3 - \$22,300.00, TID #4 - \$118,399.66, and Solid Waste Enterprise Fund - \$982.94 for a grand total of \$291,738.90. [roll call]
6. **CONSENT AGENDA**
  - \* All items listed with an asterisk (\*) are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests before the Adoption of the Agenda, in which event the item will be removed from the Consent Agenda and considered immediately following the consent agenda.
    - \* a. Approval of 12/3/13 regular Common Council minutes.
    - \* b. Approval of the following minutes:
      - (1) Waterfront Design Review Board – 11/18/13
      - (2) Industrial Park Development Review Team – 11/20/13
      - (3) Personnel Committee – 11/25/13
      - (4) Zoning Board of Appeals – 11/25/13
      - (5) Finance/Purchasing & Building Committee – 11/26/13
      - (6) Personnel Committee – 12/10/13
      - (7) Revolving Loan Review Committee – 12/11/13
    - \* c. Place on file the following reports:
      - (1) Inspection Report – November 2013
      - (2) Police Department Report – November 2013
      - (3) Bank Reconciliation – November 2013
      - (4) Revenue & Expense Report – November 2013
    - \* d. Consideration of: Approval of Beverage Operator licenses.
    - \* e. Personnel Committee recommendation re: Adopt City of Sturgeon Bay Personnel Policies & Employee Handbook.
7. Mayoral appointments.
8. Public hearing re: Vacating & Discontinuance of Certain Streets.

9. Resolution re: Vacating & Discontinuance of Certain Streets.
10. Preliminary Resolution Declaring Intent to Levy Special Assessments Under Municipal Police Powers Pursuant to Section 66.0703, Wis. Stats – Sewer & Watermain installation/extension to service the Maritime Plaza Development.
11. Sturgeon Bay Revolving Loan Fund Committee recommendation re: \$200,000 loan be approved for Ken Glasheen and Steve Sauter DBA The Ladder House to be used for purchase of 38 South Third Avenue subject to conditions.
12. Committee Chairperson Reports:
  - a. Personnel Committee
  - b. Parking & Traffic Committee
  - c. Community Protection & Services Committee
  - d. Sturgeon Bay Utility Commission
13. Public comment on non-agenda items.
14. Mayor's comments.
15. Convene in closed session in accordance with the following exemption:

Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified business, whenever competitive or bargaining reasons require a closed session. Wis. Stats 19.85(1)(e)

Consideration of: Collective bargaining agreements.

Move to reconvene in open session to take formal action upon preceding subject of closed session, if appropriate; or to conduct discussion or give further consideration where the subject is not appropriate for closed session consideration. The Council may adjourn in closed session.
16. Adjourn.

NOTE: DEVIATION FROM THE AGENDA ORDER SHOWN MAY OCCUR.

Posted:

Date: 12-13-13

Time: 12:00

By: JM

CITY OF STURGEON BAY  
DEPARTMENT SUMMARY REPORT

INVOICES DUE ON/BEFORE 12/17/2013

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
GENERAL FUND				
LIABILITIES				
R0001134	PRO-PRODUCTS	PRO-PRODUCT PUB HEAR SIGN REF	01-000-000-23168	50.00
R0001135	MARY BAHLERT	BAHLERT PARK RENTAL REFUND	01-000-000-46300	83.00
R0001135		BAHLERT PARK RENTAL REFUND	01-000-000-46310	-83.00
R0001135		BAHLERT PARK RENTAL REFUND	01-000-000-46310	6.00
R0001135		BAHLERT PARK RENTAL REFUND	01-000-000-24214	0.30
R0001135		BAHLERT PARK RENTAL REFUND	01-000-000-24215	0.03
TOTAL LIABILITIES				56.33
BALLFIELD LIGHTING				
WPPI ENG	WPPI ENERGY	ATHLETIC FLD LIGHT PROJECT	01-000-981-70000	1,365.39
TOTAL BALLFIELD LIGHTING				1,365.39
TOTAL GENERAL FUND				1,421.72
MAYOR				
04696	DOOR COUNTY TREASURER	NOV 13 MAYOR INTERNET	01-100-000-56700	2.70
TOTAL				2.70
TOTAL MAYOR				2.70
LAW/LEGAL				
16555	PINKERT LAW FIRM, LLP	OCT 13 GM LEGAL	01-110-000-55010	459.25
16555		OCT 13 TRFFC MTTTERS	01-110-000-55010	720.00
BUELOW	BUELOW, VETTER, BUIKEMA,	NOV 2013 SPECIAL COUNSEL	01-110-000-57900	1,400.00
TOTAL				2,579.25
TOTAL LAW/LEGAL				2,579.25
CITY CLERK-TREASURER				
04650	DOOR COUNTY REGISTER OF DEEDS	NOVEMBER CHARGES	01-115-000-56350	30.00
04696	DOOR COUNTY TREASURER	NOV 13 CLERKS INTERNET	01-115-000-56700	10.90
13380	TRICIA METZER	METZER EXCEL CLASS REIMB	01-115-000-55600	135.30
13380		METZER EXCEL BOOK REIMB	01-115-000-55600	56.97
17700	QUILL CORPORATION	2014 LABELS	01-115-000-51950	16.72
17700		OFFICE SUPPLIES	01-115-000-51950	118.85
17700		3 BOXES WINDOWLESS ENVELOPES	01-115-000-51950	26.37
R0000394	SAFEGUARD BUSINESS SYSTEMS	25 1099'S	01-115-000-51600	53.64
R0000394		200 ENVELOPES & W-2S	01-115-000-51600	160.88
R0000394		SHIPPING	01-115-000-51600	17.36
TOTAL				626.99
TOTAL CITY CLERK-TREASURER				626.99
ADMINISTRATION				

INVOICES DUE ON/BEFORE 12/17/2013

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
-----				
GENERAL FUND				
04696	DOOR COUNTY TREASURER	NOV 13 ADMIN INTERNET	01-120-000-56700	2.70
		TOTAL		2.70
		TOTAL ADMINISTRATION		2.70
COMPUTER				
04696	DOOR COUNTY TREASURER	NOV 13 TECH SUPPORT	01-125-000-55550	2,500.00
		TOTAL		2,500.00
		TOTAL COMPUTER		2,500.00
CITY ASSESSOR				
04696	DOOR COUNTY TREASURER	NOV 13 ASSESSOR INTERNET	01-130-000-56700	5.40
17700	QUILL CORPORATION	IMAGING UNIT/LASER PRINTER	01-130-000-54999	418.00
		TOTAL		423.40
		TOTAL CITY ASSESSOR		423.40
BUILDING/ZONING CODE ENFORCMENT				
04696	DOOR COUNTY TREASURER	NOV 13 INSPECTION	01-140-000-56700	2.70
09223	INDEPENDENT INSPECTIONS, LTD	NOVEMBER PERMITS	01-140-000-55010	2,890.36
		TOTAL		2,893.06
		TOTAL BUILDING/ZONING CODE ENFORCMENT		2,893.06
MUNICIPAL SERVICES ADMIN.				
04696	DOOR COUNTY TREASURER	NOV 13 ENGINEERING INTERNET	01-145-000-56700	5.40
		TOTAL		5.40
		TOTAL MUNICIPAL SERVICES ADMIN.		5.40
PUBLIC WORKS ADMINISTRATION				
04696	DOOR COUNTY TREASURER	NOV 13 MUN SERV INTERNET	01-150-000-56700	6.75
		TOTAL		6.75
		TOTAL PUBLIC WORKS ADMINISTRATION		6.75
CITY HALL				

INVOICES DUE ON/BEFORE 12/17/2013

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
-----				
GENERAL FUND				
08280	HILL BUILDING MAINTENANCE INC	NOV CLEANING/CITY HALL	01-160-000-55300	590.00
19880	STURGEON BAY UTILITIES	421 MICHIGAN ST	01-160-000-56150	2,226.46
19880		421 MICHIGAN ST	01-160-000-58650	199.42
VIKING	VIKING ELECTRIC SUPPLY, INC	LIGHT BULB /CITY HALL	01-160-000-51850	37.24
TOTAL				3,053.12
TOTAL CITY HALL				3,053.12

GENERAL EXPENDITURES

04696	DOOR COUNTY TREASURER	NOV 13 CITY HALL PHONE SVC	01-199-000-58200	111.39
04696		NOV 13 SBFD PHONE SERVICE	01-199-000-58200	47.30
04696		NOV 13 SBPD PHONE SERVICE	01-199-000-58200	81.46
04696		NOV 13 MUN SVC PHONE SERVICE	01-199-000-58200	32.11
08167	GANNETT WISCONSIN NEWSPAPERS	COUNCIL/LQUOR/ELECT PUBLIC	01-199-000-57450	252.30
08167		PH NOTICE/ PRO PRODUCTS	01-199-000-57450	28.80
16555	PINKERT LAW FIRM, LLP	OCT 13 GM LEGAL	01-199-000-51525	208.25
16590	PITNEY BOWES	METER RENTAL	01-199-000-57250	126.50
TOTAL				888.11
TOTAL GENERAL EXPENDITURES				888.11

POLICE DEPARTMENT

02208	BAYCOM INC.	SQUAD COMPUTER REPAIR	01-200-000-55500	165.00
03134	CELLCOM-STURGEON BAY STORE	BRINKMAN PHONE CASE & CHARGER	01-200-000-55500	42.90
03134		WATERSTREET PHONE	01-200-000-55500	49.95
03134		WATERSTRT PHONE CASE& CHARGER	01-200-000-55500	42.90
03134		ZAGER PHONE	01-200-000-55500	49.95
03134		ZAGER PHONE CASE & CHARGER	01-200-000-55500	42.90
03134		BRINKMAN PHONE	01-200-000-55500	49.95
03134		HOUGAARD PHONE	01-200-000-55500	49.95
03134		HOUGAARD PHONE CASE & CHARGER	01-200-000-55500	42.90
03134		HENRY PHONE	01-200-000-55500	49.95
03134		HENRY PHONE CASE & CHARGES	01-200-000-55500	42.90
04696	DOOR COUNTY TREASURER	NOV 13 POLICE INTERNET	01-200-000-56700	37.80
15890	PACK AND SHIP PLUS	EVIDENCE POSTAGE	01-200-000-57250	9.53
STAPLES	WISCONSIN DOCUMENT IMAGING LLC	5377 BLACK COPIES	01-200-000-55650	43.02
STAPLES		1774 COLOR COPIES	01-200-000-55650	53.22
STAPLES		CYAN INK FOR COPIER	01-200-000-51950	255.53
TIGER	TIGERDIRECT INC.	4 HARD DRIVE SQUAD COMPUTERS	01-200-000-55500	448.86
TOTAL				1,477.21
TOTAL POLICE DEPARTMENT				1,477.21

POLICE DEPARTMENT/PATROL

01766	AURORA MEDICAL GROUP	MRO REVIEW	01-215-000-57100	8.00
01766		SRO ROX DORNER SCREENING	01-215-000-57100	208.00
04150	DE JARDIN CLEANERS LLC	UNIFORM CLEANING SOUTH	01-215-000-56800	24.00

INVOICES DUE ON/BEFORE 12/17/2013

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
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GENERAL FUND				
04545	DOOR COUNTY COOPERATIVE	KEYS	01-215-000-58600	7.74
06650	GALLS, AN ARAMARK COMPANY	UNIFORM BOOTS -SOUTH	01-215-000-52900	61.48
08167	GANNETT WISCONSIN NEWSPAPERS	SEX OFFENDER LISTING	01-215-000-58999	84.00
19880	STURGEON BAY UTILITIES	110 S NEENAH AVE CAMERA	01-215-000-56150	10.50
20254	TIP TOP CLEANERS	UNIFORM CLEANING MIELKE	01-215-000-56800	9.12
20254		UNIFORM CLEANING HOUGAARD	01-215-000-56800	4.50
20254		UNIFORM CLEANING MOGEN	01-215-000-56800	5.45
21450	THE UNIFORM SHOPPE	SHIRTS OFCR DORNER	01-215-000-52950	124.40
23828	WITT PENINSULA FORD LINCOLN	MAINTENANCE UNTI #60	01-215-000-58600	262.19
23828		MAINTENANCE # 50	01-215-000-58600	20.00
23828		MAINTENANCE CSO CROWN ROYAL	01-215-000-58600	44.32
23828		MAINTENANCE #40	01-215-000-58600	20.00
23828		MAINTENANCE # 60	01-215-000-58600	20.00
23828		MAINTENANCE # 20	01-215-000-58600	164.71
23828		MAINTENANCE # 10	01-215-000-58600	133.30
23828		MAINTENANCE # 10	01-215-000-58600	24.95
23828		MAINTENANCE EXPEDITION	01-215-000-58600	204.94
SAFE	SAFE BOATS INTERNATIONAL LLC	BOAT MAINTENANCE	01-215-000-58600	336.35
		TOTAL		1,777.95
		TOTAL POLICE DEPARTMENT/PATROL		1,777.95
POLICE DEPT. / INVESTIGATIONS				
04545	DOOR COUNTY COOPERATIVE	OWI PEN LIGHT/MOGEN	01-225-000-57950	12.99
ACCURINT	LEXISNEXIS	NOV 2013 CONTRACT FEE	01-225-000-57950	80.00
GUARD	DOOR GUARD SECURITY	SECURITY FOOTAGE RECOVERY	01-225-000-57950	50.00
		TOTAL		142.99
		TOTAL POLICE DEPT. / INVESTIGATIONS		142.99
FIRE DEPARTMENT				
01766	AURORA MEDICAL GROUP	RESPIR EVAL	01-250-000-57100	16.00
03075	CARQUEST OF DOOR COUNTY	CREDIT RETURN	01-250-000-53000	-31.71
03075		EXHAUST CLAMP	01-250-000-53000	4.47
03159	CHARTER COMMUNICATIONS	WSIDE FD CABLE	01-250-000-54999	67.58
04150	DE JARDIN CLEANERS LLC	REPAIR TURNOUT GEAR	01-250-000-54999	55.00
04575	DOOR COUNTY HARDWARE	BLSTER PAC/VALVE/LOCK EASE	01-250-000-53000	11.57
04575		SCOTCHGARD	01-250-000-54999	26.97
04575		AIR HOSE/GORILLA TAPE	01-250-000-54999	37.98
04575		FASTENERS	01-250-000-54999	2.87
04575		PIN /ACH SHCKLW/PIN	01-250-000-53000	13.48
04575		CREDIT RETURN	01-250-000-53000	-13.48
04575		LAG BOLT/UNDERCOAT/BALL HOOK	01-250-000-53000	16.46
04575		LIQUID WRENCH	01-250-000-54999	7.99
04575		SAWZAL BLDES/SCRW DR SET/BLADE	01-250-000-52700	75.96
04575		WAVEBRAKE/ GARB GRIP	01-250-000-52700	74.97
04575		THREAD SEAL TAPE	01-250-000-54999	1.49
04575		PAINT BRUSH/ACETONE	01-250-000-54999	12.36
04696	DOOR COUNTY TREASURER	NOV 13 FIRE DEPT INTERNET	01-250-000-56700	16.20
11700	KALIN MONTEVIDEO	3 UNIFORM SHIRTS	01-250-000-52900	49.55

INVOICES DUE ON/BEFORE 12/17/2013

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
-----				
GENERAL FUND				
11700		UNIFORM BELT	01-250-000-52900	10.55
13320	JEFFERSON FIRE & SAFETY, INC	FIRE BOOTS/M SMITH	01-250-000-51350	147.03
13360	MENARDS-GREEN BAY EAST	WST SIDE TOILET	01-250-000-51350	147.00
13842	MOTOROLA	PAGER REPAIR	01-250-000-57550	78.00
14000	NAPA AUTO PARTS	WATER PUMP UNIT #8	01-250-000-53000	136.98
17700	QUILL CORPORATION	DAILY JOURNAL	01-250-000-54999	31.49
19880	STURGEON BAY UTILITIES	92 E MAPLE STREET	01-250-000-56675	5.20
19880		421 MICHIGAN ST TRUCK FILL	01-250-000-56675	74.00
19880		MEM FLD SPRINKLER	01-250-000-56675	42.00
19880		MEMORIAL WARMING HOUSE	01-250-000-56675	69.99
19880		N 7TH PL GARLAND PARK	01-250-000-56675	5.20
19880		GIRLS LITTLE LEAGUE	01-250-000-56675	42.00
19880		FIRE PROTECTION	01-250-000-56675	8,720.75
19880		QUINCY BAY SHIP PIT	01-250-000-56675	42.00
19880		N MADISON AVE SPRINKLG	01-250-000-56675	13.00
19880		PENNSYLVAINA DOCK	01-250-000-56675	13.00
19880		1018 GREEN BAY RD SIREN	01-250-000-56150	15.45
19880		EAST SIDE DOCK	01-250-000-56675	5.20
19880		107 N 1ST AVE MARINA/RESTRM	01-250-000-56675	42.00
19880		N 1ST AVE CITY PARKING RAMP	01-250-000-56675	5.20
19880		48 KENTUCKY ST DOCK	01-250-000-56675	17.56
19880		48 KENTUCKY ST CITY MARINA	01-250-000-56675	56.10
19880		421 MICHIGAN ST	01-250-000-56675	78.00
20725	T R COCHART TIRE CENTER	4 TIRES UNIT # 2	01-250-000-53000	1,836.00
BLUE TRP	BLUE TARP FINANCIAL	MEMBERSHIP NORTHERN TOOL	01-250-000-56000	39.99
CJ	CJ WORKS, LLC	NOV LAUNDRY	01-250-000-56800	67.50
O'REILLY	O'REILLY AUTO PARTS	THERMOSTAT	01-250-000-53000	18.37
O'REILLY		ANTI FREEZE UNIT #8	01-250-000-53000	25.98
O'REILLY		ANTI FREEZE	01-250-000-53000	12.99
WARNER	WARNER-WEXEL WHOLESALE &	ROLL TOWELS	01-250-000-54999	55.38
WIEGANDB	BRENT WIEGAND	FLASH LITE & WEDGE	01-250-000-52900	35.01
		TOTAL		12,334.63
		TOTAL FIRE DEPARTMENT		12,334.63
SOLID WASTE MGMT/SPRING/FALL				
PALMER	PALMER JOHNSON POWER SYSTEMS	CLUTCH KIT	01-311-000-53000	647.42
		TOTAL		647.42
		TOTAL SOLID WASTE MGMT/SPRING/FALL		647.42
ROADWAYS/STREETS				
04696	DOOR COUNTY TREASURER	7.53 TON HOT MIX ASPHALT	01-400-000-52200	317.17
		TOTAL		317.17
		TOTAL ROADWAYS/STREETS		317.17
STREET MACHINERY				

INVOICES DUE ON/BEFORE 12/17/2013

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
03075	CARQUEST OF DOOR COUNTY	CABIN AIR FILTER	01-450-000-52150	48.45
03075		MISC FILTERS	01-450-000-52150	69.22
06005	FABCO EQUIPMENT INC	REBLD VALVE BODY/FLUSH HYD SYS	01-450-000-53000	5,084.74
11880	L&S TRUCK CENTER	IDLE PULLEY	01-450-000-53000	132.16
TOTAL				5,334.57
TOTAL STREET MACHINERY				5,334.57
HIGHWAYS - GENERAL				
19880	STURGEON BAY UTILITIES	OLD HWY RD SIGN	01-499-000-58000	11.26
19880		808 S DULUTH AVE SIGN	01-499-000-58000	15.01
19880		EGG HRBR RD TRFFIC LITE	01-499-000-58000	24.03
19880		N 14TH & EGG HRBR TRAF LITE	01-499-000-58000	26.29
19880		W S TRAFFIC LIGHTS	01-499-000-58000	152.35
19880		ORNAMENTAL ST LIGHT	01-499-000-58000	5,737.09
19880		OVERHEAD ST LIGHTS	01-499-000-58000	8,500.87
19880		WALNUT DR & LANSING SIGN	01-499-000-58000	10.50
19880		EAST SIDE DOCK	01-499-000-58000	78.32
19880		SHIPYARD DEV LITES	01-499-000-58000	68.61
TOTAL				14,624.33
TOTAL HIGHWAYS - GENERAL				14,624.33
PARK & RECREATION ADMIN				
04696	DOOR COUNTY TREASURER	NOV 13 PARKS INTERNET	01-500-000-56700	4.05
TOTAL				4.05
TOTAL PARK & RECREATION ADMIN				4.05
PARKS AND PLAYGROUNDS				
02435	BISSEN ASPHALT LLC	QUARRY WASH	01-510-000-51750	27.43
02435		QUARRY WASH	01-510-000-51750	24.50
03075	CARQUEST OF DOOR COUNTY	AIR FILTER	01-510-000-53000	11.39
03075		FUEL FILTER	01-510-000-53000	4.01
03075		SCRW JACK/INSULATED LEAD	01-510-000-53000	37.78
03075		SWITCH/CONDUCTR/BLUE FORD	01-510-000-53000	12.19
03075		SWITCHS/TRACT PARTS	01-510-000-53000	1.13
03075		BEARING	01-510-000-53000	13.86
11800	KRUEGER IMPLEMENT INC	MC28 PARTS	01-510-000-53000	49.32
13360	MENARDS-GREEN BAY EAST	120 GAL RV ANTI FREEZE	01-510-000-54999	298.80
19880	STURGEON BAY UTILITIES	S 3RD & OREGON MARTIN PARK	01-510-000-56150	8.24
19880		MEMORIAL WARMING HOUSE	01-510-000-56150	80.08
19880		MEMORIAL WARMING HOUSE	01-510-000-58650	25.68
19880		N 7TH PL GARLAND PARK	01-510-000-56150	8.24
19880		FLAG LIGHT 5TH & MICH	01-510-000-56150	37.74
19880		MEM FLD PARKING LOT	01-510-000-56150	8.24
19880		GIRLS LITTLE LEAGUE	01-510-000-56150	35.31

INVOICES DUE ON/BEFORE 12/17/2013

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
GENERAL FUND				
L&P	L&P CONVENIENT STORE SBAY LLC	PREMIUM GAS	01-510-000-51650	14.76
WARNER	WARNER-WEXEL WHOLESALE &	PAPER TOWEL/TOILET PAPER	01-510-000-54999	150.25
TOTAL				848.95
TOTAL PARKS AND PLAYGROUNDS				848.95
BALLFIELDS				
12100	LAMPERT YARDS INC	PBI DUG OUT ROOF/FASCIA MATER	01-520-000-54999	1,793.28
TOTAL				1,793.28
TOTAL BALLFIELDS				1,793.28
MUNICIPAL DOCKS				
14920	NORTHERN ELECTRIC INC	BALLAST REMOVAL & REPLACEMENT	01-550-000-55900	694.88
TOTAL				694.88
TOTAL MUNICIPAL DOCKS				694.88
WATER WEED MANAGEMENT				
14000	NAPA AUTO PARTS	FITTING RETURN	01-560-000-51400	-44.91
14000		CONNECTOR	01-560-000-51400	11.01
TOTAL				-33.90
TOTAL WATER WEED MANAGEMENT				-33.90
WATERFRONT PARKS & WALKWAYS				
19880	STURGEON BAY UTILITIES	W LARCH ST WALKWAY LTS	01-570-000-56150	142.83
19880		W LARCH ST PARKING LOT	01-570-000-56150	45.58
19880		48 KENTUCKY ST WTR FRT	01-570-000-56150	285.94
19880		107 N 1ST AVE MARINA/RESTRM	01-570-000-56150	60.56
19880		107 N 1ST AVE MARINA/RESTRM	01-570-000-58650	54.42
19880		N 1ST AVE CITY PARKING RAMP	01-570-000-56150	412.51
TOTAL				1,001.84
TOTAL WATERFRONT PARKS & WALKWAYS				1,001.84
EMPLOYEE BENEFITS				
03780	COUNSELING ASSOCIATES OF DC	DECEMBER EAP	01-600-000-56553	150.83
23674	WISCONSIN DEPT OF WORFORCE	NOVEMBER 13 UNEMPLOYMENT	01-600-000-50370	283.12
TOTAL				433.95

INVOICES DUE ON/BEFORE 12/17/2013

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
-----				
GENERAL FUND				
			TOTAL EMPLOYEE BENEFITS	433.95
COMMUNITY & ECONOMIC DEVLPMT				
01510	AMERICAN PLANNING ASSOC	APA MEMBERSHIP	01-900-000-56000	260.00
01510		WI CHAPTER	01-900-000-56000	45.00
01510		AICP MEMBERSHIP	01-900-000-56000	145.00
04696	DOOR COUNTY TREASURER	NOV 13 COMM DEV INTERNET	01-900-000-56700	5.40
		TOTAL		455.40
		TOTAL COMMUNITY & ECONOMIC DEVLPMT		455.40
		TOTAL GENERAL FUND		56,257.92
CAPITAL FUND				
PATROL				
04545	DOOR COUNTY COOPERATIVE	MATERIALS PORT SEC GRANT	10-215-000-59999	26.72
12100	LAMPERT YARDS INC	1X4 PINE/PORT SECURITY	10-215-000-59999	9.49
AQUA	AQUA CENTER OF GREEN BAY INC	PELICAN FLOAT MARKERS	10-215-000-59999	85.99
BIRMING	BIRMINGHAM BUILDERS INC	LIFT	10-215-000-59999	80.00
BIRMING		TRANSPORT	10-215-000-59999	120.00
		TOTAL		322.20
		TOTAL PATROL		322.20
		TOTAL CAPITAL FUND		322.20
CABLE TV				
CABLE TV / GENERAL				
03159	CHARTER COMMUNICATIONS	CB MUSIC SERVICE	21-000-000-56700	33.27
04696	DOOR COUNTY TREASURER	NOV 13 PEG INTERNET	21-000-000-56700	100.00
		TOTAL CABLE TV / GENERAL		133.27
		TOTAL CABLE TV / GENERAL		133.27
		TOTAL CABLE TV		133.27
TID #3 DISTRICT				
R0000620	ROBERT W BAIRD & CO	FIN ADV SVC RE: \$1.755 REF BON	27-330-000-58999	17,500.00
R0000620		OS PREP SVC RE: \$1.755 REF BON	27-330-000-58999	4,800.00
		TOTAL		22,300.00
		TOTAL TID #3 DISTRICT		22,300.00
		TOTAL TID #3 DISTRICT		22,300.00

DATE: 12/10/2013  
TIME: 15:44:22  
ID: AP443000.CST

CITY OF STURGEON BAY  
DEPARTMENT SUMMARY REPORT

PAGE: 9

INVOICES DUE ON/BEFORE 12/17/2013

VENDOR #	NAME	ITEM DESCRIPTION	ACCOUNT #	AMOUNT DUE
-----				
TID #4 DISTRICT				
TID #4 DISTRICT				
AYRES	AYRES ASSOCIATES, INC	PROF SERV THRU 11.2.13	28-340-000-59130	1,410.32
OSTRENGA	OSTRENGA EXCAVATING, INC.	RAZING CO-OP BUILDINGS	28-340-000-59143	102,057.00
VANDEW	VANDEWALLE & ASSOCIATES, INC	PROF SERVICES THRU 11.20.13	28-340-000-58999	14,932.34
		TOTAL		118,399.66
		TOTAL TID #4 DISTRICT		118,399.66
		TOTAL TID #4 DISTRICT		118,399.66
SOLID WASTE ENTERPRISE				
SOLID WASTE ENTERPRISE FUND				
SOLID WASTE ENTERPRISE FUND				
04603	HALRON LUBRICANTS INC	55 GAL DRUM DEF	60-000-000-51650	140.12
04603		DRUM CORE RETURN	60-000-000-51650	-20.00
14000	NAPA AUTO PARTS	SWITCH PUSH BUTTON	60-000-000-53000	7.03
15995	PACKER CITY INTERNATIONAL, INC	2 TRANS FILTERS	60-000-000-53000	105.86
15995		2 OIL FILTERS	60-000-000-53000	57.50
15995		2 CSTRANSYND	60-000-000-53000	456.24
15995		AIR FILTERS # 39 & #41	60-000-000-53000	229.70
O'REILLY	O'REILLY AUTO PARTS	MOMENT PUSH BUTTN SWTCH # 40	60-000-000-53000	6.49
		TOTAL SOLID WASTE ENTERPRISE FUND		982.94
		TOTAL SOLID WASTE ENTERPRISE FUND		982.94
		TOTAL SOLID WASTE ENTERPRISE		982.94
		TOTAL ALL FUNDS		198,395.99

**MANUAL CHECKS**

WPPI \$ 92,843.42  
12/2/2013  
Check #73837  
DECEMBER HEALTH INSURANCE  
VARIOUS DEPARTMENT ACCOUNTS

FIRST NATIONAL BANK \$ 143.52  
OMAHA  
12/4/13  
Check # 73887  
HOSTING OF CITY WEBSITE  
01-199-000-51100

BENEFIT ADVANTAGE \$ 128.00  
12/5/2013  
Check # 73891  
DECEMBER CAFETERIA PLAN FEES  
01-600-000-50510

BP AMOCO \$ 10.77  
12/5/13  
Check # 73891  
FEES  
01-199-000-51520

US BANK EQUIPMENT FINANCE \$ 217.20  
12/6/13  
Check # 73893  
RICOH COPIER LEASE  
01-200-000-55650

**TOTAL MANUAL CHECKS \$93,342.91**

INVOICES DUE ON/BEFORE 12/17/2013

VENDOR # NAME ITEM DESCRIPTION ACCOUNT # AMOUNT DUE

SUMMARY OF FUNDS:

GENERAL FUND	<del>56,257.92</del>	149,600.83
CAPITAL FUND	322.20	
CABLE TV	133.27	
TID #3 DISTRICT	22,300.00	
TID #4 DISTRICT	118,399.66	
SOLID WASTE ENTERPRISE	982.94	
TOTAL --- ALL FUNDS	<del>198,395.99</del>	291,738.90

 12-10-13  
 12-10-13

COMMON COUNCIL  
December 3, 2013

A regular meeting of the Common Council was called to order at 7:00 p.m. by Mayor Birmingham. The Pledge of Allegiance was recited. Roll call: Wiegand, Vandertie, Wiesner, Stutting, Fett and Schlicht were present. Ireland was excused.

Schlicht/Fett to adopt agenda. Carried.

Stutting/Fett to approve following bills: General Fund - \$37,884.88, Capital Fund - \$286,536.22, Cable TV - \$4,390.00, TID #3 - \$507.00, TID #4 - \$2,314.00, and Solid Waste Enterprise Fund - \$3,291.73 for a grand total of \$334,923.83. Roll call: All voted aye. Carried.

Fett/Schlicht to approve consent agenda:

- a. Approval of 11/19/13 regular Common Council minutes.
- b. Approval of the following minutes:
  - (1) Waterfront Design Review Board – 11/12/13
  - (2) Finance/Purchasing & Building Committee – 11/12/13
  - (3) Cable Communication System Advisory Council – 11/14/13
  - (4) Community Protection & Services Committee – 11/14/13
- c. Place on file the following reports:
  - (1) Police Department Report – October 2014

Carried.

There were no mayoral appointments.

Wiegand/Schlicht to approve the following appointment:

**DCEDC Board of Directors**

Thad Birmingham, Mayor (2 year term)

Carried.

Stutting/Wiegand to adopt a resolution adopting Farm Market Fees. Carried.

Wiegand/Schlicht to adopt resolution awarding the sale of approximately \$5,585,000 general obligation refunding bonds. Carried.

Gary Nault, 711 Hickory Street, spoke on the resolution regarding keeping Asian Carp out of the Great Lakes. Schlicht/Stutting to adopt resolution regarding keeping Asian Carp out of the Great Lakes. Carried.

RECOMMENDATION

We, the Community Protection & Services Committee, hereby recommend to exercise the option to renew the personal services contract with Mann Communications, LLC for an additional term of one year commencing January 1, 2014 and ending December 31, 2014.

COMMUNITY PROTECTION & SERVICES COMMITTEE

By: Stewart Fett, Chr.

Introduced by Fett. Fett/Wiesner to adopt. Carried.

City Plan Commission Chair Wiegand, Finance/Purchasing & Building Committee Chair Stutting and Park & Recreation Committee Chair Wiegand presented reports for their respective committees/commissions.

No one spoke during public comment.

The Mayor did not have any comments.

After the Mayor announced the statutory basis, Schlicht/Fett to convene in closed session in accordance with the following exemption: Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified business, whenever competitive or bargaining reasons require a closed session – Wis. Stats. 19.85(1)(e) – Consideration of: Purchase of public park property. Roll call: All voted aye. Carried. The meeting moved to closed session at 7:15 p.m. and adjourned 7:45 p.m.

Respectfully submitted,

Handwritten signature of Stephanie L. Reinhardt in cursive script.

Stephanie L. Reinhardt  
City Clerk/Human Resources Director

**WATERFRONT REDEVELOPMENT AUTHORITY**

Monday, November 18, 2013

A meeting of the Waterfront Redevelopment Authority was called to order at 2:00 p.m. by Chairperson Tom Herlache in Community Room, City Hall, 421 Michigan Street.

**Roll call:** Members Rick Wiesner, Joe Stutting, John Asher, Tom Herlache, Ross Schmelzer, and William Galligan were present. Excused: Member Thomas Wulf. Also present were City Administrator Steve McNeil, Mayor Thad Birmingham, Vandewalle Consultants Dean Proctor and Jolena Presti (by teleconference), DCEDC Executive Director Bill Chaudoir, Alderman Ron Vandertie, Community Development Director Marty Olejniczak, and Community Development Secretary Cheryl Nault.

**Adoption of agenda:** Moved by Mr. Galligan, seconded by Mr. Asher to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from October 28, 2013.
4. Consideration of: Design of the public waterfront improvements.
5. Consideration of: Waterfront lease with Selvick Marine Towing.
6. Consideration of: Update regarding West Waterfront Redevelopment activities.
7. Convene in closed session in accordance with the following exemption:  
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. 19.85(1)(e).  
Consideration of: Potential Development incentives for West Side Redevelopment Project.  
Move to reconvene in open session to take formal action upon preceding subject of closed session, if appropriate; or to conduct discussion or give further consideration where the subject is not appropriate for closed session consideration. The Authority may adjourn in closed session.
8. Adjourn.

Carried.

**Approval of minutes from October 28, 2013:** Moved by Mr. Asher, seconded by Mr. Schmelzer to approve the minutes from October 28, 2013. All ayes. Carried.

**Consideration of: Design of the public waterfront improvements:** Mr. Proctor presented the revised plans which incorporate the comments from the last meeting, such as changing Commercial Pier to Pier; removing the tugboats, showing the walkway continuing around the Tug Purves; the public fishing area near the Oregon St. Bridge is paved instead of gravel; the Maritime Museum expansion is shown, with potential vehicular access between the Brew Pub and the Museum, as well as a public walkway shown as a dashed line.

Mr. Galligan questioned whether or not a ramp or bridge walkway could be constructed by the Michigan Street Bridge crossing over to the Applebees parking lot. Ms. Presti responded there is not enough room in that area for a ramp.

After further discussion, it was moved by Mr. Galligan, seconded by Mr. Schmelzer to approve the "bird's eye view" as a concept view of the design of the public waterfront improvements. All ayes. Carried.

**Consideration of: Waterfront lease with Selvick Marine Towing:** Mr. McNeil stated that the City has met with the Selvicks and they have no issues other than they want a place in Sturgeon Bay. They are not at a point where anything is final. Options for relocation of the tugs include: Sunset Park Boat Launch, which could cost approximately \$1 Million to construct the facility, or Bay Ship, with room in the summer, but would have to find an alternative location in the winter, such as the East Side Dock.

Mr. Olejniczak stated that the Harbor Assistance Grant Program would be the most likely source in terms of obtaining grants for a facility. He added that the Selvicks could also be asked to pay some or all of the cost of the analysis.

Mr. Asher suggested talking to Tom Drager at Roen Salvage, as well as engineering consultant Dave Wentland, to come up with a rough estimate for engineering the construction.

Mayor Birmingham expressed his opinion and said the City should own the facility and control how it is used. The lease could be a higher amount than what it is now. We should wait and see what kind of grants we are eligible for before we partner with potential private entities.

City staff was directed to actively work on solutions to relocate the tugboats.

**Consideration of: Update regarding West Waterfront Redevelopment activities:** Mr. Olejniczak stated that in regard to the title issue, questioning if the City really owned the property in the eyes of the DNR, the City met with Jean Rombach-Bartels, who is the Northeast District head of the DNR. She seemed very supportive and will do whatever she can to help the City out. The Co-op buildings have all been taken down except for the grain elevator. A partially filled concrete bunker with molasses was found during demolition. The Coastal Management Grant to do initial construction and final engineering of the waterfront improvements has been applied for. We will find out in January if the grant is recommended for funding.

Ms. Presti added that they are continuing to work with a prospective residential developer on the Bargain Corner site at the corner of Maple Street and Madison Avenue.

**Consideration of: Convene in closed session in accordance with the following exemption:**

**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. 19.85(1)(e).

**Consideration of: Potential Development incentives for West Side Redevelopment Project.**

**Move to reconvene in open session to take formal action upon preceding subject of closed session, if appropriate; or to conduct discussion or give further consideration where the subject is not appropriate for closed session consideration. The Authority may adjourn in closed session.**

After Chairperson Herlache announced the statutory basis, it was moved by Mr. Asher, seconded by Mr. Galligan to convene in closed session. All ayes. Carried. The meeting moved to closed session at 2:45 p.m.

Mr. Stutting left the meeting at 3:26 p.m.

Moved by Mr. Galligan, seconded by Mr. Asher to adjourn. Carried. The meeting adjourned in closed session at 3:46 p.m.

Respectfully Submitted,

  
Cheryl Nault  
Community Development Secretary

**Industrial Park Development Review Team**  
Wednesday, November 20, 2013

A meeting of the Industrial Park Development Review Team was called to order at noon by Chairperson Ed Ireland in Community Room, City Hall, 421 Michigan Street.

**Roll call:** Members Ed Ireland, William Murrock, and Alternate Bill Chaudoir were present. Also present were Pro-Products representatives Steven Hurley and Sandy Hurley, Ourown Construction representative Duane Magnin, City Administrator Steve McNeil, Community Development Director Marty Olejniczak, and Community Development Secretary Cheryl Nault.

**Adoption of Agenda:** Moved by Mr. Murrock, seconded by Mr. Chaudoir to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from October 9, 2013.
4. Consideration of: Proposed addition for Pro-Products, Inc., located at 918 S. Lansing Ave.
5. Adjourn.

Carried.

**Approval of minutes from October 9, 2013:** Moved by Mr. Chaudoir, seconded by Mr. Murrock to approve the minutes from October 9, 2013. Carried.

**Consideration of: Proposed addition for Pro-Products, Inc., located at 918 S. Lansing Ave.:** Mr. Hurley presented the proposed plans for a 50' x 125' addition to Pro-Products. The addition will also include a second loading dock to have more flexibility as far as shipping and receiving functions. Seven parking stalls will be added.

Mr. Olejniczak reported that the stormwater management, designed by Baudhuin, Inc., has been properly engineered and approved by the City.

Mr. Hurley stated the pond located at the northwest corner is not intended to be a wet pond. There will be three trees planted by the pond and one by the front of the building to meet the landscaping requirements.

In regard to the parking, Mr. Olejniczak stated that paving up to the street right-of-way line would ensure double tier parking against the building and parking against the street. A variance is needed for the parking area to be located up to the street right-of-way and will be going to the ZBA on the 25<sup>th</sup>. The minimum setback in the Industrial Park is 10' from the street right-of-way. There would be room to plant trees in the right-of-way, but is problematic being there are wires above that area.

Mr. Hurley said the paving will go to the edge of the building and continue with gravel in the fire lane.

Mr. Magnin stated that the addition will be the same construction, height, width, and color as the existing building. The water will be caught from the gutter and piped to the storm chamber system at the north end of the building. The loading dock will be located in front, with a service door in back of the proposed addition.

Mr. Chaudoir referred to a letter from Alderman Wiesner, who mentioned that a few of the neighboring residents on Lansing Avenue would like parking issues, where snow will be stored,

and additional vegetation around the dumpster be addressed. Another letter from Leanne Schartner, 944 S. Lansing Avenue, was also received who had the same concerns. Mr. Chaudoir suggested planting trees along the street right-of-way instead of having three trees around the pond, as long as it would not interfere with wires or snow plowing. That would help address the noise issue.

After further discussion, it was moved by Mr. Chaudoir, seconded by Mr. Murrock to approve the proposed addition, subject to Mr. Olejniczak working with Pro-Products to investigate the feasibility of relocating one or two trees shown by the pond into the treelawn area to address the screening and noise issue. All ayes. Carried. Mr. Olejniczak will confer with the City Forester.

**Adjourn.** Moved by Mr. Chaudoir, seconded Mr. Murrock to adjourn. Carried. Meeting adjourned at 12:24 p.m.

Respectfully submitted,



Cheryl Nault  
Community Development Secretary

PERSONNEL COMMITTEE  
November 25, 2013

A meeting of the Personnel Committee was called to order by Chairperson Stutting at 5:00 pm in the second floor conference room. Roll call: Members Stutting, Fett, and Vandertie were present. Also present: City Administrator McNeil and City Clerk/Human Resources Director Reinhardt.

Moved by Mr. Fett, seconded by Mr. Stutting to adopt the following agenda:

1. Call to order.
2. Roll call.
3. Adoption of agenda.
4. Convene in closed session in accordance with the following exemption:

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. Wis. Stats. 19.85(1)(e)

Consideration of: Successor Agreement with the Sturgeon Bay Professional Police Officer's Union.

Move to reconvene in open session to take formal action upon preceding subject of closed session, if appropriate; or to conduct discussion or give further consideration where the subject is not appropriate for closed session consideration. The Committee may adjourn in closed session.

5. Adjourn.

Carried.

After the Chairperson announced the statutory basis, it was moved by Mr. Fett, seconded by Mr. Vandertie to convene in closed session. Roll call: All voted aye. Carried. The meeting moved to closed session at 5:01 p.m.

The meeting adjourned in closed session at 5:12 p.m.

Respectfully submitted,



Stephanie L. Reinhardt  
City Clerk/Human Resources Director

ZONING BOARD OF APPEALS  
Monday, November 25, 2013

The City of Sturgeon Bay Zoning Board of Appeals meeting was called to order at 7:02 p.m. by Chairperson William Murrock in Council Chambers, City Hall, 421 Michigan Street.

Roll call: Members William Murrock, Jack Gigstead, Bill Chaudoir, James Goodwin, and Alternate Wayne Spritka were present. Excused: Member Andrew Starr. Also present were City Administrator Steve McNeil and Community Development Secretary Cheryl Nault.

**Adoption of agenda:** Moved by Mr. Gigstead, seconded by Mr. Chaudoir to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Approval of minutes from June 10, 2013.
4. Public hearing: Variance request from Pro-Products, Inc., 918 S. Lansing Ave., to allow a parking area less than the required minimum distance from the street right-of-way line.
5. Consideration of: Variance request from Pro-Products, Inc., 918 S. Lansing Ave., to allow a parking area less than the required minimum distance from the street right-of-way line.
6. Adjourn.

Carried.

**Approval of minutes from June 10, 2013:** Moved by Mr. Gigstead, seconded by Mr. Chaudoir to approve the minutes from June 10, 2013. Carried.

**Public hearing: Variance request from Pro-Products, Inc., 918 S. Lansing Ave., to allow a parking area less than the required minimum distance from the street right-of-way line:** Chairperson Murrock opened the public hearing at 7:09 p.m.

Pro-Products representative Steven Hurley stated that they are requesting a variance to allow the parking area to go up to the right-of-way line. Their business is growing and needs to expand the parking lot to allow for more employees. An addition is planned and will limit the geographic area as to where to put parking spaces. There would still be approximately 10-12 feet of grass area between the edge of the parking area and curb. An additional seven parking spaces would be added. They did attempt to purchase additional property across the street, but their request was denied.

Mr. Chaudoir explained that the design of the addition, building facade, and site plan was recently approved by the IPDRT, subject to planting four trees in the tree lawn between the curb and parking area. There are also power lines above the tree lawn, so the City Forester provided them with a list of trees appropriate for that area.

Mr. Hurley was not aware of the minimum 10-foot setback from the right-of-way line in the Industrial Park and has already paved the parking area to the right-of-way line.

Mr. McNeil referred to Mr. Olejniczak's zoning administrator's report. The request is to pave the parking area up to the property line, which leaves a buffer of 10-12 feet of green space to the edge of the asphalt. The 10-foot setback only pertains to the Industrial Park. The setback in other parts of the City is 5 feet. He pointed out that the 10-foot setback was not in place in older portions of the Industrial Park. Most of those businesses are constructed right up to the right-of-way. The City has offered, during the winter time, to plow Cherry Blossom Park so Pro-Products would have a place for employees to park and keep the cars off the street during snow plowing.

Mr. Hurley added that there are 29 proposed parking spaces, and the largest shift has 28 employees. Currently, cars are parked on the street during shift changing time. That would be eliminated when using Cherry Blossom Park.

Richard Wiesner, 47 S. Neenah Ave., Alderman for District 4, spoke on behalf of residents in his district. They are not against the variance. They are hoping to get vehicles off the road to clean up the area. Another concern was where the plowed snow would be placed.

Mr. Goodwin read two letters of correspondence. The first one was from Rick Wiesner, District 4 Alderman, with concerns of parking, snow storage, and addition of more vegetation/bushes planted around the dumpster to control noise pollution from the early morning dumpster emptying.

The second letter was from Leanne Schartner, 944 S. Lansing Ave., who stated that expansion is a great thing for the community, but was concerned about the safety issues and noise that continue to grow with every expansion of Pro-Products.

Mr. Hurley responded to a few of the comments that were read in the letters of correspondence, including having the option of hauling the snow away if the snow storage became a problem.

Mr. McNeil reminded Board members that the only thing they are to act on is the variance regarding the setback.

The public hearing was declared closed at 7:35 p.m.

**Consideration of: Variance request from Pro-Products, Inc., 918 S. Lansing Ave., to allow a parking area less than the required minimum distance from the street right-of-way line:** Mr. Gigstead stated he would like to see a few more trees than what is shown on the plan.

After further discussion, it was moved by Mr. Chaudoir, seconded by Mr. Goodwin to approve the request for the parking setback, subject to the installation of at least six trees along the tree lawn area, with the input and guidance of the City Forester; and to ensure that all parking spaces shown on the plan are maintained and available for parking on all normal workdays.

The reasons given for the approval include:

1. The business is growing and located on a site that is small and on the edge of the Industrial Park near residential uses. This creates issues of congestion, noise and on-street parking that are not prevalent in other areas of the Industrial Park.
2. To avoid on-street parking, the business needs to accommodate as much onsite parking as possible.

Roll call vote. All ayes. Carried.

**Adjourn:** Moved by Mr. Chaudoir, seconded by Mr. Gigstead to adjourn. Carried. Meeting adjourned at 7:25 p.m.

Respectfully submitted,

  
Cheryl Nault  
Community Development Secretary

**FINANCE/PURCHASING & BUILDING COMMITTEE**  
**November 26, 2013**

A meeting of the Finance/Purchasing & Building Committee was called to order at 7:00 p.m. by Chairperson Stutting in the Council Chambers, City Hall. Roll call: Members Stutting, Wiegand and Schlicht were present. Also present: Mayor Birmingham, Alderperson Wiesner, Police Chief Porter, Finance Director/City Treasurer Clarizio and Receptionist Metzger.

A motion was made by Alderperson Wiegand, seconded by Alderperson Schlicht to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Review of unfinished business list.
4. Review bills.
5. Convene in closed session in accordance with the following exemptions:  
Deliberation or negotiating the purchasing of public properties, the investing of public funds, or conducting other specific public business, whenever competitive or bargaining reasons require a closed session. Wis. Stats. 19.85(1)(e)

a. Consideration of: Purchase of Public Park Property

Motion to reconvene in open session to take formal action upon preceding subject of closed session, if appropriate.

6. Adjourn

Carried.

Unfinished business list was briefly discussion.

Review bills

Moved by Alderperson Wiegand, seconded by Alderperson Schlicht to approve the bills as presented and forward to the Common Council for payment. Carried.

After the Chairman announced the statutory basis, it was moved by Alderperson Schlicht, seconded by Alderperson Wiegand to convene in closed session. Roll call: Alderperson Stutting, Alderperson Wiegand and Alderperson Schlicht voted Aye. Carried. The meeting moved into closed session at 7:04 pm. Moved by Alderperson Schlicht, seconded by Alderperson Wiegand to adjourn. Carried. The meeting adjourned in closed session at 7:31pm.

Respectfully submitted,



Tricia Metzger

PERSONNEL COMMITTEE  
December 10, 2013

A meeting of the Personnel Committee was called to order by Chairperson Stutting at 6:01 pm in the Council Chambers. Roll call: Members Stutting, Fett, and Vandertie were present. Also present: Mayor Birmingham, Ald. Schlicht, City Administrator McNeil, City Clerk/Human Resources Director Reinhardt and other Department Heads.

Moved by Mr. Fett, seconded by Mr. Vandertie to adopt the following agenda:

1. Roll call.
2. Adoption of agenda.
3. Consideration of: Personnel Policies & Employee Handbook.
4. Adjourn.

Carried.

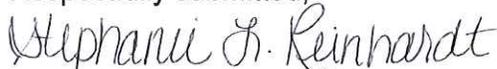
City Administrator McNeil summarized the draft Personnel Policies & Employee Handbook noting that the City used SBU's Policy as a model for two reasons: 1. Both entities are municipal employees and 2. Three Council members and the mayor were already familiar with the document. McNeil reviewed that Act 10 requires the Personnel Policies & Employee Handbook to replace the union contract for DPW and noted that this Handbook is not a contract. He reviewed that all non-police and non-fire employees are governed by this document and summarized the notable changes between the Handbook vs. the union contract.

A short discussion took place noting that this document can be changed by the Council at any time, City vehicle usage for lunch/break times, and work hours.

Moved by Mr. Fett, seconded by Mr. Vandertie to recommend to the Common Council to adopt the City of Sturgeon Bay Personnel Policies & Employee Handbook. Carried.

Moved by Mr. Fett, seconded by Mr. Vandertie to adjourn. Carried. The meeting adjourned in closed session at 6:14 p.m.

Respectfully submitted,



Stephanie L. Reinhardt  
City Clerk/Human Resources Director

**MINUTES OF MEETING  
CITY OF STURGEON BAY LOAN REVIEW COMMITTEE  
December 11, 2013, 8:30 a.m.  
Door County Business Development Center  
185 E. Walnut Street, Sturgeon Bay, WI**

**1. Call to Order**

Chairman Mike Gilson called the meeting to order at 8:46 a.m. at the Door County Business Development Center.

**2. Roll Call**

Members present included Mike Gilson, Greg Stephan, and Thad Birmingham. Also present were Sam Perlman, Bill Chaudoir and Paula Sullivan - Door County Economic Development Corporation and Steve McNeil – City of Sturgeon Bay Administrator.

**3. Adoption of Agenda**

**Motion by Greg Stephan, seconded by Thad Birmingham, to adopt the agenda as presented. Motion carried.**

**4. Approval of Minutes – November 14, 2013**

**Motion by Thad Birmingham, seconded by Greg Stephan, to approve the minutes of the November 14, 2013 City of Sturgeon Bay Loan Review Committee Meeting. Motion carried.**

**5. Status of Loans**

Sam Perlman summarized the status of the City of Sturgeon Bay RLF Program and the program fund balance. Cash balance as of November 30, 2013 is \$355,014.48; outstanding principal balance is \$407,628.76 for total assets of \$762,643.24. All loans are current. Not all funds are drawn for Scaturio's and Door County Traders.

**Motion by Greg Stephan to approve the Status of Loans as presented. Seconded by Thad Birmingham. Motion carried.**

**6. Convene in closed session** for the purpose of "...deliberating or negotiating the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session..." and/or "...for consideration of financial data of specific person which, if discussed in public, would be likely to have an adverse effect upon the reputation of any person referred to in such data..." per Sec.'s 19.85 (1) (e) and (f) Wis. Stats. Specifically, consideration of financial information.

Mike Gilson read the statutory exemption stated above authorizing the closed session.

**Motion by Thad Birmingham, seconded by Greg Stephan to meet in closed session.**

**Roll call vote: Mike Gilson – aye, Greg Stephan – aye, and Thad Birmingham - aye. Motion carried. The closed session convened at 8:51 a.m.**

Meeting went into closed session for the consideration of financial information presented by Ken Glasheen and Steve Sauter DBA The Ladder House in conjunction with their loan application.

The Committee reviewed the loan application and accompanying financial information. Ken Glasheen, Steve Sauter and Paul Salm joined the meeting at 9:04 a.m. to discuss the application for the purchase of the restaurant. The team plans on opening the restaurant on Third Avenue. The restaurant will be operated by Paul Salm. The Ladder House will emphasize reasonably priced, consistently high-quality food and good service. Guests will return for the relaxed atmosphere of a historic firehouse/old town hall themed pub without a loud bar element. The applicants departed at 10:00 a.m. Discussion followed.

**7. Reconvene in Open Session.**

**Motion made by Greg Stephan, seconded by Thad Birmingham to reconvene in open session. Roll Call vote: Mike Gilson – aye, Thad Birmingham – aye and Greg Stephan – aye. Motion carried. Reconvene in open session at 10:16 a.m.**

**8. Recommendation regarding loan to Glasheen/Sauter DBA the Ladder House.**

**Thad Birmingham made a motion, seconded by Greg Stephan to recommend to the Common Council that the Glasheen/Sauter DBA The Ladder House application for a \$200,000 loan from the City of Sturgeon Bay Revolving Loan Fund for the purchase of 38 South Third Avenue, be approved subject to the following terms and conditions:**

- A. Interest Rate: 3.0%**
- B. Term of Loan: 5 Years with a 15 -Year Amortization Period.**
- C. Monthly payments of interest only for three months followed by principal and interest payments to the City of Sturgeon Bay until the loan is paid in full.**
- D. The collateral for the loan will be a second mortgage on the property located at 38 South Third Avenue behind a loan from a commercial bank not to exceed \$250,000.00.**
- E. The applicant will enter into a General Business Security Agreement, subordinate to the 1<sup>st</sup> mortgage holder. The applicant will also enter into an assignment of rents and leases.**
- F. Kenneth Glasheen and Steve Sauter shall sign unlimited personal guarantees with spousal consents.**

- G. The borrower shall secure other private financing not to exceed \$250,000.00 and contribute equity in the amount of \$50,000.**
- H. The borrower shall obtain and keep insurance on all equipment and the real estate, with the City of Sturgeon Bay listed as loss payee.**
- I. The applicant will create 16 FTE (full-time equivalency) jobs within three years of loan closing of which at least 51% shall be held or made available to persons of low to moderate income.**
- J. The applicant shall provide the City's Loan Administrator with annual business income tax returns and financial statements by April 15<sup>th</sup> of each year.**
- K. The applicant will pay all out-of-pocket loan-processing costs at closing including attorney fees for loan documentation.**
- L. The applicant shall submit a complete application package, to the satisfaction of William Chadoir, Executive Director, DCEDC.**
- M. The loan recipient's business location must remain in the City of Sturgeon Bay or the loan immediately becomes due and payable.**
- N. This commitment is valid for a 60-day period at which time the loan shall be closed or this commitment is null and void.**

**Motion Carried.**

**9. Adjourn**

**Motion by Greg Stephan, seconded by Thad Birmingham to adjourn the meeting. Motion carried. Loan Committee Chairman Mike Gilson closed the meeting at 10:21 a.m.**

Respectfully submitted,

Paula Sullivan  
Recording Secretary





# STURGEON BAY POLICE DEPARTMENT



*The mission of the Sturgeon Bay Police Department is to serve, protect, and work in partnership with the community to ensure a safe, nurturing environment.*

To:           The Honorable Mayor  
                   Members of the Common Council  
                   Members of the Police and Fire Commission  
                   City Administrator Steve McNeil  
                   Officers of the Sturgeon Bay Police Department  
                   Media

From:         Captain Daniel J. Brinkman

Subject:      Monthly Report for November, 2013

Date:         December 10, 2013

The following is a summary of the Police Department’s activities for the month of November. The activities included are crimes investigated, police service calls handled by department members, arrests completed, traffic accidents investigated, miles traveled, fuel consumed, training completed, and public education provided by department members.

**Crimes Investigated**

The Department, during the month, investigated a total of 56 crimes.

These crimes can be broken down and classified as follows.

Theft.....	13
Criminal Damage to Property .....	05
Disorderly Conduct .....	05
Possession of Marijuana.....	01
Bail Jumping.....	02
Violate Court Order .....	04
Harassment.....	07
Child Abuse / Neglect .....	01
Battery.....	03
Forgery/Fraud / Scams .....	07
Burglary .....	04
Possession of Drug Paraphernalia.....	01
Trespass .....	02
Receive Stolen Property.....	01

**TOTAL 56**

The above crimes resulted in the loss of \$11,549 to the community, of which \$300 has been recovered.

**Arrests**

The Department completed a total of 128 arrests during the month. These arrests encompass violations from traffic to felony, and are listed below by type of violations and number of arrests for each category.

**A. Felony Crime Arrest**

**TOTAL 0**

Warrant Arrests.....00

**B. Misdemeanor Crime Arrests**

Disorderly Conduct.....06  
Battery .....02  
Possess Drug Paraphernalia .....01  
Possess Marijuana.....01  
Bail Jump .....01  
Obstruct Police Officer .....01  
Criminal Damage to Property .....01  
Theft.....02  
Receive Stolen Property.....03  
Criminal Trespass to Dwelling.....01  
Contribute to Delinquency of Minors .....01  
Entry to Locked Building.....01

**TOTAL 21**

Wisconsin Probation & Parole Violation Arrests .....05

Warrant Arrests.....04

**TOTAL 09**

**C. Ordinance Violation Arrests**

Truancy..... 01  
Underage Drinking..... 01  
Retail Theft ..... 03  
Disorderly Conduct..... 02  
Possess Drug Paraphernalia ..... 01  
Urinate/Defecate ..... 01  
Possession of Marijuana ..... 03  
Trespass to Land ..... 01  
Animal at Large ..... 02  
Possess Tobacco Underage..... 03  
Provide Alcohol to Underage Person..... 11

**TOTAL 29**

**D. Traffic Crime Arrests**

Operate While Intoxicated (2<sup>nd</sup> or more) .....01  
Operate after Driver's License Revoked.....04

**TOTAL 05**

**E. Traffic Violation Arrests**

Operating a Motor Vehicle While Intoxicated.....08  
Speeding Violations .....20

Motor Vehicle Registration Violation.....	05
Failure to Obey a Traffic Sign or Signal .....	02
Equipment Violation.....	01
Operating While Driver's License Suspended/Revoked .....	04
No Driver's License.....	04
Fail to Yield.....	05
Inattentive Driving.....	01
Seat Belt Violations .....	04
Violate Driver's License Restrictions .....	01
Miscellaneous Moving Traffic Violations .....	09
	<b>TOTAL 64</b>

In addition to the preceding arrests, the Department conducted a total of 304 traffic stops during the month and logged 101 violations for various motor vehicle defects and local ordinances and issued 83 written warnings for those violations. A total of 01 parking ticket was issued for parking violations throughout the city.

**Traffic Accidents**

The Department, during the month, investigated a total of 27 vehicle accidents. These investigations are categorized into four types, which are described below.

A. Motor Vehicle Accidents Involving Fatalities.....	00
B. Motor Vehicle Accidents Involving Injuries .....	01
C. Motor Vehicle Accidents Involving Property Damage .....	23
(greater than \$1,000.00)	
D. Motor Vehicle Accidents Involving Property Damage .....	03
(less than \$1,000.00)	
	<b>TOTAL 27</b>

**Police Service Calls**

Department members handled 358 service calls during the month. These calls consist of both citizen requests for police service as described below (266), crimes investigated (56), traffic accidents investigated (27), and Wisconsin Probation and Parole Assists 09.

A. Traffic and Road Incidents.....	64
This category consists of all assignments involving assists to motorists in distress, directing traffic, complaints of noisy or otherwise disorderly vehicles, removing debris from roadways, and all parking problem complaints.	
B. Noise Complaints .....	08
These complaints involve private parties, licensed liquor establishments, and parties in public places.	
C. Sick and Injured Persons .....	05
Assistance rendered to the Ambulance Service and sick or injured persons. (Of these calls 01 required the commitment of citizens to a Mental Health Facility for mental or substance abuse problems.)	

D. Alarms .....	24
<p>Officers responded to activated burglar and hold-up alarms at area banks and other business establishments and residences as well as fire alarms.</p>	
E. Complaints Involving Animals .....	18
<p>Investigation by officers of noisy animals, loose animals, animal bites, wild animals, and sick, injured or dead animal complaints.</p>	
F. Civil Disputes .....	02
<p>Arguments between neighbors, landlords and tenants, and family members where no crimes have been committed.</p>	
G. Escorts .....	06
<p>Transporting citizens, money escorts for area financial institutions, funerals, and for area industry.</p>	
H. Civil Assistance Rendered.....	06
<p>This category is broad and involves such services as auto and home lockouts, emergency notifications, attempts to locate people, retrieve personal property, and registration assistance.</p>	
I. Assistance Rendered to Other Agencies .....	00
<p>Includes assistance to other law enforcement and government agencies.</p>	
J. Suspicious Person.....	15
<p>Involves both citizen complaints and observations by officers on patrol who took investigative action in regard to the suspicious behavior of other people.</p>	
K. Suspicious Motor Vehicles.....	06
<p>Complaints of occupied, unoccupied, abandoned, and junked motor vehicles.</p>	
L. Liquor Establishments .....	01
<p>Complaints of problems with patrons.</p>	
M. Fights or Brawls .....	01
<p>Complaints of persons fighting where no criminal arrests were made.</p>	
N. Self-Initiated Field Activity .....	32
<p>All initiated activity by the officer to include, but not limited to, routine security checks of area industries, businesses, city parks, residences, and compliance checks of local liquor establishments.</p>	
O. Juvenile Problems.....	08
<p>Requests for police service that strictly involve property calls and all unfounded calls for police service. The calls vary from mischief to family problems to runaway situations.</p>	

P. Miscellaneous Incidents ..... 48

Includes arrest warrants served, recovered property calls, and all unfounded calls for police service. This category includes unfounded 9-1-1 calls investigated by Department members during the month.

Q. Welfare Checks ..... 19

Includes calls to check on the well-being of a person who has not been heard from or seen for a period of time by family, friends, neighbors, or employers.

R. Gas Drive Off ..... 03

Routine non-theft investigations where a motorist drove away without paying for their gas. Typically involves a driver error, store employee error or credit card reader error.

**TOTAL 266**

**Department Mileage and Fuel Consumption**

Officers patrolled a total of 13,559 miles with department vehicles, consuming 1,268 gallons of fuel. The fleet averaged 10.7 miles per gallon of fuel during the month.

**Department Training**

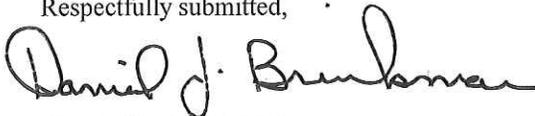
Officers Steve South and Chad Mielke provided monthly training to 6 members of the Lakeshore Police Explorers, Post 9368.

**Public Education**

Officer Michelle Wiegand spoke with 85 fifth grade students at Sunrise Elementary on consequences related to good touch and bad touch, good choices and bad choices related to drugs, alcohol and peer pressure, and respecting parents, siblings, teachers, etc. Kids also roll played on how to effectively deal with a friend or classmate who is being bullied.

Officer Kourtney Krah spoke to 120 juniors and seniors at Green Bay Preble High School detailing her life experience of being a sexual assault survivor.

Respectfully submitted,



Captain Daniel J. Brinkman

**NOVEMBER 2013 BANK RECONCILIATION**

**CHECKING ACCOUNTS**

**INVESTMENT ACCOUNTS**

	GENERAL FUND BAYLAKE	WDF BAYLAKE	SNAP BAYLAKE	GENERAL/CAPITAL FUND INVESTMENTS
PRIOR G/L BALANCE	2,200,877.62	149,722.79	3,783.65	1,048,605.41
REVENUE	1,861,639.92	12,189.19	0.00	180.06
DISBURSEMENTS	1,100,470.34	0.00	45.75	143.08
AMOUNT IN TRANSIT	706.88	0.00	0.00	0.00
ADJUSTMENTS	24,545.83	0.00	0.00	0.00
ENDING BALANCE	<u>2,985,886.15</u>	<u>161,911.98</u>	<u>3,737.90</u>	<u>1,048,642.39</u>
		0.00		
BANK BALANCE	3,020,999.35	161,911.98	3,737.90	1,048,642.39
LESS OUTS, CHECKS	35,113.20	0.00	0.00	0.00
	<u>2,985,886.15</u>	<u>161,911.98</u>	<u>3,737.90</u>	<u>1,048,642.39</u>

**SAVINGS ACCOUNTS**

	GENERAL FUND STATE - #2	GENERAL FUND BAYLAKE BANK - MMBI	TIF #1 DEBT STATE - #11	WDF STATE - #4	CAPITAL - BUILDING DEBT STATE - #9	TIF #3 DEBT STATE - #08	TIF #3 CONSTRUCTION STATE - #14
PRIOR G/L BALANCE	3,067,944.75	14,346.65	156,472.97	193,088.28	5,949.31	523,013.65	68,074.24
REVENUE	322.48	0.45	11.53	14.22	0.44	38.53	32,559.89
DISBURSEMENTS	1,032,552.48	127.63	0.00	0.00	0.00	0.00	0.00
AMOUNT IN TRANSIT	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ADJUSTMENTS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ENDING BALANCE	<u>2,035,714.75</u>	<u>14,219.47</u>	<u>156,484.50</u>	<u>193,102.50</u>	<u>5,949.75</u>	<u>523,052.18</u>	<u>100,634.13</u>
BANK BALANCE	2,035,714.75	14,219.47	156,484.50	193,102.50	5,949.75	523,052.18	100,634.13

	TIF #2 BAYLAKE - MMBA	TIF #2 STATE - #3	TIF #2 DEBT 98A&B STATE - #10	TIF #2 AMENDED AREA CONST. - STATE - #06	TIF #2 AMENDED AREA CAP. INT. - STATE - #7	TIF #2 CAPITAL MAINT. STATE - #15	TIF #2 WFRDA DEBT RES. STATE - #13
PRIOR G/L BALANCE	3,723.08	11,715.03	22,977.17	48,415.83	8,359.25	126,266.13	1,653,906.21
REVENUE	0.15	0.86	1.69	3.57	0.62	9.30	121.83
DISBURSEMENTS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
AMOUNT IN TRANSIT	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ADJUSTMENTS	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ENDING BALANCE	<u>3,723.23</u>	<u>11,715.89</u>	<u>22,978.86</u>	<u>48,419.40</u>	<u>8,359.87</u>	<u>126,275.43</u>	<u>1,654,028.04</u>
BANK BALANCE	3,723.23	11,715.89	22,978.86	48,419.40	8,359.87	126,275.43	1,654,028.04

CITY OF STURGEON BAY  
 SUMMARIZED REVENUE & EXPENSE REPORT

6c4.

FOR FUND: GENERAL FUND  
 FOR 11 PERIODS ENDING NOVEMBER 30, 2013

DEPARTMENT DESCRIPTION	NOVEMBER		VARI- ANCE	FISCAL		YEAR-TO-DATE ACTUAL	VARI- ANCE
	BUDGET	ACTUAL		YEAR	BUDGET		
REVENUES	872,654.26	709,445.82	(18.7)	10,471,847.00	8,049,005.13	(23.1)	
GENERAL FUND	872,654.26	709,445.82	(18.7)	10,471,847.00	8,049,005.13	(23.1)	
TOTAL REVENUES	872,654.26	709,445.82	(18.7)	10,471,847.00	8,049,005.13	(23.1)	
EXPENSES							
GENERAL FUND	45,239.04	1,365.39	96.9	542,865.00	527,940.25	2.7	
MAYOR	1,030.43	917.72	10.9	12,365.00	10,797.89	12.6	
CITY COUNCIL	4,788.76	4,069.17	15.0	57,465.00	53,215.85	7.3	
LAW/LEGAL	5,833.34	2,997.00	48.6	70,000.00	38,938.83	44.3	
CITY CLERK-TREASURER	29,147.98	31,346.74	(7.5)	349,775.00	314,975.97	9.9	
ADMINISTRATION	19,935.04	13,015.56	34.7	239,220.00	131,440.51	45.0	
COMPUTER	4,262.52	2,500.00	41.3	51,150.00	40,546.00	20.7	
CITY ASSESSOR	8,172.98	7,517.92	8.0	98,075.00	80,946.47	17.4	
BOARD OF REVIEW	151.69	0.00	100.0	1,820.00	861.23	52.6	
BUILDING/ZONING CODE ENFORCEMENT	5,344.59	5,316.12	0.5	64,135.00	58,908.39	8.1	
MUNICIPAL SERVICES ADMIN.	17,724.63	20,826.43	(17.4)	212,695.00	184,726.71	13.1	
PUBLIC WORKS ADMINISTRATION	17,017.16	20,453.64	(20.1)	204,205.00	174,226.43	14.6	
ELECTIONS DEPARTMENT	901.28	0.00	100.0	10,815.00	9,842.23	8.9	
CITY HALL	12,516.31	9,384.56	25.0	150,195.00	111,892.04	25.5	
INSURANCE	25,867.29	22,456.00	13.1	310,407.00	292,531.21	5.7	
GENERAL EXPENDITURES	126,177.53	2,734.12	97.8	1,514,130.00	93,825.43	93.8	
POLICE DEPARTMENT	31,468.82	31,891.19	(1.3)	377,625.00	346,777.85	8.1	
PATROL BOAT	1,057.52	0.00	100.0	12,690.00	5,518.43	56.5	
PARKING ENFORCEMENT	0.00	0.00	0.0	0.00	0.00	0.0	
POLICE DEPARTMENT/PATROL	145,660.08	163,075.05	(11.9)	1,747,920.00	1,550,131.22	11.3	
POLICE DEPT. / INVESTIGATIONS	10,547.13	10,278.72	2.5	126,565.00	115,025.47	9.1	
FIRE DEPARTMENT	144,586.79	143,267.05	0.9	1,735,040.00	1,489,460.57	14.1	
STORM SEWERS	4,148.78	703.24	83.0	49,785.00	18,986.53	61.8	
SOLID WASTE MGMT/SPRING/FALL	4,552.54	28,445.28	(524.8)	54,630.00	43,268.08	20.7	
COMPOST/SOLID WASTE SITE	2,700.87	514.73	80.9	32,410.00	12,864.04	60.3	
STREET SWEEPING	3,129.19	286.61	90.8	37,550.00	33,559.94	10.6	
WEED ABATEMENT	481.68	273.61	43.1	5,780.00	5,398.88	6.5	
ROADWAYS/STREETS	13,429.19	11,643.50	13.2	161,150.00	156,267.52	3.0	
SNOW REMOVAL	16,137.11	3,458.29	78.5	193,645.00	168,000.12	13.2	
STREET SIGNS AND MARKINGS	4,800.87	1,398.93	70.8	57,610.00	49,141.34	14.6	
CURB/GUTTER/SIDEWALK	1,058.36	0.00	100.0	12,700.00	13,339.29	(5.0)	
STREET MACHINERY	16,128.38	5,567.69	65.4	193,540.00	125,989.35	34.9	
CITY GARAGE	4,819.64	4,695.97	2.5	57,835.00	50,353.56	12.9	
CELEBRATION & ENTERTAINMENT	3,201.69	1,096.45	65.7	38,420.00	35,419.52	7.8	
HIGHWAYS - GENERAL	44,506.71	36,404.54	18.2	534,080.00	425,863.03	20.2	
PARK & RECREATION ADMIN	12,053.40	7,869.74	34.7	144,640.00	85,345.35	40.9	
PARKS AND PLAYGROUNDS	30,484.71	32,865.49	(7.8)	365,815.00	316,915.02	13.3	
BALLFIELDS	2,432.95	1,941.95	20.1	29,195.00	30,332.60	(3.8)	
ICE RINKS	717.94	0.00	100.0	8,615.00	2,508.93	70.8	
BEACHES	215.85	30.81	85.7	2,590.00	175.65	93.2	

6c4.

CITY OF STURGEON BAY  
 SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: GENERAL FUND  
 FOR 11 PERIODS ENDING NOVEMBER 30, 2013

DEPARTMENT DESCRIPTION	NOVEMBER	NOVEMBER	VARI- ANCE	FISCAL YEAR BUDGET	FISCAL YEAR-TO-DATE ACTUAL	VARI- ANCE
	BUDGET	ACTUAL				
EXPENSES						
MUNICIPAL DOCKS	3,898.39	4,590.45	(17.7)	46,780.00	36,452.95	22.0
WATER WEED MANAGEMENT	7,643.38	1,282.24	83.2	91,720.00	67,589.36	26.3
WATERFRONT PARKS & WALKWAYS	4,658.78	1,612.85	65.3	55,905.00	48,270.34	13.6
EMPLOYEE BENEFITS	2,634.19	1,694.57	35.6	31,610.00	18,767.87	40.6
PUBLIC FACILITIES	6,176.25	16,821.09	(172.3)	74,115.00	72,239.36	2.5
BOARDS AND COMMISSIONS	34.19	0.00	100.0	410.00	204.63	50.0
COMMUNITY & ECONOMIC DEVLPMT	25,180.09	18,662.26	25.8	302,160.00	276,589.54	8.4
TOTAL EXPENSES	872,656.04	675,272.67	22.6	10,471,847.00	7,726,371.78	26.2
TOTAL FUND REVENUES	872,654.26	709,445.82	(18.7)	10,471,847.00	8,049,005.13	(23.1)
TOTAL FUND EXPENSES	872,656.04	675,272.67	22.6	10,471,847.00	7,726,371.78	26.2
SURPLUS (DEFICIT)	(1.78)	34,173.15	(9939.8)	0.00	322,633.35	100.0

CITY OF STURGEON BAY  
 SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: CAPITAL FUND  
 FOR 11 PERIODS ENDING NOVEMBER 30, 2013

DEPARTMENT DESCRIPTION	NOVEMBER BUDGET	NOVEMBER ACTUAL	VARI- ANCE	FISCAL YEAR	FISCAL YEAR-TO-DATE ACTUAL	VARI- ANCE	REVENUES	
							107,123.44	911.44
TOTAL REVENUES	107,123.44	911.44	(99.1)	1,285,481.00	1,137,443.00	(11.5)		
EXPENSES								
CITY CLERK-TREASURER	0.00	0.00	0.0	0.00	0.00	0.0		
ADMINISTRATION	0.00	0.00	0.0	0.00	0.00	0.0		
COMPUTER	833.34	1,135.00	(36.1)	10,000.00	1,480.71	85.1		
CITY ASSESSOR	0.00	0.00	0.0	0.00	0.00	0.0		
MUNICIPAL SERVICES ADMIN.	0.00	0.00	0.0	0.00	0.00	0.0		
CITY HALL	0.00	0.00	0.0	0.00	0.00	0.0		
GENERAL EXPENDITURES	0.00	0.00	0.0	0.00	340,859.60	100.0		
POLICE DEPARTMENT	0.00	0.00	0.0	0.00	0.00	0.0		
PATROL	6,097.92	0.00	100.0	73,174.95	83,864.78	(14.6)		
POLICE DEPT. / INVESTIGATIONS	0.00	0.00	0.0	0.00	0.00	0.0		
FIRE DEPARTMENT	1,383.34	0.00	100.0	16,600.00	8,999.80	45.7		
STORM SEWERS	6,666.67	0.00	100.0	80,000.00	66,980.80	16.2		
SOLID WASTE MGMT/REUSE/RECYCL	0.00	0.00	0.0	0.00	0.00	0.0		
SOLID WASTE MGMT/SPRING/FALL	0.00	0.00	0.0	0.00	0.00	0.0		
ROADWAYS/STREETS	49,458.35	135,139.53	(173.2)	593,500.00	376,951.60	36.4		
SNOW REMOVAL	0.00	0.00	0.0	0.00	0.00	0.0		
CURB/GUTTER/SIDEWALK	23,041.26	0.00	100.0	276,495.00	66,129.22	76.0		
CITY GARAGE	0.00	0.00	0.0	0.00	0.00	0.0		
PARKS AND PLAYGROUNDS	2,358.76	0.00	100.0	28,305.05	24,744.00	12.5		
BALLFIELDS	12,688.00	0.00	100.0	152,256.00	163,682.00	(7.5)		
ICE RINKS	0.00	0.00	0.0	0.00	0.00	0.0		
BEACHES	0.00	0.00	0.0	0.00	0.00	0.0		
MUNICIPAL DOCKS	0.00	0.00	0.0	0.00	0.00	0.0		
WATER WEED MANAGEMENT	0.00	0.00	0.0	0.00	0.00	0.0		
WATERFRONT PARKS & WALKWAYS	541.68	0.00	100.0	6,500.00	2,588.83	60.1		
SANITARY & WATER MAIN	0.00	0.00	0.0	0.00	0.00	0.0		
PUBLIC FACILITIES	2,245.84	487.50	78.2	26,950.00	25,424.00	5.6		
COMMUNITY & ECONOMIC DEVLPMNT	0.00	0.00	0.0	0.00	0.00	0.0		
TOTAL EXPENSES	105,315.16	136,762.03	(29.8)	1,263,781.00	1,161,705.34	8.0		
TOTAL FUND REVENUES	107,123.44	911.44	(99.1)	1,285,481.00	1,137,443.00	(11.5)		
TOTAL FUND EXPENSES	105,315.16	136,762.03	(29.8)	1,263,781.00	1,161,705.34	8.0		
SURPLUS (DEFICIT)	1,808.28	(135,850.59)	(7612.6)	21,700.00	(24,262.34)	(211.8)		

CITY OF STURGEON BAY  
 SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: CABLE TV  
 FOR 11 PERIODS ENDING NOVEMBER 30, 2013

DEPARTMENT DESCRIPTION	NOVEMBER	NOVEMBER	VARI- ANCE	FISCAL YEAR BUDGET	FISCAL YEAR-TO-DATE ACTUAL	VARI- ANCE
	BUDGET	ACTUAL				
REVENUES						
CABLE TV / GENERAL	9,607.09	31,037.99	223.0	115,285.00	124,225.08	7.7
TOTAL REVENUES	9,607.09	31,037.99	223.0	115,285.00	124,225.08	7.7
EXPENSES						
CABLE TV / GENERAL	8,631.31	7,611.27	11.8	103,575.00	64,436.07	37.7
TOTAL EXPENSES	8,631.31	7,611.27	11.8	103,575.00	64,436.07	37.7
TOTAL FUND REVENUES	9,607.09	31,037.99	223.0	115,285.00	124,225.08	7.7
TOTAL FUND EXPENSES	8,631.31	7,611.27	11.8	103,575.00	64,436.07	37.7
SURPLUS (DEFICIT)	975.78	23,426.72	2300.8	11,710.00	59,789.01	410.5

CITY OF STURGEON BAY  
 SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: TOURISM FUND  
 FOR 11 PERIODS ENDING NOVEMBER 30, 2013

DEPARTMENT DESCRIPTION	NOVEMBER	NOVEMBER	VARI- ANCE	FISCAL YEAR BUDGET	FISCAL YEAR-TO-DATE ACTUAL	VARI- ANCE
	BUDGET	ACTUAL				
REVENUES						
TOURISM COMMITTEE / GENERAL	0.00	0.00	0.0	0.00	0.00	0.0
TOTAL REVENUES	0.00	0.00	0.0	0.00	0.00	0.0
EXPENSES						
TOURISM COMMITTEE / GENERAL	0.00	0.00	0.0	0.00	0.00	0.0
TOTAL EXPENSES	0.00	0.00	0.0	0.00	0.00	0.0
TOTAL FUND REVENUES	0.00	0.00	0.0	0.00	0.00	0.0
TOTAL FUND EXPENSES	0.00	0.00	0.0	0.00	0.00	0.0
SURPLUS (DEFICIT)	0.00	0.00	0.0	0.00	0.00	0.0

CITY OF STURGEON BAY  
 SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: TID #2 DISTRICT  
 FOR 11 PERIODS ENDING NOVEMBER 30, 2013

DEPARTMENT DESCRIPTION	NOVEMBER BUDGET	NOVEMBER ACTUAL	VARIANCE %	FISCAL YEAR BUDGET	FISCAL YEAR-TO-DATE ACTUAL	VARIANCE %
REVENUES						
TID DISTRICT #2	137,342.11	138.02	(99.8)	1,648,105.00	1,546,899.03	(6.1)
TOTAL REVENUES	137,342.11	138.02	(99.8)	1,648,105.00	1,546,899.03	(6.1)
EXPENSES						
TID DISTRICT #2	253,445.14	980.10	99.6	3,041,341.00	2,812,586.89	7.5
TOTAL EXPENSES	253,445.14	980.10	99.6	3,041,341.00	2,812,586.89	7.5
TOTAL FUND REVENUES	137,342.11	138.02	(99.8)	1,648,105.00	1,546,899.03	(6.1)
TOTAL FUND EXPENSES	253,445.14	980.10	99.6	3,041,341.00	2,812,586.89	7.5
SURPLUS (DEFICIT)	(116,103.03)	(842.08)	(99.2)	(1,393,236.00)	(1,265,687.86)	(9.1)

CITY OF STURGEON BAY  
 SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: TID #1 DISTRICT  
 FOR 11 PERIODS ENDING NOVEMBER 30, 2013

DEPARTMENT DESCRIPTION	NOVEMBER BUDGET	NOVEMBER ACTUAL	VARIANCE %	FISCAL YEAR BUDGET	FISCAL YEAR-TO-DATE ACTUAL	VARIANCE %
REVENUES						
TID #1 DISTRICT	38,833.92	11.53	(99.9)	466,007.00	468,234.59	0.4
TOTAL REVENUES	38,833.92	11.53	(99.9)	466,007.00	468,234.59	0.4
EXPENSES						
TID #1 DISTRICT	38,146.00	0.00	100.0	457,752.00	457,752.29	0.0
TOTAL EXPENSES	38,146.00	0.00	100.0	457,752.00	457,752.29	0.0
TOTAL FUND REVENUES	38,833.92	11.53	(99.9)	466,007.00	468,234.59	0.4
TOTAL FUND EXPENSES	38,146.00	0.00	100.0	457,752.00	457,752.29	0.0
SURPLUS (DEFICIT)	687.92	11.53	(98.3)	8,255.00	10,482.30	26.9

CITY OF STURGEON BAY  
 SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: TID #3 DISTRICT  
 FOR 11 PERIODS ENDING NOVEMBER 30, 2013

DEPARTMENT DESCRIPTION	NOVEMBER BUDGET	NOVEMBER ACTUAL	VARIANCE %	FISCAL YEAR BUDGET	FISCAL YEAR-TO-DATE ACTUAL	VARIANCE %
REVENUES						
TID #3 DISTRICT	19,163.35	45.94	(99.7)	229,960.00	1,944,019.35	745.3
TOTAL REVENUES	19,163.35	45.94	(99.7)	229,960.00	1,944,019.35	745.3
EXPENSES						
TID #3 DISTRICT	11,627.52	16,689.00	(43.5)	139,530.00	1,800,903.19	(1190.6)
TOTAL EXPENSES	11,627.52	16,689.00	(43.5)	139,530.00	1,800,903.19	(1190.6)
TOTAL FUND REVENUES	19,163.35	45.94	(99.7)	229,960.00	1,944,019.35	745.3
TOTAL FUND EXPENSES	11,627.52	16,689.00	(43.5)	139,530.00	1,800,903.19	(1190.6)
SURPLUS (DEFICIT)	7,535.83	(16,643.06)	(320.8)	90,430.00	143,116.16	58.2

CITY OF STURGEON BAY  
 SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: TID #4 DISTRICT  
 FOR 11 PERIODS ENDING NOVEMBER 30, 2013

DEPARTMENT DESCRIPTION	NOVEMBER BUDGET	NOVEMBER ACTUAL	VARIANCE %	FISCAL YEAR BUDGET	FISCAL YEAR-TO-DATE ACTUAL	VARIANCE %
REVENUES						
TID #4 DISTRICT	0.00	0.00	0.0	0.00	0.00	0.0
TOTAL REVENUES	0.00	0.00	0.0	0.00	0.00	0.0
EXPENSES						
TID #4 DISTRICT	0.00	25,456.38	100.0	0.00	218,488.68	100.0
TOTAL EXPENSES	0.00	25,456.38	100.0	0.00	218,488.68	100.0
TOTAL FUND REVENUES	0.00	0.00	0.0	0.00	0.00	0.0
TOTAL FUND EXPENSES	0.00	25,456.38	100.0	0.00	218,488.68	100.0
SURPLUS (DEFICIT)	0.00	(25,456.38)	100.0	0.00	(218,488.68)	100.0

CITY OF STURGEON BAY  
 SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: REVOLVING LOAN FUND (STATE)  
 FOR 11 PERIODS ENDING NOVEMBER 30, 2013

DEPARTMENT DESCRIPTION	NOVEMBER BUDGET	NOVEMBER ACTUAL	VARIANCE %	FISCAL YEAR BUDGET	FISCAL YEAR-TO-DATE ACTUAL	VARIANCE %
REVENUES						
REVOLVING LOAN FUND (STATE)	988.34	915.42	(7.3)	11,860.00	12,045.24	1.5
TOTAL REVENUES	988.34	915.42	(7.3)	11,860.00	12,045.24	1.5
EXPENSES						
REVOLVING LOAN FUND (STATE)	950.01	0.00	100.0	11,400.00	115,000.00	(908.7)
TOTAL EXPENSES	950.01	0.00	100.0	11,400.00	115,000.00	(908.7)
TOTAL FUND REVENUES	988.34	915.42	(7.3)	11,860.00	12,045.24	1.5
TOTAL FUND EXPENSES	950.01	0.00	100.0	11,400.00	115,000.00	(908.7)
SURPLUS (DEFICIT)	38.33	915.42	2288.2	460.00	(102,954.76)	(2481.4)

CITY OF STURGEON BAY  
 SUMMARIZED REVENUE & EXPENSE REPORT

FOR FUND: SOLID WASTE ENTERPRISE  
 FOR 11 PERIODS ENDING NOVEMBER 30, 2013

DEPARTMENT DESCRIPTION	NOVEMBER		VARI- ANCE	FISCAL YEAR BUDGET	FISCAL YEAR-TO-DATE ACTUAL	VARI- ANCE
	BUDGET	ACTUAL				
REVENUES						
SOLID WASTE ENTERPRISE FUND	30,610.02	24,548.59	(19.8)	367,320.00	317,199.90	(13.6)
TOTAL REVENUES	30,610.02	24,548.59	(19.8)	367,320.00	317,199.90	(13.6)
EXPENSES						
SOLID WASTE ENTERPRISE FUND	30,610.10	33,251.14	(8.6)	367,320.00	312,794.12	14.8
TOTAL EXPENSES	30,610.10	33,251.14	(8.6)	367,320.00	312,794.12	14.8
TOTAL FUND REVENUES	30,610.02	24,548.59	(19.8)	367,320.00	317,199.90	(13.6)
TOTAL FUND EXPENSES	30,610.10	33,251.14	(8.6)	367,320.00	312,794.12	14.8
SURPLUS (DEFICIT)	(0.08)	(8,702.55)	8087.5	0.00	4,405.78	100.0

CITY OF STURGEON BAY  
 SUMMARIZED REVENUE & EXPENSE REPORT

DEPARTMENT DESCRIPTION	MUNICIPAL REPORT TOTALS		FOR 11 PERIODS ENDING NOVEMBER 30, 2013		FISCAL YEAR		FISCAL YEAR-TO-DATE	
	NOVEMBER BUDGET	NOVEMBER ACTUAL	VARI-ANCE %	FISCAL YEAR BUDGET	FISCAL YEAR-TO-DATE ACTUAL	VARI-ANCE %	FISCAL YEAR BUDGET	FISCAL YEAR-TO-DATE ACTUAL
TOTAL MUNICIPAL REVENUES	1,216,322.53	767,054.75	(36.9)	14,595,865.00	13,599,071.32	(6.8)	14,595,865.00	13,599,071.32
TOTAL MUNICIPAL EXPENSES	1,321,381.28	896,022.59	32.1	15,856,546.00	14,670,038.36	7.4	15,856,546.00	14,670,038.36
SURPLUS (DEFICIT)	(105,058.75)	(128,967.84)	22.7	(1,260,681.00)	(1,070,967.04)	(15.0)	(1,260,681.00)	(1,070,967.04)

6d.

6d.

### BEVERAGE OPERATOR LICENSES

1. Hensley, Jane L.
2. Mailand, Dave J.
3. Morse, James R.

**R E C O M M E N D A T I O N**

**TO THE HONORABLE MAYOR AND COMMON COUNCIL:**

We, the Personnel Committee, hereby recommend to adopt the City of Sturgeon Bay Personnel Policies & Employee Handbook.

Respectfully submitted,

PERSONNEL COMMITTEE  
By: Joe Stutting, Chairperson

RESOLVED, that the foregoing recommendation be adopted.

Dated: December 10, 2013

\* \* \* \* \*

Moved by Alderperson \_\_\_\_\_, seconded by Alderperson  
\_\_\_\_\_ that the said recommendation be adopted.

Passed by the Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

# Memorandum



STEPHEN B. MCNEIL  
City Administrator  
[smcneil@sturgeonbaywi.org](mailto:smcneil@sturgeonbaywi.org)

421 Michigan Street  
Sturgeon Bay, WI 54235

920-746-2900  
920-746-2905 (FAX)

**To: PERSONNEL COMMITTEE**

**Date:** December 3, 2013

**Re: EMPLOYEE HANDBOOK**

---

The Personnel Committee will meet on Tuesday December 10<sup>th</sup> at 6:00PM to review the revised Employee Handbook. As you know, under Act 10 the subject matter of collective bargaining is now limited to wages only. All other conditions of employment must be included in an Employee Handbook which will apply to all employees except subject matter which included in Police and Firefighter Collective Bargaining Agreements.

Attached is a copy of a draft Personnel Handbook developed over the past several months by city staff. The Sturgeon Bay Utilities Personnel Handbook which was implemented on January 1, 2013 was used as a template. Also attached is a bullet point summary of significant changes from existing union contracts/policies that have been added, deleted or modified.

Mr. Stutting has asked that you review the attached prior to Tuesday's meeting and that if you have any questions prior to the meeting that you contact Stephanie or me with your question.

**CITY OF STURGEON BAY  
EMPLOYEE HANDBOOK  
EFFECTIVE JANUARY 1, 2014**

**Notable changes in Handbook vs. Union Contracts**

- Used Sturgeon Bay Utilities Personnel Handbook & some Sturgeon Bay School District Policies as template/model
- The Personnel Handbook replaces union contracts and IS NOT a contract
- Since this is not a “contract” it can be modified or added to as the council sees a need
- ALL non-police/non-firefighters are “at-will” employees
- No seniority:
  - Employees will be selected for layoff/reduction based on the needs and best interest of the City of Sturgeon Bay, as determined by the City of Sturgeon Bay.
  - Employees have no recall rights, but in the event of a recall, employees will be recalled based on the needs and best interest of the City of Sturgeon Bay.
  - Work schedules for employees vary throughout the organization and are at management’s discretion.
- The normal work week shall be forty (40) hours. Overtime after 40 hrs. (no 8 hrs. per day)
- The unpaid meal period shall include personal clean-up time.
- If the employee wishes to have his/her meal at a location other than the work site, he/she must travel to that location during the unpaid meal period.
  - Use of city vehicles by non-exempt employees for travel to break or meal periods is prohibited unless approved by his/her supervisor
- New employees receive five (5) days (40 hours) vacation upon hire.
- No employee shall use any City facilities, equipment, supplies and/or tools for personal use under any circumstances unless said property is available for the uses and enjoyment of the general public.
- No “Prior Practices” clause
- Ability for retirees to stay on insurance has been removed.
- DPW Safety Day has been removed.
- DPW monthly deferred comp contribution has been removed.

**City of Sturgeon Bay**

**Personnel Policies &  
Employee Handbook**

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# INTRODUCTION

## WELCOME

This employee Handbook sets forth employment policy guidelines, rules of conduct and guidance regarding general expectations of professional behavior and conduct which employees are expected to follow. This Personnel Policies and Employee Handbook informs employees about what the employer may generally expect from the employees so as to guide employees in his/her professional duties and in fulfilling his/her responsibilities as public servants. None of the statements or policies outlined in this Handbook is meant to create any contract of employment, nor do they imply that the employer is guaranteeing employment for any person or changing the "at-will" employment relationship in any manner. This means that employment is not for any definite period of time. Termination of employment may occur at any time, with or without notice, and with or without cause, at the option of the City of Sturgeon Bay or the employee except as stated in Wisconsin State Statutes 62.13 for Police and Fire. This Handbook is not, nor is it intended to be, construed as an employment contract or to guarantee any rights to employees.

Final interpretation and implementation of any of the policies or rules in this Handbook are vested solely with the City of Sturgeon Bay through the City Administrator. The Policies are subject to change at any time by the employer, without notice to employees, and will be reviewed and revised periodically.

The contents of this Handbook are not to be used as a substitute for any controlling ordinance, resolution, regulation, state or federal statute, code or regulation, common law or other legally binding authority and which are updated from time to time and are controlling.

## COMPLIANCE WITH POLICIES, RULES AND EXPECTATIONS OF CONDUCT

The City of Sturgeon Bay has established these policies and rules of conduct in furtherance of the effective operation of the City of Sturgeon Bay and to provide high quality service to all City of Sturgeon Bay residents, those persons interacting with the City of Sturgeon Bay, and visitors. The City of Sturgeon Bay expects all employees to demonstrate professional, competent and reasonable behavior, and to continually serve, both on-duty and off-duty, as positive examples of the high-quality personnel affiliated with this organization and consistent with the high expectations of the public.

Compliance with the policies, rules and general expectations of conduct is of paramount importance in order to fulfill these objectives and for the employee to have a successful career at the City of Sturgeon Bay. Failure to comply with these policies, rules and general expectations of conduct can undermine these objectives, and the trust and confidence that the public, businesses and employees of the City of Sturgeon Bay must have in that employee. The City of Sturgeon Bay treats all violations of policy, the rules and general expectations of conduct very seriously. Violations of these policies, the rules, and general expectations of conduct can subject an employee to discipline, up to and including discharge.

## **CHAIN OF COMMAND**

Operation of any government agency depends on an effective chain of command. The ultimate decision concerning policy at the City of Sturgeon Bay resides by law with the City of Sturgeon Bay Common Council; under the leadership of the Mayor and City Administrator. The City Administrator, as the chief administrative officer of the City of Sturgeon Bay, is the primary professional advisor to the City of Sturgeon Bay and head of the management team. Department Supervisors are also members of the management team.

The City Administrator is responsible for the development, supervision, and operation of the City of Sturgeon Bay and its personnel and facilities. Employees have the obligation to further enhance the perception of the City of Sturgeon Bay through the chain of command. The City Administrator is given the latitude to determine the best method of implementing the policy decisions of the City of Sturgeon Bay.

All staff members and supervisors shall be responsible to the City of Sturgeon Bay and the Common Council through the City of Sturgeon Bay City Administrator. Each shall refer matters requiring administrative attention to his or her supervisor, who shall refer such matters to the next higher authority, when necessary, and through the City Administrator to the City of Sturgeon Bay Mayor. Each employee is to keep the person that the employee reports to informed of the employee's activities by whatever means the supervisor deems appropriate. If an employee has any questions, opinions or suggestions about the information contained in this Manual or about any other aspect of his or her job, then those questions, opinions or suggestions must be directed through the chain of command.

## **OPEN DOOR POLICY**

Communication is a joint responsibility shared by the City of Sturgeon Bay and the employee. If the employee has any questions about the information contained in this handbook or about any other aspect of his/her job, management welcomes those questions. Opinions, suggestions and questions are important to management. Employees should feel free to talk to any member of management about issues at work, which are of concern. The City of Sturgeon Bay will attempt to provide the employee with honest, straightforward responses to the employee's questions and comments.

Generally, if an employee is having a problem with an individual, the City of Sturgeon Bay encourages the employee to approach that person first and attempt to resolve the conflict. If that does not resolve the problem, the employee should go to his/her immediate supervisor next. In some cases, the employee and the employee's supervisor may decide to refer the problem to another manager. The City of Sturgeon Bay encourages the employee to talk with managers to prevent a small conflict from growing into a larger one. If an employee feels harassed by another person based on one's protected status, then the employee is directed to follow the harassment reporting policy in this Manual.

# **EMPLOYMENT POLICIES**

## **DRUG FREE WORKPLACE**

The City prohibits use, manufacture, distribution, possession or dispensing of any illegal drugs or controlled substances, except medication taken as prescribed, by any employee while at work, on City property, in City vehicles, or while off the premises performing work for the City. Employees are prohibited from reporting for work while under the influence of a controlled substance, except non-impairing medication taken as prescribed, or illegal drug. When random or mandatory drug testing is required by law, such testing shall be conducted in accordance with imposed requirements. Any such testing shall be conducted by trained medical personnel at the City's expense with the results of such test, or tests, to be disclosed to and used by the City.

If the City has any reason to suspect that an employee is violating this policy, the employee may be asked to immediately submit to a search of his or her vehicle, desk, brief case, purse, wallet, packages, personal possessions, or other items on the premises which he or she has access to, or where circumstances require, to a search of his or her person by supervisor or manager of the same sex. Disciplinary action or termination will result if an employee is found in violation of this policy.

## **CITY OF STURGEON BAY DRUG & ALCOHOL POLICY**

### **Purpose**

The City of Sturgeon Bay recognizes that the use and/or abuse of illegal drugs and/or alcohol, as well as the abuse of prescribed medications, can have a significant impact on the workplace in terms of safety, worker's compensation claims, sick pay benefits, absenteeism and productivity. The City also recognizes the legal duty to provide a safe workplace. Moreover, the City is concerned about the health and well-being of those employees who use and/or abuse drugs and/or alcohol.

### **Policy Statement**

It is the City's policy that employee use, manufacture, distribution, possession or sale of illegal drugs at any time, and on the job use of or impairment by drugs and/or alcohol is prohibited. The City will subject its employees to drug and/or alcohol testing as set forth in this policy.

This policy supplements the Manuals of Rules for the City of Sturgeon Bay Fire and Police Departments. This policy also supplements the City's already existing D.O.T. drug and alcohol testing policy covering employees who are regularly or occasionally operating a commercial motor vehicle (including mechanics and supervisors required to have a CDL) as defined by D.O.T. regulations and will apply to situations not covered under that policy. For employees covered under the Manuals of Rules for the Sturgeon Bay Police and Fire Departments or the D.O.T. drug and alcohol testing policy, in the event a more restrictive provision applies under the already existing policies, the more restrictive provision will apply.

## Types of Testing

1. Pre-employment Testing - Every applicant for employment, whether full time, part time, or seasonal, will be required to undergo and pass a drug test before he/she may commence employment at the City of Sturgeon Bay. Each job applicant will be advised that a drug test will be required as a part of a pre-placement examination and that any job offer is contingent upon, among other things, successful passage of that test.
2. Reasonable Suspicion Testing - If at any time, the City determines, there is reasonable suspicion that an employee is under the influence of drugs and/or alcohol, the employee will be required to submit to a drug and/or alcohol test. Reasonable suspicion will be determined by two supervisors, if available. However, one supervisor may determine whether there is reasonable suspicion if no other supervisor is immediately available or the supervisor determines circumstances dictate the determination by one supervisor. Reasonable suspicion will be based upon observable actions, alone or in conjunction with other factors including, but not by way of limitation: (1) dangerous or accident-prone conduct; (2) decreased job performance which is unexplained; (3) unexplained increased absenteeism; (4) complaints from co-employees and other problems with interpersonal relations; (5) drug-related signs such as paraphernalia; (6) reduced short-term memory; (7) physical symptoms such as bloodshot eyes; (8) dilated pupils, stuffy or runny nose; (9) anxiety; and/or (10) inability to concentrate.
3. Post-Accident Testing: If an employee is involved in an accident and it appears the employee is at fault or the accident cannot be explained to the satisfaction of City representatives, or in the case of an employee operating a City vehicle in which the employee is involved in an accident for which the employee is issued a citation for a moving violation, the employee shall be required to submit to a drug and/or alcohol test. This section shall apply to both the injured employee and any other employee whose actions may have contributed to the occurrence of the accident.
4. Random Testing - Pursuant to the Omnibus Transportation Employee Testing Act of 1991, all employees required to hold commercial driver's licenses (CDLs) shall be required to participate in random drug and alcohol testing. Testing shall be conducted in accordance with City policy.

## Disciplinary Procedures

Any employee who tests positive for any illegal drugs or controlled substances, except medication taken as prescribed, will be subject to discipline up to and including discharge. No employee who tests positive for any illegal drugs or controlled substances, except medication taken as prescribed, will be allowed to work until that individual has successfully completed assessment and/or treatment as described below and has been certified by a qualified physician as free from the use of drugs or in the case of a positive test for prescribed drugs, that there is no impairment. In the event of a reasonable suspicion test for alcohol, an employee will be subject to discipline up to and including discharge as the result of a positive test for alcohol which reveals a blood/alcohol content of .04 or greater. Where more restrictive standards are already

established under the Manuals of Rules for the City of Sturgeon Bay Fire and Police Departments or the City's D.O.T. Drug and Alcohol Testing Policy, these standards will apply for purposes of discipline.

#### Employee Consent to Testing

Each employee/applicant directed for testing will be required to complete and sign a form by which he/she consents to and authorizes testing and disclosure of test results to the City. If the employee refuses to complete and sign the consent/authorization form, or the chain of custody form at the collection site or if the employee refuses to provide the specimen for testing, such refusal will constitute grounds for termination. Providing an adulterated sample will result in immediate termination.

#### Supervisor's Role/Responsibilities

1. The Supervisor or supervisor representative is to transport the employee to the collection site for drug and/or alcohol testing immediately, but no later than eight (8) hours for an alcohol test or twenty-four (24) hours for a drug test, or having determined that there is reasonable suspicion to believe that the employee is using or is under the influence of alcohol or drugs. If the alcohol test is conducted more than two (2) hours, but less than eight (8) hours after the Supervisor makes such reasonable suspicion determination, the Supervisor will complete a report explaining the reason for the delay in conducting the drug or alcohol test. The Supervisor or supervisor representative is to wait at the clinic with the employee until the breath test has been completed or the urine sample or hair follicle sample has been taken. If the alcohol test is not conducted within eight (8) hours after the supervisor makes such reasonable suspicion determination, or if the drug test is not conducted within twenty-four (24) hours after such determination, the supervisor will complete a report explaining the reasons why the test was not conducted. Except for DOT random testing, the supervisor or supervisor representative shall transport the employee to the testing facility for all tests and back to the employment site. For a positive DOT random test, supervisor or supervisor representative shall transport employee from testing facility back to employment site.
2. Once the alcohol testing has been completed and a positive confirmatory test result has been received, the employee will not be permitted to drive his/her own vehicle home at that time. The employee must make alternative transportation arrangements in order to leave the employment site.
3. The employee is to be advised not to report for work as she/he will be placed on administrative leave without pay. If the blood alcohol, urine test, and/or hair follicle test has been administered, the City, or MRO if applicable, will contact the employee once the test results are known (this normally takes 24- 48 hours) and a decision has been made as to the employee's status.
4. The results of the drug or alcohol testing will be sent directly to the Personnel Department. When the results are obtained, the employee's supervisor and department

head will meet with Personnel Director to determine the appropriate course of action to be taken. This is a confidential process. Test results will be held strictly confidential and are not to be discussed or shared with anyone who does not need to know. Likewise, a supervisor must not discuss the suspected reason for a referral or discipline action with anyone who does not need to know.

5. Once the test has been completed and the employee has been sent home, the supervisor must submit a written report to the Personnel Director outlining, in detail, the event and the behavior observed that led the supervisor to believe the employee was under the influence of alcohol and/or drugs. This report must be done within 24 hours of the testing. This information will assist the Department in assessing the appropriate discipline to be considered.

#### Collection of Specimens

Specimens to be tested will be urine and/or hair follicles in the case of a drug test and breath or saliva in the case of a test for alcohol where there is reasonable suspicion of alcohol use or impairment on the job.

The City of Sturgeon Bay respects its applicants and employees and therefore subscribes to the collection protocol set forth by the Department of Health and Human Services (hereafter called DHHS) which protects the privacy and confidentiality of the donor. This protocol allows for the submission of the specimen under closely structured conditions but behind either a closed door or a privacy partition. It must be understood, however, that under circumstances established by DHHS the donor may be asked to provide a fresh specimen in the presence of a witness of the collector has reason to believe; (1) that the specimen is not that of the donor; (2) that the specimen has been adulterated or altered; (3) that the collection is part of a post-treatment monitoring program; or (4) that the donor has been known or suspected of adulterating previous specimen(s). All specimens are collected and processed by social security number and accession number for complete confidentiality.

#### Custody and Control Form

All specimens will be processed and monitored by way of an approved Custody and Control Form which is used to track the specimen from point of submission to point of destruction. Employees will be required to sign the chain of custody form. Failure to do so will result in the need for a retest. However, an employee who refuses to sign after being requested to do so will be subject to discipline up to and including discharge.

#### Laboratory Aspects of Drug Testing

In order to assure our applicants and employees the greatest accuracy and confidentiality, all drug testing is to be conducted by a laboratory certified by DHHS and will be conducted in two parts: (1) screening for five classes of drugs by EMIT testing procedures - amphetamines, benzoylecognine (cocaine metabolite), opiates, PCP, THC (marijuana metabolites); and (2) confirmation by GC/MS. However, the City reserves the right to perform tests for other illegal substances as well. No specimen will be considered "positive" (positive is defined as the presence of one or more controlled substances at or above levels determined by DHHS) until it has been confirmed at the cut-off levels established by DHHS. In the event that no such levels

have been established for that drug, City will rely on the laboratory and its consultants to establish a "forensically accepted level."

### Reporting Results

All positive drug test results will be first reported to the Medical Review Officer (MRO). If the specimen is positive, the MRO will attempt to contact the employee at the daytime number provided at the time of urine and/or follicle specimen submission for the purpose of discussing the test results. Should the MRO fail to make contact on that attempt, he/she may contact the City to ask for assistance in reaching the employee. If the MRO does not make contact within an additional maximum of five days or if the result appears to create immediate safety concerns, the MRO may disclose the results to City prior to speaking with the employee. City reserves the right to immediately remove that employee from active duty until such time as the MRO is able to make contact and provide a final result. If, when the MRO reaches the employee, the employee is able to provide substantiation of legitimate use, the positive result will be reported to City as "negative" (negative is defined as the absence of a controlled substance at or above the levels of detection determined by DHHS). If no legitimate reason for the positive result is found, that positive result will be provided to City.

### Prescription Medications

Nothing in this policy prohibits the appropriate use of prescription medication legally prescribed by a licensed physician. However, it is the employee's duty to discuss any effects which that medication may have on ability to safely perform his/her job and to inform City of any adverse effects. Failure to do so may result in discipline up to and including discharge.

### Training

The City will provide training for all employees and supervisory personnel consisting of at least the following elements:

1. The effects and consequences of controlled substance use on personal health, safety and the work environment.
2. The manifestation and behavioral changes that may indicate controlled use or abuse; and
3. Documentation of training given to employees and City supervisory personnel.

### Employee Assistance and Rehabilitation

The City has a primary interest in the safety, health and well-being of its employees as well as the public and support those who make a commitment to resolving their substance abuse problems. In the event of a positive test, the City, may offer the employee an opportunity to enter a treatment program in lieu of termination. If the City determines that a treatment option will be offered, the City will provide a list of acceptable resources available to the employee for assessment and/or treatment. Although such assessment and/or treatment is conducted at the sole expense of the employee or his/her insurance carrier, the City requires that certified professional actively involved in the substance abuse field be utilized.

The City may at its discretion reinstate an individual after completing a City approved rehabilitation program. Prior to entering rehabilitation, the employee will be required to sign a form consenting to the release by the treatment center of information regarding the progress and results of rehabilitation. Failure to sign this consent form will result in City's inability to assess the employee's rehabilitation and the employee will remain unqualified until a professional in substance abuse treatment certifies the employee's rehabilitation. Should the resource selected by the employee not meet this criteria, City may request a second evaluation by an acceptable treatment professional at City's expense. This evaluation will be conclusive evidence of the employee's rehabilitation or failure to rehabilitate. If rehabilitation will require time away from the job, that time will be unpaid unless the employee has accrued benefits for vacation, sick leave or other earned time which may be applied in lieu of unpaid leave. The employee's position of seniority will be maintained for a thirty day period. The employee may be permitted to return to work if/when he/she is able to demonstrate the successful completion of such assessment and/or any recommended treatment.

An employee who is allowed and selects rehabilitation will comply with all requirements of that program to completion. Failure to do so or failure to make every effort at rehabilitation will constitute grounds for termination. Upon return, City will maintain contact with the treatment professional to assure the ongoing compliance with recommended treatment. Further, as a condition of return, the employee will be required to submit, on demand, urine, and/or hair follicle specimens for analysis for a period of up to sixty months. The number and frequency of such specimens is determined by City at its sole discretion. A positive test during or following the monitoring period will result in immediate termination without further consideration of future employment. City may, at its sole discretion, elect to offer special consideration to any individual who comes forth voluntarily as opposed to those who are detected through the regular testing process. Reinstatement after a positive test, if permitted at all, will be permitted only one time. Reinstatement, if permitted will be conditioned upon the individual signing an agreement acknowledging that he/she will be terminated upon a subsequent violation of this policy.

#### Confidentiality

Results of all drug/alcohol tests will be kept separate from personnel files and treated as confidential information and access to such results shall be limited. Results will not be communicated to others outside of the employee's direct supervisory chain except where necessary in connection with any rehabilitation or use of the Employee Assistance Program in relation to the drug/alcohol test.

#### Conclusion

The City is committed to the health, productivity and stability of the City, its employees and the safety of the general public. It is with a sense of sincere concern that this program is implemented. The City is firmly committed to the fair and equal treatment of all employees under this policy and expects that all employees will participate fully, willingly and with the knowledge that a safe, healthful and productive work environment is to the benefit of all.

## **CONFLICTS OF INTEREST**

No employee shall engage in any business transaction with the employer, or have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his or her official duties or will tend to impair his or her independence, judgment or action in the performance of his or her official duties. Any employee who has a financial interest, including employment, in any business entity entering into, proposing to enter into or bidding on any transaction with the employer, or as part of his or her official duties will be making an official decision or recommendation significantly affecting a business competitor, client or regular customer, shall disclose such interest to the City of Sturgeon Bay.

No employee, including persons or firms engaged to provide professional services to the employer, shall represent, for compensation, private interests before the employer without disclosure of the private business relationship and explicit consent of the employer. No employee shall disclose or use confidential information of the employer to advance the financial or other private interest of the employee or others.

No employee shall accept anything of value whether in the form of a gift, service loan or promise from any person, who, to the employee's knowledge, has a direct financial interest in any transaction or official business with the employer, which may tend to impair his independence of judgment or action in the performance of his official duties.

## **EMPLOYMENT CLASSIFICATION**

Based on the needs of the employer, employees are classified within the following categories:

- Exempt and Non-Exempt Employees
- Regular Full-Time Employees
- Regular Part-Time Employees
- Seasonal or Temporary Employees
- Paid On-Call Firefighters
- Contractors

Exempt employees are defined as salaried professional, managerial, or supervisory personnel. Non-exempt employees are defined as hourly support staff.

A regular full-time employee is an employee who works a regular schedule and is expected to normally work forty or more hours per workweek. Exempt employees are generally classified as regular full-time employees. A regular full-time employee may be exempt or non-exempt. Only regular full-time employees receive benefits of the employer unless specifically identified in the employer's policies or as required by law.

A regular part-time employee is an employee who works a regular schedule and is expected to normally work more than twenty but less than forty hours per workweek. A regular part-time employee may be exempt or non-exempt. A regular part-time employee does not receive benefits of the employer unless specifically identified in the employer's policies or as required by law.

A temporary or seasonal employee is hired for a specified project or time frame and may work an irregular schedule or a regular schedule. A temporary or seasonal employee may be exempt or non-exempt. Temporary or seasonal employees do not receive any additional compensation or benefits provided by the employer unless required by law.

A contractor is retained on a per project basis with a defined scope at the project outset. A contractor may perform services on a regular or an irregular schedule. Contractors do not receive any additional compensation or benefits provided by the employer.

A paid on call firefighter is an employee without a set work schedule. Said employee may be scheduled for night duties and training and called in for emergencies. Paid on call firefighters receive no benefits except for LOSA (if eligible,) attendance bonus (if applicable,) and clothing allowance.

### **EQUAL EMPLOYMENT OPPORTUNITY**

The City of Sturgeon Bay is an equal employment opportunity employer. Employment decisions are based on merit and business needs. The City of Sturgeon Bay carefully selects employees. The City of Sturgeon Bay employs people who are concerned with the success of the City of Sturgeon Bay; people who care first about the highest quality public service and the interests of the public; people who can carry on his/her work with skill and ability; and people who can work well with our team.

It is the City of Sturgeon Bay's policy to seek and employ the best quality and qualified personnel in all positions, to provide equal opportunity for advancement to all employees, including upgrading, promotion and training, and to administer these activities in a manner which will not discriminate against or give preference to any person because of race, color, religion, age, sex, national origin, handicap, genetic information, ancestry, sexual orientation, marital status, arrest or conviction record, or any other basis protected by state or federal law. All employees are required to provide proof of identity and authorization to work in the United States. It is the policy of the City of Sturgeon Bay to comply with all the relevant and applicable provisions of the Americans with Disabilities Act (ADA) and other laws. The City of Sturgeon Bay will make reasonable accommodation wherever necessary for all employees or applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential duties and assignments connected with the job and provided that any accommodations made do not impose an undue hardship on the City of Sturgeon Bay.

The City of Sturgeon Bay is further committed to providing a work environment in which employees are treated with courtesy, respect and dignity. As part of this commitment, the City of Sturgeon Bay will not tolerate any form of harassment, verbal or physical, with regard to an individual's race, sex, national origin or any other protected characteristics. Therefore, all employees are encouraged to bring any concern or complaints in this regard to the attention of management through the chain of command or through the reporting procedures in specific policies. All complaints of sexual harassment, or harassment of any kind, will be investigated promptly and, where necessary, immediate and appropriate action will be taken to stop and remedy any such conduct.

All employees share in the responsibility for assuring that the policies are effective and apply uniformly to everyone. Any employees, including managers, involved in discriminatory practices will be subject to corrective actions up to and including termination.

Equal employment opportunity notices are posted near employee gathering places as required by law. These notices summarize the rights of employees to equal opportunity in employment and list the names and addresses of the various government agencies that may be contacted in the event that any person believes he or she has been discriminated against.

### **HIRING, PROMOTIONS, TRANSFERS AND ASSIGNMENTS**

The City of Sturgeon Bay seeks to hire the best-quality and qualified candidates who fit the needs and culture of the City of Sturgeon Bay. The City of Sturgeon Bay may use hiring, interview and screening processes to design and fulfill this objective.

When in the interests of the employer, the employer may attempt to fill a job vacancy by promotion from within the organization. The employer may consider both internal and external applicants.

From time to time and in the interests of the employer, the employer may transfer employees from assignment to assignment, position to position or department to department. Employees may request to be transferred from one position or department to another. Such a request may be given consideration when a suitable opportunity exists and such request can be fulfilled in the interests of the employer. Requests for transfer by an employee must be in writing, must include a resume of qualifications from the employee and the reasons for the transfer, and must be directed to the supervisor in charge of the department to which they wish to transfer, with notice to his/her current supervisor of the request.

Appointment of personnel by the City of Sturgeon Bay to a higher classification on a temporary basis in order to fill a vacancy is considered an "acting appointment." An employee holding an acting appointment may receive a temporary pay increase if authorized by the employer.

Depending on the nature of the position and the applicants applying for the position, the employer may conduct varying levels of background screening to determine whether candidates for employment, promotion, assignment or transfer are suitable for the position they desire to obtain. Information that may be obtained or requested includes information relating to references, past employment, work habits, education, judgments, liens, criminal background and offenses, character, general reputation and driving records. The employer may also obtain information from a consumer reporting agency. Before denying an extension, assignment, promotion, or other benefit of employment, based in whole or in part, on information obtained in the credit report, the employer will provide a copy of the report and a description in writing of the applicant's rights under the Fair Credit Reporting Act.

Employees or applicants seeking employment, transfer, promotion, or assignment will be required to sign a document that constitutes the employee's full waiver, release and indemnification of any liability related to the background investigation. Employees or applicants who refuse to sign the waiver, release, and indemnification form will not be considered for employment, transfer, promotion, or assignment.

## **LAYOFF, REDUCTION-IN-FORCE AND RECALL**

When deemed necessary or appropriate by the City of Sturgeon Bay, employees may be laid off temporarily or reduced in hours. Employees will be selected for layoff/reduction based on the needs and best interest of the City of Sturgeon Bay, as determined by the City of Sturgeon Bay. Employees have no recall rights, but in the event of a recall, employees will be recalled based on the needs and best interest of the City of Sturgeon Bay.

## **NEPOTISM**

No member of the immediate family shall supervise another member of the same family unless specifically authorized by the City of Sturgeon Bay Common Council. This may be allowed without the approval of the Common Council if the position is only short term or temporary. Immediate family members shall include spouses, parents, grandparents, children, siblings, (natural or other) stepparents, stepchildren, and in-law's.

## **PERSONNEL FILE ACCESS**

Each employee has a personnel file. Information retained in the personnel file includes personal information such as forms for federal and state taxes, enrollment forms for benefits, address changes, and specific work-related information such as application for employment, resume, performance evaluations, salary adjustments, job changes, and other designated records. An employee may request an opportunity to review the records in his or her personnel file that the employee has a lawful right to review by submitting a written request to Human Resources. Requests for inspection will be scheduled at a mutually convenient time and within the timeframes required by law. Employee files contain records maintained by the City of Sturgeon Bay's Custodian of Records. Personnel files may not be taken outside of the custody of the Custodian. Access to employment records is limited to the employee, supervisor, City Administrator and Human Resources Director.

The employer will use employee medical information only in a manner that is lawful, job-related, and consistent with business necessity. Employee medical information will be maintained in separate medical files, and will be treated confidentially to the extent required by law. Normally, medical information may be disclosed to someone other than the employee in the following circumstances:

- Supervisors and managers may be informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations;
- First aid and safety personnel may be informed, when appropriate, if the employee's medical condition might require emergency treatment; and.

Employees should refer all requests for personnel information concerning applicants, employees, and past employees to Human Resources. Employees are not permitted to provide references on behalf of the City of Sturgeon Bay. Pursuant to requests for references, the employer may choose to release only limited general information such as the position held and dates of employment. The City of Sturgeon Bay may require the individual involved to provide a written

consent, release and indemnity agreement before the employer will release additional information unless there are circumstances warranting otherwise.

It is important that each employee's personal information and decisions regarding benefit selection be accurate at all times. It is each employee's responsibility to notify the City of Sturgeon Bay within 48 hours of any changes to the employee's personnel file or personal contact information or family information used for insurance and tax purposes. In order to avoid issues relating to benefit eligibility, having W-2s returned or any other issue, employees must promptly notify, in writing, Human Resources of any change in personal information including name change, address, telephone number, marital status (for benefits and withholding purposes), names, addresses and phone numbers of the employee's spouse and dependents (for benefits purposes), beneficiary designations, and emergency contact information.

### **PROHIBITED HARASSMENT**

A fundamental policy of the City of Sturgeon Bay is that the workplace is for performing high quality work and to serve the interests of the City of Sturgeon Bay and the public. Employees must provide a workplace free from tensions involving matters that do not relate to the employer's business and where employees behave courteously and professionally at all times. In particular, an atmosphere of tension created by conduct not related to work—including animosity caused by ethnic, racial, sexual, or religious remarks, unwelcome sexual advances, requests for sexual favors, or similar discriminatory conduct—does not belong in the workplace.

Harassment of employees or applicants for employment is prohibited. "Harassment" is defined as persistently bothering, disturbing, or tormenting another person based on a variety of protected statuses, such as race, color, religion, sex, national origin, disability, marital status, genetic information, or sexual orientation. The employer prohibits all forms of harassment, discrimination or retaliation based on protected status, including, but not limited to:

- Verbal harassment, such as making derogatory statements, epithets, or slurs to or about another person or group;
- Visual harassment, such as displaying offensive posters, cartoons, or drawings; and
- Physical harassment, such as threatening, assaulting, or physically interfering with another person or making other inappropriate or unwelcome physical contact.

#### **Sexual Harassment**

"Sexual harassment" is defined as unwelcome conduct of a sexual nature, including unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, and other verbal, visual, or physical conduct of a sexual nature when:

- Submission to such conduct is explicitly or implicitly made a term or condition of employment;
- Submission or refusal to submit to such conduct is used as the basis for a tangible employment action; or

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or work environment.

An employee cannot be forced to submit to sexual harassment as a basis for any employment decision. In addition, the employer will attempt to prevent and promptly eliminate any conduct that creates an intimidating, hostile, or offensive work environment for our employees.

### **Examples of Prohibited Conduct**

The following conduct will be considered to be sexual harassment or another form of unlawful harassment or inappropriate behavior in our workplace or in connection with work-related activities:

- Sexually suggestive or off-color comments or jokes;
- Sexual flirtation, innuendo, advances, propositions, or other sexual activities;
- Unprofessional touching, such as massages, embracing, or inappropriately putting an arm around another employee;
- Repeated and unwelcome invitations for social interactions outside of the workplace;
- Sexual or racial slurs, derogatory remarks, or offensive gestures;
- Displaying or distributing sexually explicit or otherwise off-color materials, including books, magazines, articles, pictures, greeting cards, photographs, drawings, cartoons, and e-mail messages; and
- Including or excluding any individual from workplace activities, assignments, or responsibilities based on his/her refusal to participate in or tolerate sexual or other forms of harassment or based on other factors not related to job performance or legitimate business reasons.

This list is not intended to be exhaustive. Any particular conduct described above may also be inappropriate outside the workplace if the conduct may adversely affect the work environment. Similarly, a consensual relationship does not justify inappropriate displays of affection or other sexual statements or activities during working hours or at work-related functions. Any questions about whether particular conduct is prohibited under this policy should be discussed with the employee's supervisor or City Administrator.

### **Reporting Harassment, Discrimination or Retaliation or other Inappropriate Conduct**

If an employee believes that any sort of sexual or other unlawful harassment, discrimination or retaliation or other inappropriate conduct is interfering with his or her work or the work of others or is creating an intimidating, hostile, or offensive work environment, then the employer requires the employee to notify his or her supervisor. If an employee feels uncomfortable bringing the matter to his or her supervisor or if the employee believes his or her supervisor or member of a governmental body is participating in conduct that violates this Policy, then the employee must notify the City Administrator or Mayor. The employee may be asked to sign a written complaint or other summary of the information reported.

### **Investigation and Follow-up**

Complaints of harassment, discrimination or retaliation will be promptly and thoroughly investigated and the complaining employee will be advised of the results of the investigation. The employer understands that these matters are sensitive and will therefore attempt to keep all employee complaints and communications, such as interviews and witness statements, in confidence to the extent practicable.

The employer will take appropriate disciplinary action, up to and including discharge, against any employee who engages in sexual or other harassment, discrimination or retaliation or who otherwise violates this policy. Further, the employer will correct any adverse employment action the employee or another employee experienced due to conduct forbidden by this policy and other corrective action designed to end the harassment, discrimination or retaliation.

If an individual involved in harassing or inappropriate conduct is not employed by the employer, then the individual will be informed of this policy and appropriate action will be taken. In all cases, the employer will make follow-up inquiries to make sure the harassment, discrimination or retaliation has stopped.

### **Retaliation Forbidden**

The employer will not tolerate retaliation against any employee who complains of sexual or other unlawful harassment, discrimination or retaliation or who provides information in connection with any such complaint of sexual or unlawful harassment, discrimination or retaliation. If an employee believes that he or she has been retaliated against for bringing a complaint or providing information related to a complaint, the employer requires the employee to use the reporting procedure described in this policy.

### **Employee Responsibilities**

Employees are responsible for:

- Behaving courteously and professionally toward fellow employees and the public;
- Reading this policy and understanding fully its requirements;
- Refraining from conduct forbidden by this policy;
- Reporting promptly any incidents of sexual or other harassment, discrimination or retaliation or other inappropriate behavior; and
- Cooperating in any investigation conducted under this policy by providing accurate and complete information about any incidents with which the employee is familiar.

## **SECONDARY EMPLOYMENT**

Employment with the City of Sturgeon Bay by regular part-time and regular full-time employees should be considered the employee's primary employment. Secondary employment with other entities must not conflict, with the duties of the employee. The City of Sturgeon Bay has prior call upon the services of its employees regardless of any conflict with secondary employment. An employee who engages in secondary employment must clearly define himself or herself as an employee of the secondary employer and not act or treat himself or herself as an employee or

agent of the City of Sturgeon Bay. Employees must still comply with all policies, rules and general expectations of conduct when engaging in off-duty behavior regardless of such secondary employment. The City of Sturgeon Bay may terminate the employment of an employee whose secondary employment may interfere with the performance of his or her work, where a conflict, where the interests of the City of Sturgeon Bay are impacted as a result of the secondary employment, or where such employment or conduct negatively affects the image of the City of Sturgeon Bay or employees.

### **TRAINING**

The City of Sturgeon Bay encourages the professional development of employees that supports that employee and the employer and serves to enrich the professional development of other employees. Attendance at training schools or programs, job-related conferences, workshops, seminars and credit courses required by the City of Sturgeon Bay shall be with pay and registration fees will be paid upon completion of the school or program. Employees are responsible for maintaining required and necessary certification statuses and seeking appropriate recertification when necessary. All requests for reimbursement for certification and recertification and any applicable trainings and courses must be presented to the City Administrator for approval prior to signing up for the required certification or recertification program.

Employees may desire to attend, or be asked to attend, job related conferences, workshops, seminars or credit courses offered by various educational institutions or by other organizations. The City of Sturgeon Bay shall pay the cost of tuition and course materials for all job-related courses which are successfully completed by the employee, provided the City of Sturgeon Bay has approved said courses prior to the first day of class. Reimbursement for tuition and course materials shall be made after successful completion (B or higher grade) of the course.

# **ATTENDANCE POLICIES, HOURS OF WORK**

## **ATTENDANCE AND TARDINESS**

The City of Sturgeon Bay places great emphasis on good attendance. Absence or tardiness places an extra burden on co-workers and undermines the efficient operation of the City of Sturgeon Bay. Regular attendance is expected of every employee. It is each employee's responsibility to be on the job, on time each day, and fully able and ready to work. Although there are justifiable reasons to take time off from work, each employee's employment assumes his or her availability for work. All employees are expected to arrive at work on time, return from scheduled rest breaks and lunch breaks on time and to be available at the will of the Common Council and supervisors as the workload dictates. Hourly employees must not report in more than 15 minutes before the start of his/her shift unless such time has been previously authorized by a supervisor.

An employee who anticipates being absent or tardy must call in to report the absence or tardiness as soon as possible before his/her shift. Absenteeism or tardiness may lead to discipline, including discharge and may also be taken into consideration when employee is reviewed for wage changes or promotion. Unexcused absences from work for three (3) consecutive scheduled work days without calling in or notifying the employer will be considered to be a voluntary resignation unless extenuating circumstances are found to have existed. The City Administrator or the City of Sturgeon Bay Common Council may authorize such absence by subsequent grant of leave with or without pay.

Administrative/exempt employees include the City Administrator, Fire Chief, Assistant Fire Chief, City Clerk/Human Resources Director, City Engineer, Community Development Director, Engineering Technician, Finance Director/City Treasurer, Municipal Services Director, Public Works Crew Supervisor, Police Chief, Police Captain, Police Lieutenant, and Police Department Office Manager. As exempt employees it is expected that these positions be available at the will of the Common Council and management as the work load dictates. It shall be the general policy of the City that employees in these positions will work an average of a minimum of 40 hours per week during the course of the year. Employees in these positions are also expected to frequently work additional hours beyond the normal 40 hour work week as the work load dictates. As such, it is recognized that at times employees in these positions may work less than 40 hours during some weeks, excluding the use of vacation, sick leave, personal leave, or bereavement leave. These hours shall be considered administrative leave. Administrative leave may only be used with the prior approval of the supervisor. Administrative leave should not be approved or used during periods where an employee's absence will impact service delivery, organizational management, or the city's ability to meet established deadlines or organizational goals. Use of administrative leave on an hour for hour basis for time worked in excess of the normal 40 hour work week shall not be permitted under this policy.

## **HOURS OF WORK**

Work schedules for employees vary throughout the organization and are at management's discretion. The normal work week shall be forty (40) hours. The pay period begins on Sunday

and ends on Saturday. Sunday work hours will be paid at time and one-half. Overtime must be authorized by the Department Head.

### **BREAK AND MEAL PERIODS**

Breaks will be provided in accordance with Federal and State law. In addition, an unpaid meal period will also be provided daily. The unpaid meal period shall include personal clean-up time. If the employee wishes to have his/her meal at a location other than the work site, he/she must travel to that location during the unpaid meal period. Use of city vehicles by non-exempt employees for travel to break or meal periods is prohibited unless approved by his/her supervisor. All employees are expected to adhere strictly to the length of time designated for breaks and meal periods.

### **SEVERE WEATHER**

The City of Sturgeon Bay is always open during normal business hours, regardless of weather conditions. Weather conditions may prevent employees from getting to work or cause them to arrive late. Employees are expected to make every reasonable effort to report to work during inclement weather. When severe weather conditions exist, it will be the responsibility of each employee to contact the City of Sturgeon Bay before the start of his or her shift if he or she is unable to report to work on time. Work time missed due to inclement weather is without regular pay and employees must use vacation or other earned benefits to account for missed work time. Nevertheless, in the event of severe weather or other exigent circumstance, as determined by the employer, the City of Sturgeon Bay's need for the employee's attendance to perform his or her duties will prevail.

### **TIME SHEET REGULATIONS**

Each employee is required to complete a weekly time sheet in accordance with approved format and record the hours worked, vacation time, sick leave, personal holidays, family leave, and other leave. Each employee should record his or her time sheet only. Each time sheet shall be forwarded to the employee's direct supervisor for approval by 10:00 a.m. every Monday. It is the supervisor's responsibility to complete and sign the timesheet in the case an employee is on sick or vacation leave for an extended period of time. Errors must be immediately reported. Employees should never assume a supervisor or payroll clerk would notice or edit any time discrepancy, as this is the employee's responsibility.

# **PAY AND PERFORMANCE REVIEW POLICIES**

## **COMPENSATION**

Salary and wage rates are established by the Common Council after recommendation from the Personnel Committee. Recommendations will be based upon employee evaluation and recommendation to the Personnel Committee by the City Administrator and Department Heads.

## **CALL OUTS**

Full-time employees, who are called to work, other than the scheduled starting time, are entitled to at least two (2) hours pay at applicable overtime rates if the hours are not contiguous with the scheduled work day. The payment is a minimum payment regardless of time worked less the two (2) hours, unless the call out occurs one-half hour or less before the scheduled work-day. Call outs occurring during this time will be paid at the appropriate rate for the actual time worked. Time will start when the employee arrives at his/her assigned place of work for all call out work until the employee leaves his/her assigned place of work for the call out work.

## **OVERTIME**

All regular full-time, non-exempt employees will be paid on a time and one-half basis for work performed in excess of forty (40) hours per week. A paid holiday falling within a normal week shall be considered as eight (8) hours of work performed for the purpose of computing overtime pay during such week. Prior authorization must be obtained from the employee's supervisor before working overtime. Sick time and vacation time taken during the pay period shall not be counted in the overtime calculation. Employees who are compensated on an hourly basis are eligible to earn compensatory time in lieu of payment for all hours worked in excess of 40 hours per week at the rate of time and one half for overtime, up to a maximum of 40 hours. Compensatory time accumulation and leave use must be approved by the supervisor. Employees shall be paid at current rate of pay for any compensatory time accumulated but not used by the end of the calendar year. The final compensatory time payout will be the last pay period in December.

## **PAY PERIODS**

All employees are paid weekly by direct deposit into the employee's checking or savings account. Direct deposits are prepared and deposited on the Friday of each week for the preceding pay period. If a payday falls on a holiday, the payday shall be the day prior to the holiday. The City of Sturgeon Bay strives to fairly and accurately compensate its employees. If an employee feels an error has been made on his/her compensation, the employee must contact Payroll within two days of the issuance of the pay. Payroll will promptly review the employees concern and will respond to the inquiry within five (5) business days.

A. Savings/checking withholdings.

1. Three withholding/deposit transactions per paycheck may be made to a

single bank, savings & loan, credit union or a combination thereof but in no event shall the number of depositories exceed three institutions - no charge.

2. Each employee may submit one "withholding/deposit request" per six month period - no charge.
3. Deposits may only be made to savings accounts, checking accounts or the approved deferred compensation company as outlined below.

B. Additional voluntary withholdings/deposits.

1. Withholdings/deposits made to the approved deferred compensation plan are allowable and are in addition to those withholding/deposits described above - no charge.
2. No voluntary withholding/deposits to other than banks, savings & loans, credit unions or deferred compensation plan allowed.

C. Miscellaneous.

1. Withholdings will be sent to the appropriate savings institution in advance of the normal pay date for deposit on Friday.
2. A good faith effort will be made by the Office of the Finance Director/City Treasurer to see that deposits are made on a timely basis, however, the City shall not be held responsible for delays in deposits because of lost, stolen or misdirected mail or for other reasons beyond its control.
3. The Finance Director/City Treasurer may make administrative changes to this policy that are not inconsistent with the intent of the policy in order to keep current with changing technology and conditions. All employees shall be notified in writing of such changes, and a list of such changes shall be kept in the office of the Finance Director/City Treasurer

### **PERFORMANCE REVIEWS**

The City of Sturgeon Bay expects all employees to perform his/her job duties at a high quality level. As the City of Sturgeon Bay has limited resources available, it must only employ individuals who are committed to and capable of providing high quality services. Therefore, apathy, an inability to work as a member of a team, attitudinal issues, and marginal or unacceptable work performance are inconsistent with the interests and expectations of the City of Sturgeon Bay and the public.

Periodic evaluations are an opportunity to let each employee know how he or she is performing, how performance may be improved and to receive input from the employee concerning training,

supervision or any job difficulties that may be occurring. The employer will evaluate employee performance. Some of the job factors that are reviewed include: accuracy, quality of work, quantity of work, dependability, adaptability, job knowledge, organization, judgment, initiative, cooperation, ability to get along with others, public service mindset, attitude and attendance. It is the employee's responsibility to meet or surpass the expectations that have been set. The practices for departments or positions for the evaluation process may vary. Salary and wage rates are established by the Common Council through recommendation from the Personnel Committee. Recommendations will be based on employee evaluation and recommendation to the City Administrator by the Supervisors. Management may develop and modify, from time to time, a compensation framework that provides assistance in developing pay rates. If employees are represented by a union, base rates are subject to collective bargaining.

### **SALARY ADVANCES**

Salary advances are prohibited.

# BENEFIT POLICIES

## VACATIONS

Except as otherwise approved by the Common Council, regular full-time employees shall earn annual vacations with pay in the following manner:

- Five (5) days (40 hours) upon hire;
- Ten (10) days (80 hours) after two (2) years of continuous service;
- Fifteen (15) days (120 hours) after eight (8) years of continuous service;
- Twenty (20) days (160 hours) after fifteen (15) years of continuous service;
- Twenty-five (25) days (200 hours) after twenty-five (25) years of continuous service;

Regular part-time employees shall earn annual vacations with pay on a prorated basis according to the average number of hours worked per week.

Paid on call firefighters receive unpaid vacation as stated in the Fire Department policy.

Supervisors shall review and approve all vacation requests, dependent on the operating and support needs of the City of Sturgeon Bay during that period. Vacation shall be taken in four hour increments unless otherwise approved by the supervisor. Vacation not taken during the anniversary year will be lost unless other arrangements have been approved by their supervisor.

- A. Continuous Service: The continuous service of an employee, eligible for a vacation, shall not be considered interrupted if he or she:
1. Was on an approved leave of absence;
  2. Was absent on military leave;
  3. Was absent due to injury or illness.

- B. Computing Years of Service: In determining the number of full years of service completed, credit shall be given for the time of continuous employment by the City of Sturgeon Bay in a regular full-time or regular part-time position.

Only the most recent period of continuous service may be counted in determining an employee's length of service for computing benefits herein.

- C. Eligibility: All regular full-time and regular part-time employees are eligible for vacation benefits as set forth above. Vacation eligibility will be on the anniversary date for all employees.
- D. Termination Credit: If an employee, with more than one year's continuous service, terminates his or her employment for any reason during the year, he or she shall receive pro-rated accrued but unused vacation pay calculated from the anniversary date of his or her employment to the termination date during that year, in addition to any accumulated vacation due to the employee for prior credits.

- E. When Vacation May be Taken: In determining vacation schedules, supervisors shall consider the wishes of the eligible employee insofar as the needs of the City of Sturgeon Bay will permit.
- F. Vacation Holidays: In the event a holiday falls on a regular work day within the week or weeks taken as vacation, such holiday shall not be charged as vacation.
- G. Official Record of Vacation: Employees shall record vacation time used on weekly time sheets signed by the direct supervisor. A permanent vacation record shall be maintained by Human Resources for each employee.

### SICK LEAVE

Regular full-time employees shall accrue sick leave at the rate of eight (8) hours for each calendar month of service.

1. One Hundred (100) Day Base Account: Sick leave allowance shall be accumulated in the employee's base sick leave account until a maximum of one hundred (100) days has accrued.
2. Accrual Required Before Use: Sick leave shall not be used until it has been accrued.
3. Eligibility for Sick Leave: Each permanent employee who has earned sick leave credits shall be eligible for sick leave for any period of absence from employment which is due to illness, bodily injury, and exposure to contagious disease or attendance upon members of his or her immediate family. Employer shall have the right to require that the employee make other arrangements such as family or medical leave within three (3) days' time for the attendance upon members of his or her immediate family. Immediate family for sick leave purposes is defined as an employee's parents, parents-in-law, spouse, and children.
4. Sick Leave on Holidays: In the event that a holiday falls on a regular work day within the week or weeks taken as sick leave, such holiday shall not be charged as sick leave.
5. Upon Retirement, Disability or Death: Unused sick leave credits shall be paid out upon qualified retirement, disability or death at the regular hourly rate for the accrued and unused sick leave. Qualified retirement means the employee is entitled to retirement benefits as defined by the Wisconsin Retirement Fund at the time of separation of employment. In the event there are no dependents or spouse, the credits will be forfeited to the employer.
6. Official Record of Sick Leave: Employees shall record sick time used on weekly time sheets signed by the direct supervisor. A permanent sick leave record shall be maintained by Human Resources for each employee.
7. Certification of Illness: Sick days accrue for the benefit of the employee's use in times of

illness for themselves or immediate family members. Employer may require, at its discretion, a doctor's excuse for any time taken as sick leave so as to avoid abuse of this benefit. Employees found to be abusing sick leave privileges will be disciplined and may be discharged.

Regular part-time employees shall accrue annual sick time with pay on a prorated basis according to the average number of hours worked per week.

### **WELLNESS BENEFIT**

Employees who do not use any sick leave in the first six (6) months of a calendar year shall receive a wellness benefit consisting of one day off with pay. Said benefit must be used during the following six months. Employees who do not use any sick leave in the second six (6) months of a calendar year shall receive a wellness benefit consisting of one day off with pay. Said benefit must be used during the following six months.

### **SICK/VACATION/FLOATING HOLIDAY/COMPENSATORY LEAVE DONATION**

The purpose of this policy to provide a qualified full-time administrative employee, who has a non-occupational extended illness or other medical condition and has exhausted all accumulated sick time, compensatory time, floating holidays, and vacation time, a means of assistance through the contributions of sick time, compensatory time, floating holidays, and vacation from fellow administrative employees. Donation of time may be made under the following conditions:

- A. An employee shall not become eligible to receive a time donation until the employee:
  1. Has been employed full-time by the City of Sturgeon Bay for a period of not less than one year.
  2. Has exhausted all accumulated sick, compensatory, floating holiday, and vacation time or other such paid time as the employee may possess and is eligible for leave under the Family and Medical Leave Act. The period in which the employee may receive donated leave is the period of Family and Medical qualified leave which would otherwise be unpaid.
  3. Has applied for and received approval for leave under the Family and Medical Leave Policy for a non-occupational serious health condition of themselves. Donated leave may not be used for care of spouse or dependents or following a birth or adoption of a child.
  4. Has provided medical certification of a serious health condition requiring the employee to be off work for 30 days or more.

5. Has submitted a written request to the City Administrator to solicit donations from eligible administrative employees. Employees will be permitted to request donation of leave only one time during any 12 month calendar period. After verification that the employee meets the qualifications to receive donated leave, the City Administrator will make other employees aware of the request. No information regarding the employee's medical condition will be divulged without the employee's consent.

An administrative employee may donate up to a maximum of 15% of accumulated sick, compensatory, floating holiday, and vacation time each year to eligible employees. Leave may be donated in the following amounts: Sick leave - hourly increments, vacations - ½ or full day increments, compensatory time - hourly increments, floating holidays - ½ or full day increments. Donation of sick leave will not affect donor wellness day status. All donations of eligible leave shall be voluntary. No employee may intimidate, threaten, or coerce any other employee with respect to donating or receiving leave.

- B. Any leave donation shall be made in writing, signed by the grantee and department head, and approved by the City Administrator. After approval, the City Administrator will authorize the Payroll Clerk to transfer the donated leave from the donating employee's account to the requesting employee's account. The recipient shall be notified of the amount of time donation, but not the name(s) of the grantor(s).
- C. The aggregate amount of leave that may be donated to one employee shall not exceed 12 weeks during any 12 month calendar period.
- D. The donated leave shall be credited to the recipient at the recipient's rate of pay regardless of the donor's rate of pay.
- E. Donated leave will be subject to all tax liability associated with regular pay and shall be the responsibility of the recipient.
- F. The recipient, while using donated leave, will continue to accrue sick and vacation leave, and other relevant employee benefits.
- G. The recipient, while using donated leave, will continue to receive health insurance benefits.
- H. If the recipient returns to part-time duty, the recipient may continue to use the donated leave until returning to full-time duty. If the recipient returns to regular full-time duty prior to exhausting the donated leave, the recipient shall be allowed to retain up to 8 hours of donated leave. Any balance exceeding 8 hours will be returned to donor employees on a pro-rated basis.

- I. This policy is not intended to replace any provision of the Family Medical Leave Law.

**HOLIDAYS**

All regular full-time employees shall be granted eight (8) paid holidays each year. They are as follows:

Full Days:	New Year's Day	Thanksgiving Day
	Friday before Easter	Christmas Eve Day
	Memorial Day	Christmas Day
	Fourth of July	
	Labor Day	

When a holiday falls on Saturday, the preceding Friday shall be observed as the holiday, and when a holiday falls on Sunday, the following Monday shall be observed as the holiday. When Christmas Day falls on Saturday, the preceding Thursday shall be observed as the Christmas Eve holiday. When Christmas Day falls on a Sunday or Monday, the preceding Friday shall be observed as the Christmas Eve holiday. This schedule may be revised at management's discretion.

All regular full-time employees are granted two (2) floating holidays. The floating holidays may be taken at any time, within the year starting in January and used by December 31 with the approval of supervisor. The floating holidays will be scheduled in the same manner as vacation. Regular part-time employees shall earn a personal day with pay on a prorated basis according to the average number of hours worked per week.

In order to qualify for holiday pay, the individual must work his or her immediate preceding and succeeding regular workday, unless the employee is on scheduled vacation, sick leave, or other paid leave. If the employee calls in sick the day preceding and/or succeeding a holiday and it is not scheduled, the employee may be required to turn in a doctor excuse to employer in order to qualify for holiday pay.

Regular part-time employees shall earn annual vacations with pay on a prorated basis according to the average number of hours worked per week.

**LONGEVITY PAY**

In recognition of length of service, each regular full-time employee shall receive, after three (3) years of continuous service, \$1.25 per month of continuous service. This additional compensation shall be paid on the first regular pay day in December of each calendar year based on each month of immediately consecutive past employment with the City of Sturgeon Bay, including the month of December in which payment is made.

The anniversary date of employment shall be the determining date in calculating the benefit. The fifteenth (15th) day of each month shall be the last date for qualifying for that month as a benefit month. Anyone hired on or before the fifteenth (15th) day of a month shall qualify as to that

month; anyone hired after the fifteenth (15th) day of a month shall have no eligibility for that month.

Once eligible, this benefit is retroactive to the first (1st) month of employment as determined above.

Except for retirement, employees who terminate his/her employment with the City of Sturgeon Bay or who are terminated are not eligible to receive pro-ration of this benefit upon termination. When a person who has earned credits under this benefit retires, such accrued benefit shall be paid to such employee or the employee's representative as soon as practical. Computation of benefit shall be determined by the fifteenth (15th) day of each month criteria as set forth herein (i.e.) if retirement occurs on or before the fifteenth (15th) day of a month, there shall be no credit for said month; but if retirement occurs on or after the fifteenth (15th) day of a month, then that month's credit is deemed earned. Retirement longevity payment shall be prorated from the last annual payment to the date of retirement.

### **HEALTH, DENTAL & LIFE INSURANCE**

The City of Sturgeon Bay currently makes available to regular full-time employees and his/her immediate dependents medical, dental, and life insurance on a voluntary participation basis. Employees desiring to participate in medical, dental, and life insurance coverage made available by the City of Sturgeon Bay must notify Human Resources of his/her desire to enroll at the time of his/her employment.

The current benefits provided and the schedule of deductible limits is contained in the current Health & Dental Plan Documents and should be reviewed by the employee on a regular basis. The insurance plans sponsored by the City of Sturgeon Bay are subject to change at any point in time.

Non-enrollment: The City of Sturgeon Bay shall pay \$300.00 per month to each employee who is not enrolled in the medical insurance program.

Term Life Insurance: The City of Sturgeon Bay shall provide term life insurance to all regular full-time employees in an amount equal to the employee's prior year's reportable earnings.

### **WISCONSIN RETIREMENT SYSTEM**

The City of Sturgeon Bay shall pay the employer's portion of the retirement contribution in accordance with State statutes.

### **SECTION 457 DEFERRED COMPENSATION PROGRAM**

The City of Sturgeon Bay offers a voluntary supplemental retirement savings program for all regular full-time & part-time employees.

Employees must notify Human Resources if they wish to participate

## **WORKER'S COMPENSATION**

Worker's compensation is a form of accident and disability insurance to protect the employee in the event of a job-related injury or illness. Income contribution and medical benefits are provided. Premiums for this insurance are solely paid for by the City of Sturgeon Bay. The City of Sturgeon Bay provides Worker's Compensation coverage to all employees as legally required by State statutes. The weekly compensation paid to the employee during the period of work related injury shall be limited to the specific amount of compensation provided by the City of Sturgeon Bay's Workers Compensation carrier. Payment will be made directly to the employee by the City of Sturgeon Bay's Workers Compensation carrier. The City of Sturgeon Bay will not make any additional contribution to that compensation provided by the Workers Compensation carrier.

Upon returning to work after a work-related injury, an employee may be required to provide certification from his or her treating physician verifying that the employee is able to safely and adequately perform his or her regular job functions. All forms are to be turned in to Human Resources.

## **EMPLOYEE FAMILY ASSISTANCE PROGRAM**

The Employee Family Assistance Program is a service of Counseling Associates of Door County provided to employees of the City of Sturgeon Bay. The Employee Family Assistance Program is a service designed to encourage City employees and their immediate family members to take initiative for their own health and wellness through early identification of problems. Some of the personal concerns for which assistance is available include:

- Family problems
- Marital conflict
- Alcoholism/other drug dependency
- Financial problems
- Legal problems
- Grief (loss of a loved one)
- Eating disorders

Employees are encouraged to review support materials provided each employee for referral information and how to take full advantage of this professional employee assistance program.

## **LEAVE OF ABSENCE**

Any employee, who wishes to absent himself or herself from his or her employment for any reason other than sick leave, family or medical leave, bereavement leave, military leave, or other reason specifically provided for, must make application for a leave of absence from the city. Employer shall determine whether to grant the absence and the length of the absence. No leave shall be granted for the purpose of seeking other employment.

Health insurance is available during this leave at the employee's expense. All other benefits and accruals shall be discontinued during leaves longer than thirty (30) days. In a leave less than thirty (30) days, vacation accrual, length of service, and time towards performance evaluations may accrue without interruption at the employer's discretion. Also, health and other insurance benefits may continue without interruption at the employer's discretion.

In a leave longer than thirty (30) days, vacation, length of service and time towards performance evaluations will not accrue during the leave, but shall begin accruing again when the employee returns from leave, without loss of previous accrual (unless vacation and sick time have been used to supplement the leave.)

Health and other insurance benefits will be reinstated after the leave, but will be subject to the regular waiting periods for new enrollment if the employee chose not to continue coverage during the leave.

### **TEMPORARY ASSIGNMENT OF ALTERNATIVE PRODUCTIVE WORK**

#### **PURPOSE:**

The City of Sturgeon Bay desires that employees, unable to perform the essential functions of their regular job because of an injury or illness that prevents their return to regular assigned duty, where possible, be temporarily assigned alternative productive work projects subject to necessary medical certification. The City of Sturgeon Bay does not assign employees to non-productive work projects just to keep an employee busy since it is believed that such an assignment would take away from employee dignity. It does however, desire to obtain the benefits of a temporary assignment of alternative productive work which maintains a level of activity which is productive and serves a therapeutic purpose which quickens the employee's return to regular assignment.

#### **PROCEDURE:**

1. An employee injured or suffering an illness, at or away from work, will provide to their supervisor as soon as possible, written certification of any restrictions imposed upon them by a medical provider. This will include the projected duration of the restriction(s).
2. The department management will evaluate the restriction(s) and determine if temporary assignment of alternative productive work is available. Department management may recommend assignment of the restricted employee to such available work projects for the hours that such work is available. Temporary assignment of alternative productive work projects may include assignment outside the employee's normal department based upon work availability.
3. It is expressly understood that:
  - a. Temporary assignment of alternative productive work does not create a regular employment opportunity, and is in fact made as a temporary assignment

only which will terminate at the conclusion of a temporary project which will not generally exceed 60 days. The specific end date of the assignment will be communicated clearly in writing to the employee upon temporary assignment of an alternative productive work project. Vacation and paid holidays may be excluded in calculating the sixty (60) calendar days period. In the event an employee's medical provider certifies the projected duration of the employee's restriction will extend beyond sixty (60) calendar days, and temporary assignment of alternative productive work continues to be available, upon written recommendation of an employee's supervisor the City Administrator's office may authorize extension of alternative productive work up to a maximum of thirty (30) calendar days. Approval from the Personnel Committee is required for extensions beyond ninety (90) days.

b. Unused accrued vacation may be used in lieu of a temporary assignment to alternative productive work.

c. The amount of temporary assignment of alternative productive work projects available in any department/division will be determined by the department/division head based on the number of employees assigned such duty status.

d. Temporary assignment of alternative productive work is separate and distinct from the duties of the Employee's regular job. However, the employee may be assigned to perform those duties of the regular job that the employee may perform without restriction or limitation.

e. An employee who meets the requirement to receive a workers' compensation entitlement and who is certified as able to return to a temporary assignment of alternative productive work, may decline such assignment, if it is offered. As a result the employee may lose workers' compensation payments, but is entitled to remain on unpaid FMLA leave until the FMLA leave entitlement is exhausted.

f. Temporary assignment of alternative productive work may be considered only when an employee is certified as unable to perform the essential functions of their regular job.

g. An employee's regular work schedule may change during the temporary assignment of alternative productive work projects to accommodate the City's needs.

4. The City Administrator's office will be contacted immediately by a supervisor prior to their making a recommendation of assignment of a restricted employee to temporary assignment of alternative productive work status. The recommendation will

be reviewed and approved by the City Administrator's office for compliance with FMLA, ADA, Wisconsin Fair Employment Act, Workers Compensation and this policy.

5. All temporary assignment of alternative productive work will be reviewed each thirty (30) calendar day period by the respective supervisor/department head and the City Administrator's office.

**SPECIAL NOTE:**

This policy/procedure does not in any way constitute an employment contract and the City of Sturgeon Bay reserves the right to amend this policy at any time subject only to the approval by the Common Council.

**FAMILY AND MEDICAL LEAVE**

The following information concerns the employee's rights and responsibilities under the Wisconsin and Federal Family and Medical Leave Acts (FMLA) and explains the consequences of the employee's failure to meet these obligations. Please read the information carefully

Leave Entitlement: Under the Wisconsin FMLA, an employee who has been employed at least 52 consecutive weeks and worked for at least 1,000 hours during the preceding fifty-two (52) week period, is a "qualifying employee" for leave. Such qualifying employee is potentially entitled, within one calendar year, to six weeks of family leave for the birth or adoption of a child, two weeks of medical leave for the employee's own serious health condition and two weeks for family leave to care for a parent, child, spouse, domestic partner, parent-in-law, or domestic partner's parent who has a serious health condition.

Under the federal FMLA, an employee who has been employed at least 12 months and who has worked for at least 1,250 hours during the 12-month period immediately preceding the commencement of leave is a "qualifying employee" for leave. Such qualifying employee is potentially entitled, within the employer-designated twelve month period, to twelve (12) weeks of unpaid leave for a qualifying condition including the birth, adoption or placement of a child for foster care, leave for employee's own serious health condition, or leave to care for a parent, spouse, or child who has a serious health condition. The City of Sturgeon Bay has designated the following twelve-month period for its federal FMLA leave year: a "rolling" 12-month period measured backward from the date of any FMLA leave usage. The actual amount of time the employee spends on family and/or medical leave will be subtracted from his/her unpaid Wisconsin and federal FMLA leave week's allotment described above. Federal and Wisconsin FMLA leaves run concurrently when the condition or leave qualifies under both laws.

If the employee has a spouse, son, daughter, or parent on active duty or call to active duty status associated with any deployment to a foreign country in the National Guard, Reserves or regular Armed Forces, the employee may also use his/her twelve-week leave entitlement under the federal FMLA to address certain qualifying exigencies, including, for example, attending certain military events, arranging for alternative childcare, and addressing certain financial and legal arrangements. The actual amount of time the employee spends on such exigency leave will be

subtracted from his/her twelve-week entitlement of federal FMLA leave, but not his/her ten (10) weeks of Wisconsin FMLA leave.

The federal FMLA also includes a leave entitlement that permits eligible employees to take up to twenty-six (26) weeks of leave to care for a covered service member or veteran suffering from a service-related serious injury or illness provided the service took place within five (5) years prior to needing care (reduced by any other FMLA-qualifying leave taken) during any 12-month period (“caregiver leave”). A covered service member is a member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty, while on active duty, for which the service member is undergoing medical treatment, recuperation or therapy; or has aggravated a pre-existing injury or illness during active duty or is in outpatient status; or is on the temporary disability retired list.

Certification: The City of Sturgeon Bay requires that the employee submit the appropriate employer-issued certification form, completed by the appropriate individual, to confirm the need for family, medical, exigency, or caregiver leave. The certification must be provided to Human Resources within fifteen (15) calendar days of its request, or in cases of medical emergency or unforeseen circumstances, as soon as practicable under the circumstances. The certification is necessary to justify the employee’s absence from work for leave. If the employee fails to provide the employer with a timely certification, leave request, or continuation of leave will be delayed or denied. The City of Sturgeon Bay may request re-certifications as provided by law.

Other Documentation: Requests for leave based on adoption or foster care will require that the employee submit a copy of court adoption papers or foster care documentation to the City of Sturgeon Bay. These documents must be given to the City of Sturgeon Bay thirty (30) calendar days before the leave begins, or when 30 day notice is not possible, as soon as practicable.

Intent to Return to Work: The employee must provide the City of Sturgeon Bay with a periodic report on his/her status and intent to return to work. Should the employee decide not to return to work at the end of his/her FMLA leave, he/she must advise the City of Sturgeon Bay immediately.

Fitness-for-Duty Certificate: If the employee is on medical leave because of his/her own serious health condition, the employee must provide the City of Sturgeon Bay with a Fitness-for-Duty Certificate before he/she can return to work. If the employee fails to provide a complete and sufficient Fitness-for-Duty Certificate from his/her health care provider, it will result in the delay, and potential denial, of the employee’s return to work.

Substitution: A qualifying employee may be able to be paid any available accrued paid leave during the time of his/her FMLA leave. It is the employee’s option to choose payment of his/her accrued paid leave during the period of Wisconsin FMLA leave. The employee may be required to be paid any remaining available accrued paid leave while the employee remains on federal FMLA leave. If the employee suffered a serious health condition that is work-related, the employee’s federal FMLA entitlement will be counted along with the period the employee is absent from work and receiving worker’s compensation benefits. The employee will not be able to be paid available employer-provided accrued paid leave during the time of a worker’s

compensation leave because the employee will be receiving worker's compensation benefits from the City of Sturgeon Bay's carrier.

When paid leave is used along with the employee's FMLA leave, this paid leave will not be available to the employee later. If the employee does not meet the requirements for the use of accrued paid leave under applicable the City of Sturgeon Bay policies, the employee may still be entitled to take unpaid FMLA leave. Under no circumstances will the employee be entitled to additional family and/or medical leave as a result of the substitution of paid leave.

Maintenance of Benefits and Employment Protections: During any period of Wisconsin and federal FMLA leave, the City of Sturgeon Bay must maintain the employee's health coverage under the group health plan on the same terms as if they had continued to work. Upon the employee's return from FMLA leave, the City of Sturgeon Bay must restore the employee to his/her original or equivalent position with equivalent pay, benefits, and other employment terms. The employee's use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of his/her leave.

Insurance Premium Payments: While on Wisconsin and federal FMLA leave, employees are required to make his/her share of the premium payments on his/her health insurance to maintain his/her benefits. The employee will have a minimum 30-day grace period in which to make premium payments. If payment is not timely made, the employee's group health insurance may be cancelled, provided the City of Sturgeon Bay notifies the employee in writing at least 15 days before the date that the health coverage will lapse, or, at the City of Sturgeon Bay's option, the City of Sturgeon Bay may pay the share of premiums during an FMLA leave, and recover these payments from the employee upon the employee's return to work.

Potential Liability for Health Insurance Premium Payments: If the employee does not return to work following an FMLA-qualifying leave for a reason other than: a) the continuation, recurrence, or onset of a serious health condition which would entitle the employee to FMLA leave; b) the continuation, recurrence, or offset of a covered service member's serious injury or illness which would entitle the employee to FMLA leave; or c) other circumstances beyond the employees control, the employee may be required to reimburse the City of Sturgeon Bay for his/her share of health insurance premiums payments made on the employee's behalf during his/her FMLA leave.

### **BEREAVEMENT LEAVE**

In case of death of a fellow employee, paid leave will be granted for time to attend the funeral. The time for attending the funeral shall be up to one-half (1/2) day. Emergency functions must continue to be carried out, and the City of Sturgeon Bay shall assign those employees necessary to perform the emergency functions.

In the event of the death of a member of an employee's immediate family, up to a three (3) day leave of absence with pay shall be granted. Immediate family is defined as grandparents, husband, wife, child(ren), stepchild(ren), (natural or other), grandchildren, mother, father, father-in-law, mother-in-law, brother-in-law, sister-in-law, stepparents, brother, or sister in the event an

employee is called upon to be pallbearer or to serve in a military funeral, up to one (1) day of leave with pay will be allowed.

In the event of the death of aunts, uncles, or first cousins of the employee or the employee's spouse, the employer will allow not more than one (1) day of sick leave to attend the funeral or events related to the funeral provided employee has banked sick days available. Time off for funerals of other relatives or friends may be charged as vacation, personal day or unpaid leave of absence. At the City of Sturgeon Bay's request, employee will provide proof of attendance at said funeral event in such form as is acceptable to the employer.

### **JURY DUTY/WITNESS SERVICE**

The City of Sturgeon Bay encourages all employees to be civic minded. Employees who receive notification to serve on a jury or are subpoenaed as a witness must notify his/her supervisor immediately. If an employee serves on a jury, the City of Sturgeon Bay will pay the difference between the employee's regular pay and jury fees. It is required that the employee present authorized evidence to Human Resources of jury attendance and sign over the jury check to the City of Sturgeon Bay. Employees must return to work on any day when jury or witness duty dismisses prior to the end of the employee's shift.

Any employee subpoenaed as a witness as a result of his or her employment for the City of Sturgeon Bay, shall be paid the difference between his or her regular rate of pay and the witness pay. It is required that employees present authorized evidence of witness attendance and amount paid. Employees subpoenaed as witnesses, must notify their supervisor immediately. Employees must return to work on any day when witness duty dismisses prior to the end of the employee's shift.

### **MILITARY LEAVE**

The City of Sturgeon Bay complies with federal and state law regarding the rights of employees who enter active duty. If an employee is called into active duty and meets all legal requirements, the City of Sturgeon Bay will allow the needed time off to fulfill this commitment as required by law.

A maximum of two (2) weeks of paid leave will be granted in any one calendar year for reservists and members of the National Guard to participate in active duty training, emergency service or specialized training if all legal requirements are met. If these activities are compensated by the federal government, the City of Sturgeon Bay will pay the difference between the employee's regular weekly (forty (40) hours) earnings and the government's compensation up to a maximum of ten (10) working days.

# **RULES AND REGULATIONS**

## **APPEARANCE/DRESS CODE**

Employees are expected to dress in a professional manner befitting his/her job with due consideration to the needs of the City of Sturgeon Bay, the perceptions of the public, vendors, and fellow employees. All employees must be well groomed. Employees who fail to dress in a professional manner will be expected to immediately change his/her appearance, and which may include returning home to change clothing or groom and which shall be without compensation.

## **BULLETIN BOARDS**

Bulletin boards are provided to inform employees of important developments from the employer that will affect the employee and his or her job. Bulletin boards are used by the employer to communicate information to employees and post notices required by law. Because work-related notices of interest and importance regarding the City of Sturgeon Bay business will be posted on the bulletin boards, the employer requests all employees to check the bulletin board at regular intervals.

## **BUSINESS EXPENSES**

The City of Sturgeon Bay will reimburse employees for reasonable, authorized business expenses incurred as part of the employee's job duties or while on assignment away from the workplace. Employees should contact the Accounting Department for guidance and assistance related to ordering items, travel arrangements, expense reporting, reimbursement, and other issues. Employees are expected to limit expenses to reasonable amounts, and the employer will only reimburse employees for up to the actual amount of expenses incurred and to the extent such expense is reasonable and authorized. Expense reports and receipts must be accurate and submitted to Accounting within ten (10) days of the date of return to work. Employees must not engage in abuse of this expense policy or falsify or materially omit information in expense reports. For further information refer to City of Sturgeon Bay Purchasing Policy.

## **COMMUNICATIONS AND CONFIDENTIALITY**

Communication is a joint responsibility shared by the City of Sturgeon Bay and all employees. No information concerning the internal operations of the City of Sturgeon Bay, including but not limited to the release of records of the City of Sturgeon Bay, may occur except through, and with the permission of, the City Administrator or his/her designee. If requests for information are received by employees, whether on or off duty, from any person, then the employee is required to politely decline to provide such information and to direct that individual to the City Administrator for a response to that inquiry.

Because of an employee's responsibilities at the City of Sturgeon Bay, an employee may have access to confidential information of City of Sturgeon Bay customer's personnel or other sensitive information. This may include information concerning a resident's financial status, the City of Sturgeon Bay's business practices including purchasing and negotiating strategies, and employee records. This sensitive information cannot be disclosed to any personnel who do not

have a legitimate business need to know such information or to persons outside of the City of Sturgeon Bay without the approval of the City Administrator. All employees are responsible for protecting the confidentiality of this information. A violation of this policy can subject an employee to discipline, including discharge.

The City Clerk for the City of Sturgeon Bay is the Custodian of Records and is responsible for the disclosure of records pursuant to requests for records under Wisconsin's Public Records Law. Unless directed by the City Clerk for the City of Sturgeon Bay employees shall not act as the City of Sturgeon Bay's Custodian of Records or disseminates information.

The City of Sturgeon Bay acknowledges the right of its employees, as citizens in a democratic society, to speak out on issues of public concern. When those issues are related to the City of Sturgeon Bay, however, the employee's expression must be balanced against the interests of the City of Sturgeon Bay. In situations in which the employee is not engaged in the performance of professional duties, the employee should state clearly that his or her expression represents personal views and not necessarily those of the City of Sturgeon Bay.

### **CITY VEHICLES**

Unless otherwise authorized, all employees are expected to utilize the City of Sturgeon Bay's vehicles for trips while conducting the city's affairs. If that is not possible or practical, then permission from a supervisor must be secured in advance of use of one's own vehicle. An employee who uses his or her private vehicle for authorized City of Sturgeon Bay business travel purposes will be compensated for mileage at the current rate as adopted and authorized by the Internal Revenue Service. Appropriate insurance coverage and policy limits shall be provided for all City of Sturgeon Bay vehicles. Employees involved in an accident while on assignment must promptly report the incident to his or her immediate supervisor.

It shall be the policy of the City of Sturgeon Bay to provide and/or assign vehicles to employees whose positions require routine or regular travel within or outside the City. Permanent vehicle assignments shall be based purely on necessity where the employee routinely responds to emergencies or demands outside of the normal workday. Under no circumstances shall an employee use a City of Sturgeon Bay vehicle for personal use outside of the normal workday nor shall such use be authorized. Vehicle assignments shall be authorized by the City Administrator.

Employees required to maintain a Commercial Driver's License (CDL) for his/her job must notify Human Resources of his/her license number and expiration date. In the event the employee's CDL license is suspended or revoked, the employee is required to notify the City of Sturgeon Bay before the end of the business day following the day the employee received the notice of suspension, revocation, cancellation, lost privilege or disqualification. The impact of loss of CDL endorsement for an employee required to maintain said license will be assessed by employer on a case-by-case basis. Depending on the circumstances surrounding the loss, as well as the job duties of the employee, the loss may result in termination of employee. In all cases, the employee must obtain an occupational Class D license in a timely manner and make a good faith effort to complete the judicial process in an expedient manner.

## **EMPLOYER PROPERTY**

The City of Sturgeon Bay provides its employees, during the course of his/her employment, with access to and the use of, various property and equipment for the purpose of conducting business for the employer. Employees should have no reasonable expectation of privacy in the use of the employer's and the public's property. The City of Sturgeon Bay may access its property with or without the prior consent or knowledge of the employee to the extent permitted by law. Employer property is to be used judiciously by employees at all times and only in the manner for which the employer and public intends the property to be used.

Employees must maintain his/her work spaces in a clean, orderly and professional manner. Employees must report any suspected misuse or abuse of the City of Sturgeon Bay's property.

The City of Sturgeon Bay reserves the right to access, replace or utilize any of its property without prior permission of the employee to whom it was provided to the extent permitted by law. Circumstances warranting a need to access property in the employee's absence include, but are not limited to, the following:

- The employer has a need to search for business items or information that is needed in a timely manner.
- The employer is complying with applicable laws regarding review and disclosure of records and information.
- The employer has reasonable suspicion to believe that the employee is engaging in illegal or improper activities, in conjunction with committing a violation of policy, rules or general expectations of conduct, or in a way that may jeopardize the health and well-being of others.
- For any other lawful reason.

Under these circumstances, employees may be required, upon the request of the City of Sturgeon Bay, to submit to a search of any personal property brought onto the City of Sturgeon Bay's premises to the extent permitted by law.

## **USE OF PERSONAL PROPERTY**

Employees may wish to bring personal property to the city workplace for reasons associated with their responsibilities. This practice is authorized provided it is understood that the City of Sturgeon Bay will not be responsible for any loss, damage, or misuse of such property.

The City of Sturgeon Bay does not assume any responsibility for loss, theft or damages to personal property. The City of Sturgeon Bay is not liable for vandalism, theft or any damage to cars parked on City of Sturgeon Bay property.

## **SAFETY TOOLS AND EQUIPMENT**

All City of Sturgeon Bay` equipment is required to be safe, mechanically sound and properly maintained to conform to all City, State and Federal regulations. ALL accidents must be reported. No charge will be made against an employee for damage to equipment unless as a result of willful, wanton or malicious conduct.

Protective clothing and footwear must be worn as required for select personnel. Members of the Municipal Services Department shall be eligible for reimbursement up to a maximum of \$100.00 per calendar year to cover the cost of work boots/ safety prescription glasses. Employees must provide receipts for reimbursement.

## **TECHNOLOGY USE**

The City of Sturgeon Bay's computers, networks, programs, communication devices and tools, other technology, and internet (collectively "technology") are intended as tools for the city to serve the public and the City of Sturgeon Bay, and are provided so employees may better perform his/her job-related responsibilities. Inappropriate use can adversely affect the City of Sturgeon Bay, interfere with the work of its employees, increase its costs, and even expose the City of Sturgeon Bay to damage, liability and security risks.

The City of Sturgeon Bay reserves its right to monitor all use by employees of technology. No employee should expect privacy or secrecy in the use of technology. Employee use implies acceptance of the City of Sturgeon Bay's monitoring and disclosure of the employee's use. Use of the City of Sturgeon Bay's property can be limited by the city at any time for any reason. the City of Sturgeon Bay may consent to the disclosure of information from use of technology or any other property, and the City of Sturgeon Bay may consent or authorize a law enforcement agency to search or review the City of Sturgeon Bay's technology, and the employer may use such information for its intentions and purposes.

No written policy can list every conceivable circumstance that relates to proper use. The City of Sturgeon Bay's employees are professionals who are expected to exercise responsible professional judgment. The City of Sturgeon Bay has complete and sole discretion to determine whether any use or access is inappropriate, even if the use is not expressly prohibited or addressed in this policy or rules. The employer may ask employees to stop any use it believes is improper. In addition, the employer may block access to any content it believes is not appropriate. Employees who do not adhere to this policy may be disciplined, which can include restriction of internet use or discipline up to and including termination.

The following activities are prohibited and may lead to discipline, up to and including discharge:

- Copying, disseminating or printing copyrighted or other protected materials, which can include articles, images, games and other software, in violation of the law.
- Accessing, sending, soliciting, displaying, printing, or otherwise disseminating material that is reasonably likely to harass, threaten or embarrass others or that is sexually explicit, fraudulent or otherwise inappropriate in a professional environment.

- Searching for, accessing or transmitting content that is reasonably likely to be perceived as offensive or disparaging of others, including content that is sexually explicit, profane, pornographic, disrespectful, disparaging based on race, national origin, sex, sexual orientation, age, disability, religious or political beliefs or other legally protected basis.
- Engaging in personal, non City of Sturgeon Bay related activities including activities for gain or profit, for example, consulting for pay or advertising or selling goods or services for personal gain.
- Engaging in illegal activities or using the technology for any illegal purposes, including initiating or receiving communications that violate any laws or regulations.
- Interfering with or disrupting the work of other employees.
- Except as specifically authorized, gaining access by using any access control mechanism (e.g., login name, password, etc.) not assigned to the user, or permitting any person to have access by using another person's access control mechanism.
- Unauthorized access or attempting to gain unauthorized access to any technology or stored information.
- Engaging in any transaction or other conduct that, if done through means other than over the use of technology, would not be authorized.

The City of Sturgeon Bay provides some of its employees with electronic communication tools such as e-mail, voicemail, cell phones, text messaging, computers and other communication tools and devices so they may better perform his/her job-related duties. The employer's electronic communications system includes all messages sent through the employer's computer network either externally via the internet or internally and through employer issued communications devices and networks. Electronic communications should be sent only to those individuals who have a legitimate reason to receive them. Electronic communication devices are for use in conducting City of Sturgeon Bay business only. The employee will pay for all personal use to include personal roaming and other extraordinary costs.

Electronic communications should be courteous, concise, focused and written or spoken in good business English. The same care should be used in drafting electronic communications as used for drafting any other written communication. All electronic communications are unavoidably attributed to the City of Sturgeon Bay. When composing electronic communications, employees should keep in mind that personal comments may be perceived as comments made on behalf of the City of Sturgeon Bay.

Electronic communications may reside on the system in different recoverable forms (system backup, sent mail folders, spool queues, etc.). Employees should not assume that deleting a personal electronic communication removes all incidents of his/her existence. If there is a review of the information or an investigation, litigation, or other proceeding that requires or makes desirable the review or production of employer records, it is likely that electronic communications will be requested and potentially disclosed. Moreover, employees should not delete any communications that are records under Wisconsin's Public Records Law.

The City of Sturgeon Bay does not condone “snooping”; employees should not read or review communications not sent to them except for legitimate business reasons. Employees should not presume an electronic communication sent via the internet is confidential unless it has been encrypted.

If an employee has a question about whether a particular use or electronic communication is appropriate, then he/she should consult his/her supervisor before making such communication.

### **TELEPHONE USAGE/VISITORS**

City of Sturgeon Bay employees work in various capacities to serve the public. It is important that the public be able to reach employees in a timely manner. There are times that employees have to make or answer a personal call. Personal calls shall be limited to those that are absolutely necessary. At those times, the usage should be brief, or in instances where it can be accommodated, during the employee’s break or lunch. Excessive usage is not permissible and will not be tolerated. Visitors shall be discouraged from calling upon an employee during work hours. Supervisors will take whatever steps are necessary to correct a violation of this section.

### **TOBACCO FREE WORKPLACE**

The City of Sturgeon Bay must take whatever steps are necessary to do its part to improve the environment, not to mention the employee’s health and the health of those working around the employee. No City of Sturgeon Bay employee is allowed to smoke or chew tobacco of any sort while in the performance of their duties. This includes all City of Sturgeon Bay buildings and any type of City of Sturgeon Bay owned vehicle, on or off City of Sturgeon Bay property.

### **WORKPLACE SAFETY AND REPORTING INJURIES OR ILLNESSES**

Job safety is very important to each employee and the City of Sturgeon Bay. Employees must conduct themselves carefully at all times. All employees must act in a safe manner and practice good safety procedures. Similarly, all work areas are to be kept clean and free from debris, and tools and equipment are to be kept clean and in good repair.

Any accident, hazards or potentially unsafe conditions of equipment are to be reported to an employee’s supervisor immediately for action. All defects in trucks must be reported by the driver as soon as possible. Supervisors shall complete a report in writing on forms furnished by the City of Sturgeon Bay and shall turn in all available and pertinent information. Reports must be turned in to Human Resources, who will submit to the City of Sturgeon Bay’s Safety Director. If the unsafe condition can be corrected immediately as to avoid any additional hazard, then the employee should implement the corrective action.

Any employee who is injured or becomes ill while performing service related to his or her employment must contact his/her supervisor immediately and on the same day the injury or illness occurred to report the incident. The report must be in writing and contain relevant facts. The employee should secure the necessary medical attention on the job site to the extent practicable. Supervisors must turn in reports to Human Resources, who will submit to the City of Sturgeon Bay’s Safety Director. Failure to follow procedures will subject an employee to disciplinary action.

It is the policy of the City of Sturgeon Bay to encourage employees to return to work as soon as practicable after experiencing an injury or illness. An employee who suffers a work related or non-work injury or illness, and has been certified in writing by a physician to return to work in a light or limited capacity with expectations of returning to work at full capacity immediately following light duty assignment, may be assigned to work in a light or limited duty capacity at the discretion of the City Administrator if such work is available. In the event there is more than one person who wishes to return to work on a light duty status, if light duty is available, preference will be given to the employee who has suffered a work related injury or illness to the extent consistent with applicable law.

The employer has established the following protocols for evacuation of the premises. When employees are advised to evacuate the building, the employees should:

- Stop all work immediately.
- Contact outside emergency response agencies, if needed.
- Shut off all electrical equipment and machines, if possible.
- Walk to the nearest exit, including emergency exit doors.
- Exit quickly, but do not run. Do not stop for personal belongings.
- Proceed, in an orderly fashion, to designated meeting area.
- Do not re-enter the building until instructed to do so.

Employees must know the location of fire extinguishers, emergency exits and first aid kits and make sure they are accessible at all times.

### **WORKPLACE VIOLENCE AND WEAPONS**

The City of Sturgeon Bay prohibits workplace threats or violence. Acts or threats of physical violence, including intimidation, harassment, or coercion, which involve or affect personnel or property or which occur on the City of Sturgeon Bay's property will not be tolerated.

Acts or threats of violence include conduct which is sufficiently severe, offensive, or intimidating to alter the employment conditions or to create a hostile, abusive, or intimidating work environment for one or several employees. Examples of workplace violence include, but are not limited to, the following:

- All threats or acts of violence occurring on City of Sturgeon Bay premises, regardless of the relationship between the City of Sturgeon Bay and the parties involved.
- All threats or acts of violence occurring off City of Sturgeon Bay premises involving someone who is acting in the capacity of a representative of the City of Sturgeon Bay.

Examples of conduct that may be considered threats or acts of violence in violation of this Policy include, but are not limited to, the following:

- Hitting, touching, or physically harming an individual.

- Threatening an individual or his or her family, friends, associates, or property with harm.
- Damaging or threatening to harm City of Sturgeon Bay property or the property of others.
- Making harassing or threatening communications.
- Harassing surveillance or stalking (following or watching someone).
- Unauthorized possession or inappropriate use of firearms or weapons.

Prohibition against threats and acts of violence applies to all persons. Every employee is required to report incidents of workplace threats or acts of physical violence or damage of property.

The City of Sturgeon Bay prohibits all individuals entering City of Sturgeon Bay property from carrying a handgun, firearm, knife, or other weapon of any kind regardless of whether the person is licensed to carry the weapon or not. The only exception to this policy is for sworn law enforcement officers, security guards or other persons who act in the interests of the City of Sturgeon Bay and have the legal authority to carry a weapon, or who have been given written consent by the City of Sturgeon Bay to carry a weapon on the property. Nothing in this policy prohibits an individual from keeping a weapon in his or her vehicle to the extent required by law, or from carrying the weapon while traveling in the course of his or her duties to the extent required by law.

#### **USE OF FACILITIES, EQUIPMENT, SUPPLIES, TOOLS & UNIFORMS**

Employees shall be responsible for the proper care and use of City facilities, equipment, supplies, tools and uniforms; and shall promptly report to the Department Head all accidents, breakdowns or the malfunction of any equipment so that the repairs may be made.

No employee shall use any City facilities, equipment, supplies and/or tools for personal use under any circumstances unless said property is available for the uses and enjoyment of the general public.

# PROBLEM SOLVING, DISCIPLINE AND TERMINATION

## RULES OF CONDUCT

The primary objectives for each employee are to protect and further the public's trust and confidence and to perform at a high quality level so that our citizens, businesses, representatives of other entities, coworkers, and visitors receive high quality services from each employee. Conduct that is inconsistent with those objectives or in violation of Policy or general expectations of professional conduct is forbidden and will subject the offending employee to discipline up to and including discharge. The employer has established these Rules of Conduct and its Policies and expectations of conduct in furtherance of the effective operation of the City of Sturgeon Bay, to further these objectives, and for the employee to have a successful career.

No list of rules or types of unacceptable conduct can substitute for the sound and reasonable judgment expected of each employee. While it is impossible to list all types of unacceptable conduct, the City of Sturgeon Bay believes certain acts of misconduct, standing alone, warrant serious discipline up to and including discharge, such as the following:

- Dishonest, misleading, or deceptive conduct
- Circumventing the chain of command
- Undermining the authority of a supervisor
- Refusing or failing to follow an order or directive
- Unsatisfactory job performance
- Theft or misappropriation of City of Sturgeon Bay property or the property of others, including theft of work time, excessive time at break periods, misuse of sick leave or other designated leave, misrepresenting work time, or failing to accurately record work time
- Failing to completely and accurately document relevant information
- Leaving the job without permission
- Causing or working unauthorized overtime
- Failing to cooperate with others
- Engaging in conduct that creates an unsafe work environment
- Fighting, threats, intimidation or harassment of others
- Damage or defacing of City of Sturgeon Bay or employee property
- Misuse or unauthorized use of City of Sturgeon Bay property
- Possession, use, or being under the influence of drugs or alcohol while on duty
- Engaging in immoral conduct
- Engaging in illegal conduct
- Unauthorized possession of weapons or firearms during work time or on City of Sturgeon Bay premises or property
- Absence of three (3) work days without notice
- Excessive absenteeism or tardiness
- Failing to promptly report absence or tardiness
- Working another job while absent
- Disclosing confidential information to unauthorized sources

- Loafing or sleeping on the job
- Misuse of licenses, patents or copyrights while on work time or using work resources
- Unauthorized solicitations or distributions
- Failure to promptly report defective equipment or safety hazard
- Failure to report injury or accident immediately
- Horseplay or violation of safety rules
- Engaging in conduct or activities which serve to lengthen the healing period for a work-related injury
- Substandard quality or quantity of work, including deliberate reduction of output
- Failure to complete assignments promptly and accurately
- Tobacco use on any City of Sturgeon Bay property
- Unprofessional appearance
- Discourteous treatment of others
- Profane or disrespectful conduct
- Conducting personal business on City of Sturgeon Bay time or property, including promoting or selling any item or soliciting
- Failing to fully comply with Policies
- Failing to comply with expectations of conduct communicated to an employee
- Failing to report a possible violation of the rules or policy through the chain of command

The City of Sturgeon Bay reserves the right to modify this list at any time or determine whether any other conduct is contrary to the interests of the City of Sturgeon Bay and warranting of disciplinary action up to and including discharge.

### **Corrective Action**

The City of Sturgeon Bay treats all violations of policy, rules of conduct and general expectations of professional conduct very seriously. Violations of these policies, the rules, and general expectations of conduct can subject an employee to discipline, up to and including discharge.

The City of Sturgeon Bay's corrective action program is designed to encourage individuals to be high quality employees and to remove employees from service who cannot or will not meet that high standard of performance. Some discipline is intended to be corrective in nature to allow the employee an opportunity to rehabilitate his or her conduct, employee misconduct may call for severe forms of discipline such as suspension, transfer, demotion, termination or other action. In some cases, dismissal of an employee is appropriate because of the seriousness of the behavior or continuation of unacceptable conduct. The appropriate level of discipline is determined by supervisor on a case-by-case basis, and any pre-termination disciplinary measure may be passed over in favor of more severe discipline including termination of the employee. The City of Sturgeon Bay's use of any form of progressive discipline does not change any employee's status as an at-will employee or create any additional contractual rights.

### **Investigation and Administrative Leave**

The City of Sturgeon Bay will determine the scope, duration, and strategy of internal investigations. The City of Sturgeon Bay reserves its right to place an employee on

administrative leave, with or without pay. The determination of whether leave will be with pay or without pay is reserved to the City of Sturgeon Bay. The City of Sturgeon Bay may place an employee on administrative leave pending an internal investigation, pending disposition of a criminal matter, or for other reasons determined by the City of Sturgeon Bay.

## **DISCIPLINE AND GRIEVANCE PROCEDURE**

### **Discipline**

Discipline may result when an employee's actions do not conform with generally accepted standards of good behavior, when an employee violates a policy or rule, when an employee's performance is not acceptable, or when the employee's conduct is detrimental to the interests of the City of Sturgeon Bay. Disciplinary action may call for any of four steps – verbal warning, written warning, suspension (with or without pay) or termination of employment – depending on the problem and the number of occurrences. There may be circumstances when one or more steps are bypassed. Certain types of employee problems are serious enough to justify either a suspension or termination of employment without going through progressive discipline steps. The City of Sturgeon Bay reserves the right, in its sole discretion, to impose disciplinary action as may be appropriate to the particular circumstances.

### **Grievances**

This policy is intended to comply with Section 66.0509, Wis. Stats., and provides a grievance procedure addressing issues concerning workplace safety, discipline and termination. This policy applies to all employees covered under Section 66.0509, Wis. Stats., other than police and fire employees subject to Section 62.13(5), Wis. Stats. An employee may appeal any level of discipline under this grievance procedure. For purposes of this policy, "workplace safety" is defined as conditions of employment affecting an employee's physical health or safety, the safe operation of workplace equipment and tools, safety of the physical work environment, personal protective equipment, workplace violence, and training related to same.

Employees should first discuss complaints or questions with his/her immediate supervisor. Every reasonable effort should be made by supervisors and employees to resolve any questions, problems or misunderstandings that have arisen before filing a grievance.

1. Step 1 – Written Grievance Filed with City Administrator The employee must prepare and file a written grievance with the City Administrator within five (5) business days of when the employee knows, or should have known, of the events giving rise to the grievance. The written grievance must contain the name and position of the employee filing it, a statement of the grievance, the issue involved, the relief sought, the date the event giving rise to the grievance took place, the employee's steps to orally review the matter with the employee's supervisor and the employee's signature and the date. The City Administrator or his/her designee will investigate the facts giving rise to the grievance and inform the employee of his/her decision, in writing, if possible within ten (10) business days of receipt of the grievance. In the event the grievance involves the

City Administrator, the grievance shall be filed with the Mayor. The Mayor or his/her designee shall conduct the Step 1 investigation.

2. Step 2– Impartial Hearing Officer If the grievance is not settled at the first step, the employee may request in writing, within five (5) business days following receipt of the City Administrator’s decision, a request for written review by an impartial hearing officer. The City of Sturgeon Bay shall select the impartial hearing officer. The hearing officer shall not be a City of Sturgeon Bay employee. The impartial hearing officer will determine whether the City of Sturgeon Bay acted in an arbitrary and capricious manner. In all cases, the grievant shall have the burden of proof to support the grievance. This process does not involve a hearing before a court of law; thus, the rules of evidence will not be followed. Depending on the issue involved, the impartial hearing officer will determine whether a hearing is necessary, or whether the case may be decided based on a submission of written documents. The impartial hearing officer shall prepare a written decision.
3. Step 3 – Review by the Governing Body If the grievance is not resolved after Step 2, the employee or the City Administrator may request within five (5) business days of receipt of the written decision from the hearing officer a written review by the City of Sturgeon Bay Common Council. The City of Sturgeon Bay Common Council shall not take testimony or evidence; it may only determine whether the hearing officer reached an arbitrary or incorrect result based on a review of the record before the hearing officer. The matter will be scheduled for the City of Sturgeon Bay Common Council’s next regular meeting. The City of Sturgeon Bay Common Council will inform the employee of its findings and decision in writing within ten (10) business days of the City of Sturgeon Bay Common Council meeting. The City of Sturgeon Bay Common Council shall decide the matter by majority vote and this decision shall be final and binding.

If the employee fails to meet the deadlines set forth above, the grievance will be considered resolved.

### **EMPLOYEE SEPARATION**

Resignation with Notice: An employee shall file a written letter of resignation with the Department Head stating the effective date. Employees shall provide written notice a minimum of ten (10) working days prior to their termination date. Once a resignation has been submitted, the action cannot be withdrawn except upon mutual agreement by the employee and the City Administrator and/or mayor. The workdays required for proper notice shall exclude vacation, sick time, holidays and any other paid time off. Failure to provide the proper notice of resignation as identified in this section shall cause the employee's personnel record to indicate that the employee did not leave the City in good standing. The City Council retains the right to waive the resignation notice requirement if it is in the best interest of the City to do so. The employee must return all City of Sturgeon Bay property and records and complete required forms. The employee will be paid all proper compensation up to his or her final day of employment. An exit interview may be conducted by the Director of Human Resources. A

summary of this interview shall be prepared, signed by both parties, and placed as the final document in the employee's personnel file. The employer reserves its right to terminate the employee before that date.

An employee who resigns or who is terminated will receive his or her final paycheck on his or her next regularly scheduled payday and information regarding insurance continuation and other benefit plans.

**EMPLOYEE ACKNOWLEDGMENT**

I have received a copy of the Personnel Policies and Employment Handbook. I have read and I understand its contents. I acknowledge that it is my responsibility to ask questions about anything I do not understand.

I understand that it is my responsibility to comply with all City of Sturgeon Bay policies, rules and expectations as set forth in this Handbook, as well as policies, rules and expectations that the City of Sturgeon Bay may otherwise establish or change from time to time. I further understand and acknowledge that this Handbook provides guidelines and information, but this Handbook is not, nor is it intended to constitute, an employment contract of any kind. I understand that any contract or employment agreement must be authorized and approved by the City of Sturgeon Bay at a duly-noticed meeting. I acknowledge that I have not entered into any such individual agreement or contract by acknowledging receipt of this Handbook or by following any of the provisions of this Handbook. I understand that the contents of this Handbook and my compensation and benefits may be changed by the City of Sturgeon Bay at any time, with or without notice to the extent permitted by law.

I understand that my employment can be terminated at the option of either the City of Sturgeon Bay or me, at any time for any reason. I understand that this Handbook and the Acknowledgment Form do not vary or modify the at-will employment relationship between the City of Sturgeon Bay and me.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor's Signature

\_\_\_\_\_  
Date

After you have read and signed this page, please detach the page from the Handbook and return to your supervisor, who will submit to the Human Resources Director to be placed in your personnel file.

In the Matter of the Vacating and  
Discontinuance of Certain Streets  
Or Part Thereof in the City of  
Sturgeon Bay, Door County, Wisconsin

NOTICE

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that the Common Council of the City of Sturgeon Bay has set the 17<sup>th</sup> day of December, 2013 at 7:00 p.m. or shortly thereafter, as the time and the Council Chambers, City Hall, 421 Michigan Street, City of Sturgeon Bay, Wisconsin as the place for action on the following resolution hereinafter reproduced in full:

RESOLUTION

WHEREAS, the Common Council of the City of Sturgeon Bay, does hereby find that the public interest requires the vacating and discontinuance of certain streets or part thereof in accordance with Section 66.1003 of the Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Sturgeon Bay does hereby vacate and discontinue the streets or part thereof as hereinafter described:

That the action proposed to be taken affects the following parcel of land:

A tract of land located in Spring Oaks Subdivision, within the East one-half of the Southwest one-quarter of Section 4, Township 27 North, Range 26 East, City of Sturgeon Bay, Wisconsin, and more particularly described as follows.

Commencing at the southwest corner of Lot 19 of said Spring Oaks Subdivision, also being Lot 1 of a Certified Survey No. 2075 recorded in Volume 12 of Certified Survey Maps, Page 273, thence S 00°26'00" W along the easterly right-of-way line of North 19<sup>th</sup> Avenue extended 15.00 feet, thence S 89°34'00" E 152.00 feet, thence S 00°26'00" W 30.00 feet, thence N 89°34'00" W 152.00 feet to the intersection with said easterly right-of-way of North 19<sup>th</sup> Avenue extended, thence S 00°26'00" W along said right-of-way line extended 15.00 feet to the northwest corner of Lot 108 of said Spring Oak Subdivision, thence along the southerly right-of-way line of Iowa Street and westerly right-of-way of North 19<sup>th</sup> Drive as follows; S 89°34'00" E 217.96 feet, southeasterly along the arc of a curve to the right 31.64 feet (delta angle = 90°38'46" , chord bearing S 44°14'37" E 28.44 feet) , S 01°04'46" W 579.81 feet, southwesterly along an arc of a curve to the right 10.62 feet (delta angle = 30°25'14" , chord bearing S 16°17'23" W 10.49 feet) , and S 31°30'00" W 148.56 feet, thence N 58°30'00" E 60.00 feet to the intersection with the easterly right-of-way line of North 19<sup>th</sup> Drive, thence along said easterly right-of-way line of North 19<sup>th</sup> Drive and the northerly right-of-way line of Iowa Street as follows; N 31°30'00" E 148.56 feet, northeasterly along the arc of a curve to the left 42.47 feet (delta angle=30°25'14", chord bearing N 16°17'23" E 41.98 feet) , N 01°04'46" E 579.81 feet, northwesterly along the arc of a curve to the left 126.57'(chord bearing N 44°14'37" W 113.77 feet), and N 89°34'00" W 217.96 feet to the point of commencement. Said tract contains 58,558 square feet of land (1.34 acres).

Dated: November 5, 2013

By: Stephanie L. Reinhardt, City Clerk

# Street Vacation - Iowa St & N 19th Drive



October 11, 2013

### CITY OF STURGEON BAY

#### Resolution Vacating Portions of 19<sup>th</sup> Drive and Iowa Street Resolution No. \_\_\_\_\_

WHEREAS, the Common Council of the City of Sturgeon Bay, does hereby find that the public interest requires the vacating and discontinuance of certain streets or part thereof in accordance with Section 66.1003 of the Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Sturgeon Bay does hereby vacate and discontinue the streets or part thereof as hereinafter described:

That the action proposed to be taken affects the following parcel of land:

A tract of land located in Spring Oaks Subdivision, within the East one-half of the Southwest one-quarter of Section 4, Township 27 North, Range 26 East, City of Sturgeon Bay, Wisconsin, and more particularly described as follows.  
Commencing at the southwest corner of Lot 19 of said Spring Oaks Subdivision, also being the southwest corner of Lot 1 of a Certified Survey No. 2075 recorded in Volume 12 of Certified Survey Maps, Page 273, thence S 00°26'00" W along the easterly right-of-way line of North 19<sup>th</sup> Avenue extended 15.00 feet, thence S 89°34'00" E 137.00 feet, thence S 00°26'00" W 30.00 feet, thence N 89°34'00" W 137.00 feet to the intersection with said easterly right-of-way of North 19<sup>th</sup> Avenue extended, thence S 00°26'00" W along said right-of-way line extended 15.00 feet to the northwest corner of Lot 108 of said Spring Oak Subdivision, thence along the southerly right-of-way line of Iowa Street and westerly right-of-way of North 19<sup>th</sup> Drive as follows; S 89°34'00" E 217.96 feet, southeasterly along the arc of a curve to the right 31.64 feet (delta angle = 90°38'46" , chord bearing S 44°14'37" E 28.44 feet), S 01°04'46" W 579.81 feet, southwesterly along an arc of a curve to the right 10.62 feet (delta angle = 30°25'14" , chord bearing S 16°17'23" W 10.49 feet) , and S 31°30'00" W 148.56 feet, thence S 58°30'00" E 60.00 feet to the intersection with the easterly right-of-way line of North 19<sup>th</sup> Drive, thence along said easterly right-of-way line of North 19<sup>th</sup> Drive and the northerly right-of-way line of Iowa Street as follows; N 31°30'00 E 148.56 feet, northeasterly along the arc of a curve to the left 42.47 feet (delta angle=30°25'14", chord bearing N 16°17'23" E 41.98 feet) , N 01°04'46" E 579.81 feet, northwesterly along the arc of a curve to the left 126.57'(chord bearing N 44°14'37" W 113.77 feet), and N 89°34'00" W 217.96 feet to the point of commencement.  
Said tract contains 59,008 square feet of land (1.35 acres).

**NOW, THEREFORE**, it is hereby resolved that the City of Sturgeon Bay does hereby adopt the foregoing resolution.

Certification:

I, Stephanie Reinhardt, Clerk of the City of Sturgeon Bay certifies that the above is a true and correct copy of a resolution that was adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by the City of Sturgeon Bay Common Council.

\_\_\_\_\_  
Stephanie Reinhardt, Clerk  
City of Sturgeon Bay

## EXECUTIVE SUMMARY

**Title:** Street Vacations – N. 19<sup>th</sup> Drive and Iowa Street

**Background:** The Common Council introduced a resolution to vacate portions of N. 19<sup>th</sup> Drive and Iowa Street. That resolution retains the southerly 20 feet of 19<sup>th</sup> Drive due to existing storm sewer facilities and also retains the center 30 feet of Iowa Street in order to maintain the possibility of future public access into the northern portions of the YMCA property. After the required public hearing, the Council can act upon the resolution.

This issue was initiated by the YMCA to assist their implementation of the proposed outdoor recreation facilities. The subject right-of-ways were created by the Spring Oaks and Spring Oaks South subdivision plats, but the roads were never constructed and there are no utilities within the subject right-of-ways either. Due to the YMCA's plan for the outdoor recreation facilities and the recent rezoning to Conservancy, the streets are no longer needed, so the YMCA requested vacation of the portions of the streets abutting its lands. The Holeys and Fischers are the owners of the lots on either side of the subsequent stub portion of Iowa Street that would be created if the YMCA request is approved. So, they also petitioned to vacate that portion of the street right-of-way.

**Plan Commission Action:** The Plan Commission recommended vacating the streets as requested by the YMCA. However, regarding the portion of Iowa Street abutting the Holeys and Fischers, the Commission recommended retaining the center 30 feet of that part. This preserves the ability to construct a driveway access or pedestrian access into the northern portion of the YMCA land and potentially preserves the ability to create a narrow street if that portion of the YMCA land ever changes back to residential lots.

**Additional Considerations:** The YMCA Board of Directors has determined that it prefers that the "stub" portion of Iowa Street not be vacated at all. That preserves the right-of-way for potential full street access and utilities in the event such facilities would ever be needed in the future. The affected property owners (Holeys and Fischers) have also indicated that their preferences are to either vacate the whole street (with just access easement for pedestrians) or not vacate any of the "stub" street, so that if the future street is indeed needed, it would match the rest of the subdivision. It is noted that if the stub portion of Iowa Street is not vacated at this time, it could still be vacated or narrowed later in the future once the YMCA implementation of its plan is further along.

**Options:** The Council has the following options:

1. Reject the resolution in order to not vacate any streets.
2. Approve the resolution as originally introduced, thereby vacating the subject streets, except for the center 30 feet of Iowa Street.

3. Approve a modified resolution to vacate the subject streets, except retaining the entire stub portion of Iowa Street. *[Note: A revised legal description has been drafted to match this option that would need to be inserted into the resolution.]*
  
4. Vacate all of the subject streets, including the entire stub portion of Iowa Street. *[Note: This option requires the Council to introduce a new resolution and hold a new public hearing, because it vacates more right-of-way than listed in the original resolution. According to City Attorney, the Council can modify the resolution to vacate less right-of-way, but not more right-of-way than what is specified in the original resolution.]*

**Recommendation:** Staff recommends either option 2 or option 3, but prefers option 3.

Prepared by:   
Martin Olejniczak  
Community Development Director

12/11/13  
Date

Reviewed by:   
Tony Depies  
City Engineer

12-11-2013  
Date

Reviewed by:   
Stephen McNeil  
City Administrator

12/11/13  
Date

**CITY OF STURGEON BAY**

Resolution Vacating Portions of 19<sup>th</sup> Drive and Iowa Street  
Resolution No. \_\_\_\_\_

WHEREAS, the Common Council of the City of Sturgeon Bay, does hereby find that the public interest requires the vacating and discontinuance of certain streets or part thereof in accordance with Section 66.1003 of the Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Sturgeon Bay does hereby vacate and discontinue the streets or part thereof as hereinafter described:

That the action proposed to be taken affects the following parcel of land:

A tract of land located in Spring Oaks Subdivision, within the East one-half of the Southwest one-quarter of Section 4, Township 27 North, Range 26 East, City of Sturgeon Bay, Wisconsin, and more particularly described as follows.

Commencing at the southwest corner of Lot 19 of said Spring Oaks Subdivision, also being the southwest corner of Lot 1 of a Certified Survey No. 2075 recorded in Volume 12 of Certified Survey Maps, Page 273, thence S 89°34'00" E along the northerly right-of-way line of Iowa Street 137.00 feet to the southeast corner of said Lot 1 of Certified Survey No. 2075 and the point of beginning, thence S 00°26'00" W 60.00 feet to the intersection with the southerly right-of-way line of Iowa Street, thence along said southerly right-of-way line of Iowa Street and the westerly right-of-way of North 19<sup>th</sup> Drive as follows; S 89°34'00" E 80.96 feet, southeasterly along the arc of a curve to the right 31.64 feet (delta angle = 90°38'46" , chord bearing S 44°14'37" E 28.44 feet) , S 01°04'46" W 579.81 feet, southwesterly along an arc of a curve to the right 10.62 feet (delta angle = 30°25'14" , chord bearing S 16°17'23" W 10.49 feet) , and S 31°30'00" W 148.56 feet, thence S 58°30'00" E 60.00 feet to the intersection with the easterly right-of-way line of North 19<sup>th</sup> Drive, thence along said easterly right-of-way line of North 19<sup>th</sup> Drive and the northerly right-of-way line of Iowa Street as follows; N 31°30'00 E 148.56 feet, northeasterly along the arc of a curve to the left 42.47 feet (delta angle=30°25'14" , chord bearing N 16°17'23" E 41.98 feet), N 01°04'46" E 579.81 feet, northwesterly along the arc of a curve to the left 126.57'(chord bearing N 44°14'37" W 113.77 feet), and N 89°34'00" W 80.96 feet to the point of beginning.

Said tract contains 54,898 square feet of land (1.26 acres).

**NOW, THEREFORE,** it is hereby resolved that the City of Sturgeon Bay does hereby adopt the foregoing resolution.

Certification:

I, Stephanie Reinhardt, Clerk of the City of Sturgeon Bay certifies that the above is a true and correct copy of a resolution that was adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by the City of Sturgeon Bay Common Council.

\_\_\_\_\_  
Stephanie Reinhardt, Clerk  
City of Sturgeon Bay

**PRELIMINARY RESOLUTION  
DECLARING INTENT TO LEVY SPECIAL ASSESSMENTS UNDER MUNICIPAL  
POLICE POWERS PURSUANT TO SECTION 66.0703, WIS. STATS**

RESOLVED, by the Common Council of the City of Sturgeon Bay, Wisconsin:

1. The Common Council hereby declares its intention to exercise its police power under Section 66.0703 Wisconsin Statutes, to levy special assessments upon property in the assessment district hereafter described for benefits conferred upon such property by reason of the following public work improvements:

Installation of approximately 760 feet of sanitary sewer and watermains along highway 42/57 to service the Maritime Plaza development, and 2,517 feet of Sanitary Sewer and 2,696 feet of water improvements in Grant Avenue, Viburnum St and Sycamore St servicing lots 1,2,3, and 4 of CSM #2414; Lots 1,2,3,4,5, and 6 of the plat of Maritime Landing and the 11.84 acre parcel bounded by said Grant Avenue, Viburnum St and Sycamore St, (tax parcel # 2816612003301).

2. The Property to be assessed lies within the following described assessment district:

Assessment District

A tract of land located in the west ½ of the southwest ¼ of Section 12, Township 27 North, Range 26 East, City of Sturgeon Bay, Wisconsin, including Lots 1-6 of Maritime Landing Subdivision, and Lots 1-4 of Certified Survey #2414 recorded in Volume 14 of Certified Survey Map, Page 235, the right-of-ways of Grant Avenue, East Viburnum Street, and Sycamore Street and more particularly described as follows.

Commencing at the southwest corner of Section 12, thence N 01°55'52" W along the west line of southwest ¼ of Section 12 97.03 feet to the point of beginning, thence continue N 01°55'52" W along said west line 1461.51 feet to the northwest corner of Lot 1 of Maritime Landing Subdivision, thence N 88°04'08" E 628.92 feet to the northeast corner of Lot 5 of Maritime Landing Subdivision, thence S 00°46'24" E 141.95 feet, thence S 63°57'53" E 20.00 feet, thence southerly along the arc of a 185.00 foot radius curve to the left ( delta angle = 26°48'31" , chord bearing S 12°37'51.5" W 85.77 feet ) 86.56 feet, thence S 00°46'24" E 15.50 feet to the southeast corner of said Lot 5, thence N 89°13'36" E 239.93 feet to the northeast corner of Lot 6 of Maritime Landing Subdivision, thence S 01°33'07" E 1226.25 feet to the southeast corner of Lot 3 of Certified Survey #2414, thence S 89°22'08" W along the northerly right-of-way line of S.T.H. "42-57" 853.83 feet to the point of beginning.

Said tract contains 27.63 acres of land.

3. It is proposed that 100 percent of the cost of the installation of sewer and water in the project area be assessed against the benefitted properties.
4. The Common Council determines that the improvements constitute an exercise of the police power for the health, safety and general welfare of the municipality and its inhabitants.
5. Sturgeon Bay Utilities shall prepare a report which shall consist of:
  - a. Preliminary plans and specifications for the improvements.
  - b. An estimate of the entire cost of the proposed improvements.
  - c. A schedule of proposed assessments.
6. When the report is completed, Sturgeon Bay Utilities shall file a copy of the report with the municipal clerk for public inspection and, if state property is to be assessed, shall mail a copy of the report to the responsible state agency and, for assessments of \$50,000 or more, to the Wisconsin state building commission.
7. Upon receiving the report of Sturgeon Bay Utilities, the City Clerk shall cause notice to be given stating the nature of the proposed improvements, the general boundary lines of the proposed Assessment District, (including a small map thereof) the time and place at which the report may be inspected, and the time and place of the public hearing on the matters contained in the preliminary resolution and the report. This notice shall be published as a class 1 notice under ch. 985, Stats, and a copy shall be mailed, at least 10 days before the hearing, to every interested party whose address is known or can be ascertained with reasonable diligence.
8. The hearing shall be held in the Common Council Chambers in City Hall, 421 Michigan Street, on the 7<sup>th</sup> day of January, 2014 at 7:00 p.m. or shortly thereafter, in accordance with Section 66.0703 (7), Wisconsin Statutes.
9. The assessment against any parcel may be paid in cash, subject to installment payment privileges or subject to deferment. The determination of whether or not an assessment is deferrable will be determined by the Common Council at or after the public hearing to be held in connection with this matter. Six annual installments are hereby authorized except when total assessment on a single parcel exceeds \$6,000 then twelve installments can be applied for.

Introduced by

Moved by Alderperson \_\_\_\_\_, seconded by Alderperson \_\_\_\_\_, that said resolution be adopted.

Passed by the Council on the \_\_\_\_ day of \_\_\_\_\_, 2013.

EXECUTIVE SUMMARY

TITLE: Levy sewer and water special assessments RE: Maritime Plaza Development

BACKGROUND: As part of the 2006 Annexation Agreement between the City and William Hopf the City agreed to install/extend sewer and watermain to service the Maritime Plaza Development. Additionally, the property owner agreed to reimburse the City for the cost of the aforementioned improvements. Since such time, the property in question was deeded in lieu of foreclosure to Veritas Asset Holdings, LLC. Since the property is no longer in the name of the person tied to the Annexation Agreement, legal counsel has advised staff to go through the formal special assessment process in order to assign these sewer and water installation costs to the benefitting properties. In this case, the first step of the special assessment process will be for the Common Council to approve a preliminary resolution declaring intent to levy special assessments.

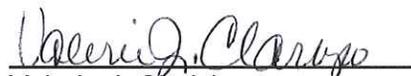
The cost of improvements is assigned as follows (see attached map):

281-66-12003301	\$227,131.28
281-66-12003301A	\$ 30,918.39
281-66-12003301B	\$ 30,738.22
281-66-12003301C	\$ 22,053.68
281-66-12003301D	\$ 24,756.34
281-66-122725001	\$ 3,719.12
281-66-122725002	\$ 3,719.14
281-66-122725003	\$ 3,719.14
281-66-122725004	\$ 3,719.14
281-66-122725005	\$ 3,719.14
281-66-122725006	<u>\$ 24,756.34</u>
Total	\$378,949.93

RECOMMENDATION:

Approve the Preliminary resolution declaring intent to levy special assessments under municipal police powers pursuant to section 66.0703, Wis. Stats. – Installation/extension of sewer and watermain to service the Maritime Plaza Development.

PREPARED BY:

  
Valerie J. Clarizio  
Finance Director/City Treasurer

12/13/13  
Date

PREPARED BY:

  
Marty Olejniczak  
Community Development Director

12/13/13  
Date

PREPARED BY:

Tony Depies  
Tony Depies  
City Engineer

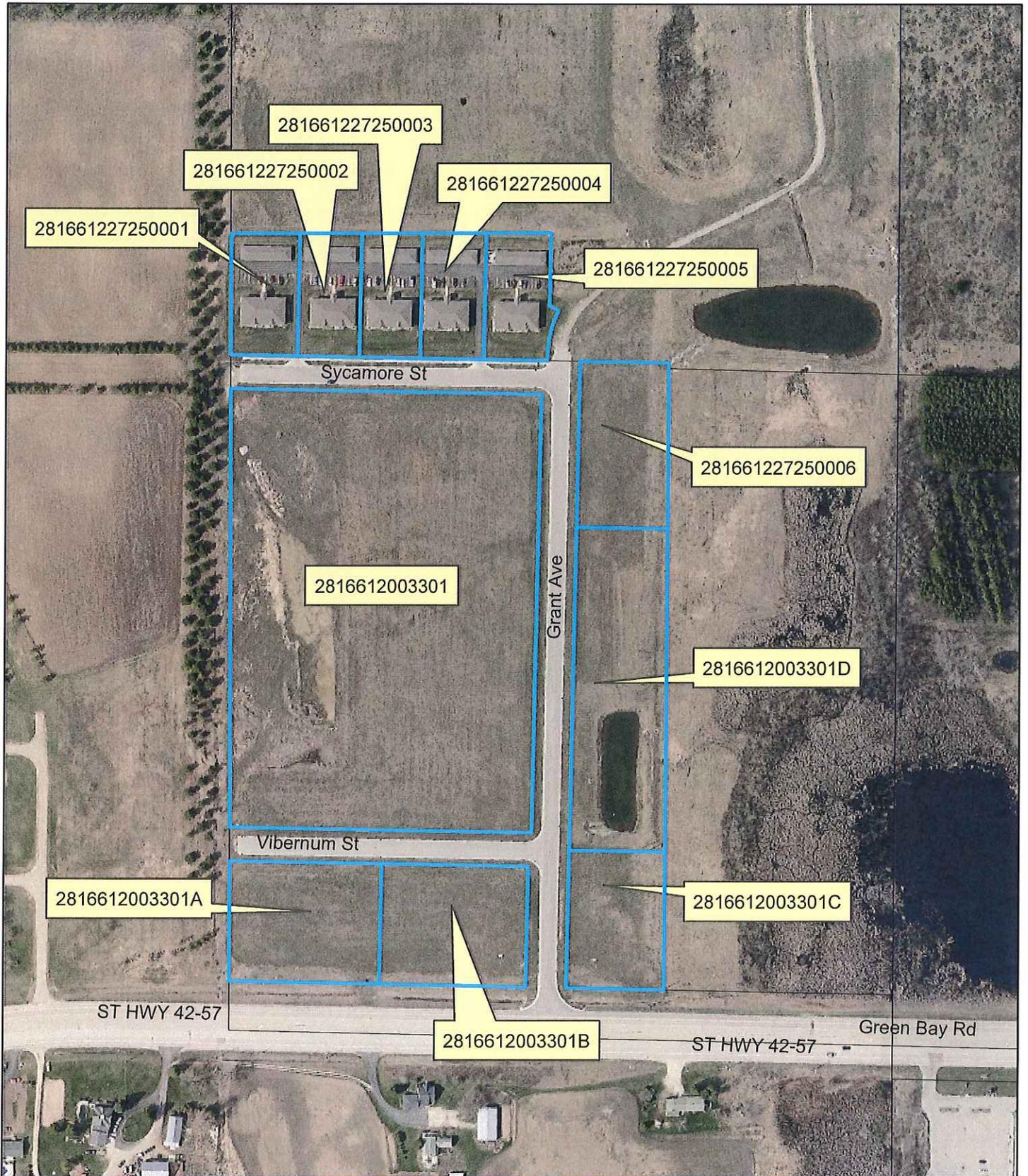
12-13-2013  
Date

APPROVED BY:

Stephen McNeil  
Stephen McNeil  
City Administrator

12-13-13  
Date

# Maritime Plaza Special Assessment District



**RECOMMENDATION**

TO THE HONORABLE MAYOR AND COMMON COUNCIL

We, the Sturgeon Bay Revolving Loan Fund Committee, hereby recommend that a loan of \$200,000 be approved for Ken Glasheen and Steve Sauter DBA The Ladder House to be used for the purchase of 38 South Third Ave., Sturgeon Bay, WI and that the loan be approved subject to the following conditions:

- A. Interest Rate: 3.0%**
- B. Term of Loan: 5 Years with a 15 -Year Amortization Period.**
- C. Monthly payments of interest only for three months followed by principal and interest payments to the City of Sturgeon Bay until the loan is paid in full.**
- D. The collateral for the loan will be a second mortgage on the property located at 38 South Third Avenue behind a loan from a commercial bank not to exceed \$250,000.00.**
- E. The applicant will enter into a General Business Security Agreement, subordinate to the 1<sup>st</sup> mortgage holder. The applicant will also enter into an assignment of rents and leases.**
- F. Kenneth Glasheen and Steve Sauter shall sign unlimited personal guarantees with spousal consents.**
- G. The borrower shall secure other private financing not to exceed \$250,000.00 and contribute equity in the amount of \$50,000.**
- H. The borrower shall obtain and keep insurance on all equipment and the real estate, with the City of Sturgeon Bay listed as loss payee.**
- I. The applicant will create 16 FTE (full-time equivalency) jobs within three years of loan closing of which at least 51% shall be held or made available to persons of low to moderate income.**
- J. The applicant shall provide the City's Loan Administrator with annual business income tax returns and financial statements by April 15<sup>th</sup> of each year.**
- K. The applicant will pay all out-of-pocket loan-processing costs at closing including attorney fees for loan documentation.**

- L. The applicant shall submit a complete application package, to the satisfaction of William Chaudoir, Executive Director, DCEDC.**
- M. The loan recipient's business location must remain in the City of Sturgeon Bay or the loan immediately becomes due and payable.**
- N. This commitment is valid for a 60-day period at which time the loan shall be closed or this commitment is null and void.**

We further recommend that the City Attorney be authorized to prepare the loan agreement, promissory note, security instrument and other necessary legal documents and that the Mayor and City Clerk be authorized to sign the necessary documents to implement this action.

Respectfully submitted,  
Sturgeon Bay Revolving Loan Fund Committee  
By: Mike Gilson, Chairman

RESOLVED, that the foregoing recommendation be adopted.

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

Introduced by \_\_\_\_\_,

Moved by Alderperson \_\_\_\_\_, seconded by

Alderperson \_\_\_\_\_ that said recommendation be adopted.

Passed by the Council on the \_\_\_\_\_.