



FINANCE AND PERSONNEL COMMITTEE MEETING AGENDA

June 24, 2024 at 5:00 PM

Council Chambers, 828 Center Avenue, Sheboygan, WI

It is possible that a quorum (or a reverse quorum) of the Sheboygan Common Council or any other City committees/boards/commissions may be in attendance, thus requiring a notice pursuant to State ex rel. Badke v. Greendale Village Board, 173 Wis. 2d 553, 494 N.W.2d 408 (1993).

Persons with disabilities who need accommodations to attend this meeting should contact the Finance Department at 920-459-3311. Persons other than council members who wish to participate remotely shall provide notice to the Finance Department at 920-459-3311 at least 24 hours before the meeting so that the person may be provided a remote link for that purpose.

OPENING OF MEETING

1. Call to Order
2. Roll Call - Alderperson Felde may attend remotely
3. Pledge of Allegiance
4. Introduction of Committee Members and Staff

MINUTES

5. Approval of Minutes - June 10, 2024

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

6. R. O. No. 19-24-25 / June 17, 2024: Submitting the proposed 2025 Budget Schedule and 2025 preliminary budget fiscal factors for guidance prior to departmental budget preparation.
7. R. C. No. 252-23-24 / April 15, 2024: Referred R. C. No. 205-22-23 by Finance and Personnel Committee to whom was referred R. O. No. 28-22-23 by City Clerk submitting a Notice of Claim from Frontier for alleged damages to their facilities from a mowing incident; recommends filing the document.
8. R. C. No. 260-23-24 / April 15, 2024: Referred R. O. No. 100-23-24 by City Clerk submitting a claim from Alex Xiong for alleged damages to vehicle caused by a snow plow; recommends filing the document.
9. R. C. No. 267-23-24 / April 15, 2024: Referred R. O. No. 8-23-24 by City Clerk submitting a Summons and Complaint in the matter of Wisconsin Consumer Credit vs. Eduardo Angel Hernandez et. al; recommends filing the document.
10. Direct Referral R. O. No. 21-24-25 by Director of Planning and Development submitting the 2023 Consolidated Annual Performance Evaluation Report (CAPER) for the purpose of a presentation and public hearing to be held on June 24, 2024.

- a. Presentation - 2023 Consolidated Annual Performance Evaluation Report
- b. Public Hearing - 2023 Consolidated Annual Performance Evaluation Report

- [11.](#) Direct Referral Res. No. 32-24-25 by Alderpersons Mitchell and Perrella authorizing the City Attorney's Office to settle the matter of *Cities & Villages Mutual Insurance Company, et al. v. Jacob O. Smith*, Circuit Court Case No. 2022CV357.
- [12.](#) Gen. Ord. No. 3-24-25 / June 17, 2024: AN ORDINANCE amending Section 18-74 of the Municipal Code so as to authorize the Finance Director/Treasurer to compensate Matthew Greenwood interim pay for his service to the City as Interim Information Technology Director.
- [13.](#) Gen. Ord. No. 2-24-25 / June 17, 2024: AN ORDINANCE amending Section 18-74 of the Municipal Code so as to update the rules and conditions for acting pay for non-represented employees.

DATE OF NEXT REGULAR MEETING

- 14. Next Meeting Date - July 8, 2024

ADJOURN

- 15. Motion to Adjourn

In compliance with Wisconsin's Open Meetings Law, this agenda was posted in the following locations more than 24 hours prior to the time of the meeting:

*City Hall • Mead Public Library
Sheboygan County Administration Building • City's website*

**CITY OF SHEBOYGAN
R. O. 19-24-25**

BY CITY ADMINISTRATOR.

JUNE 17, 2024.

Submitting for your information the proposed 2025 Budget Schedule and 2025 preliminary budget fiscal factors for guidance prior to departmental budget preparation.

| | |
|--------------------|---|
| June 17, 2024 | City Administrator submits 2025 budget schedule and preliminary budget fiscal factors to Common Council. |
| June 24, 2024 | City Administrator communicates to department heads the parameters for 2025 budget submittals. |
| | City Administrator presents budget parameters to Finance & Personnel Committee. |
| June 26, 2024 | Finance Department provides budget entry training to staff. |
| August 5, 2024 | Finance Director provides year-to-date 2024 budget update and high-level 2025 budget outlook to Common Council. |
| August 14, 2024 | Department heads submit preliminary departmental operating and capital budget submittals. |
| August 16, 2024 | Finance Department completes salary and benefit projections. |
| August 22, 2024 | Department heads budget workshop to review 2025 preliminary budget requests. |
| August 26-30, 2024 | Department head one-on-one meetings with Administration and Finance Departments to review budget requests. |
| September 9, 2024 | Department head review of budget as proposed to Council by City Administrator |
| | Committee of the Whole Budget Workshop |
| September 16, 2024 | Committee of the Whole Budget Workshop |
| October 2, 2024 | Staff publishes Notice of Public Hearing on 2025 Proposed Budget. |

- October 7, 2024 City Administrator submits Budget Resolution to Common Council for referral to Committee of the Whole. Common Council refers 2025-2029 Capital Plan to City Plan Commission
- October 15, 2024 City Plan Commission reviews and adopts 2025-2029 Capital Plan
- October 21, 2024 Committee of the Whole reviews and refers final 2025 Proposed Budget and 2025-2029 Capital Plan to Common Council. Public Hearing on 2025 Proposed Budget.
- November 4, 2024 Common Council adopt Budget Resolution and 2025-2029 Capital Plan

Submitting the 2025 preliminary budget fiscal factors for guidance prior to departmental budget submittals as follows:

1. General Fund Budget – retains eligibility for Wisconsin’s Expenditure Restraint Program.
2. Equalized tax rate to increase no more than inflationary levels.
3. Maintain city services with no decrease in service level.
4. Leverage city resources through partnerships and shared services/facilities with other entities.
5. Leverage intergovernmental funding to help offset city cost for projects or programs that promote the City of Sheboygan Strategic Plan Focus Areas.
6. Funding for anticipated wage/benefit increase for the city workforce due to union contracts and inflationary factors.
7. Review user fees including utility rates.
8. Identify planned borrowed funds to assist in maintenance of the City’s current Aa2 bond rating and remain consistent with Debt Management plan.
9. Balance all Fund budgets, if necessary, utilize applied fund balance or planned borrowed fund proceeds.
10. Incorporate 2025 projects, equipment and vehicles identified in the 2025 – 2029 Capital Plan.
11. Maintain a minimum of 25% unassigned Fund Balance in the General Fund budget.

CITY OF SHEBOYGAN
R. C. 252-23-24

BY FINANCE AND PERSONNEL COMMITTEE.

APRIL 15, 2024.

Your Committee to whom was referred R. C. No. 205-22-23 by Finance and Personnel Committee to whom was referred R. O. No. 28-22-23 by City Clerk submitting a Notice of Claim from Frontier for alleged damages to their facilities from a mowing incident; recommends referring to the Finance and Personnel Committee of the 2024-2025 council year.

Committee:

| | |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

PASSED AND ADOPTED BY THE CITY OF SHEBOYGAN COMMON COUNCIL

_____.

Presiding Officer

Attest

Ryan Sorenson, Mayor, City of
Sheboygan

Meredith DeBruin, City Clerk, City of
Sheboygan

VI

R. C. No. 205 - 22 - 23. By FINANCE AND PERSONNEL COMMITTEE. April 17, 2023.

Your Committee to whom was referred R. O. No. 28-22-23 by City Clerk submitting a Notice of Claim from Frontier for alleged damages to their facilities from a mowing incident; recommends referring to the Finance and Personnel Committee of the 2023-2024 council year.

FP 2324

| | |
|-------|-----------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| | Committee |

I HEREBY CERTIFY that the foregoing Committee Report was duly accepted and adopted by the Common Council of the City of Sheboygan, Wisconsin, on the _____ day of _____, 20____.

Dated _____ 20____. _____, City Clerk

Approved _____ 20____. _____, Mayor

II

R. O. No. 28 - 22 - 23. By CITY CLERK. July 5, 2022.

Submitting a Notice of Claim from Frontier for alleged damages to their facilities from a mowing incident.

FHP

CITY CLERK



Claims Management Resources
PO Box 60770
Oklahoma City, OK 73146-0770
(800) 321-4158

MKC
JUN 27 2022

Item 7.

*****NOTICE OF CLAIM*****

Date: 06-16-2022

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

To: CITY OF SHEBOYGAN
CITY CLERK
2026 NEW JERSEY AVE
SHEBOYGAN, WI 53081

CERTIFIED MAIL# 92148901066154000176628318

RE: Damage to FRONTIER Property

FRONTIER Claim Num: 1820233
Damage/Discovery Date: 06-13-2022
Damage Location: COUNTY HWY Z AND OAK RD, SHEBOYGAN, WI
Damage County: SHEBOYGAN
Damage Amount: UNDETERMINED

Dear Sir/Madam:

Please be advised that FRONTIER Facilities sustained damage as a result of the negligent acts or omissions by employees or agents of CITY OF SHEBOYGAN.

Investigation has revealed that on or about 06-13-2022 employees or agents of CITY OF SHEBOYGAN, SHEBOYGAN COUNTY WAS MOWING AND DAMAGED A FRONTIER PEDESTAL in the area of COUNTY HWY Z AND OAK RD, SHEBOYGAN, WI.

This letter is the written presentment of FRONTIER's claim pursuant to Wisconsin Statute s.893.80 (1) (a) & (b).

REQUEST FOR GOVERNMENTAL NOTICE FORM

If your Governmental Entity requires the completion of its own form to complete proper notice, please forward a copy to the address listed above. Every good faith effort has been made to identify the proper office and address to perfect our notice. Please forward to your attorney, if misdirected, to contact us. Matters herein stated are alleged on information and belief this pleader believes to be true. If there is insurance to cover this matter, kindly advise as to the name of the insurance company, its address and the claim number assigned. If you have any questions, or need additional information, please contact me at 1-800-321-4158 ext 8232.

Sincerely,
Chelsea Dongelewic

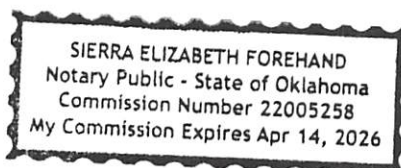
Chelsea Dongelewic

CMR Claims DEPT

NOTARY

Commission Expires

April 14, 2026



CMR
726 W SHERIDAN AVE
OKLAHOMA CITY, OK 73102-2412



Item 7.

9214 8901 0661 5400 0176 6283 18

RETURN RECEIPT (ELECTRONIC)

1820233

CITY OF SHEBOYGAN
CITY CLERK
2026 NEW JERSEY AVE
SHEBOYGAN, WI 53081-4714

CUT / FOLD HERE

Zone 5

6"X9" ENVELOPE
CUT / FOLD HERE

CUT / FOLD HERE

**CITY OF SHEBOYGAN
R. C. 260-23-24**

BY FINANCE AND PERSONNEL COMMITTEE.

APRIL 15, 2024.

Your Committee to whom was referred R. O. No. 100-23-24 by City Clerk submitting a claim from Alex Xiong for alleged damages to vehicle caused by a snow plow; recommends referring to the Finance and Personnel Committee of the 2024-2025 council year.

Committee:

PASSED AND ADOPTED BY THE CITY OF SHEBOYGAN COMMON COUNCIL

Presiding Officer

Attest

Ryan Sorenson, Mayor, City of
Sheboygan

Meredith DeBruin, City Clerk, City of
Sheboygan

**CITY OF SHEBOYGAN
R. O. 100-23-24**

BY CITY CLERK.

FEBRUARY 5, 2024.

Submitting a claim from Alex Xiong for alleged damages to vehicle caused by a snow plow.

DATE RECEIVED

1-29-2024

RECEIVED BY

MKC

CLAIM NO.

20-23

Item 8.

CITY OF SHEBOYGAN NOTICE OF DAMAGE OR INJURY

INSTRUCTIONS: TYPE OR PRINT IN BLACK INK

JAN 29 2024

1. Notice of death, injury to persons or to property must be filed not later than 120 days after the occurrence.
2. Attach and sign additional supportive sheets, if necessary.
3. This notice form must be signed and filed with the Office of the City Clerk.

4. TWO ESTIMATES MUST BE ATTACHED IF YOU ARE CLAIMING DAMAGE TO A VEHICLE.

1. Name of Claimant: Alex Xiong
2. Home address of Claimant: 1614 Heller Avenue, Sheboygan, WI 53081
3. Home phone number: 215-820-8978
4. Business address and phone number of Claimant: _____
5. When did damage or injury occur? (date, time of day) 1/12/24 9:10 p.m.
6. Where did damage or injury occur? (give full description) Left back of Car at 1614 Heller Avenue. Given a Crashdocs.org card, the report number is C24-00671
7. How did damage or injury occur? (give full description) City Snow plow hit the back of car parked at 1614 Heller Avenue.
8. If the basis of liability is alleged to be an act or omission of a City officer or employee, complete the following:
 - (a) Name of such officer or employee, if known: N/A
 - (b) Claimant's statement of the basis of such liability: N/A
9. If the basis of liability is alleged to be a dangerous condition of public property, complete the following:
 - (a) Public property alleged to be dangerous: N/A
 - (b) Claimant's statement of basis for such liability: N/A

10. Give a description of the injury, property damage or loss, so far as is known at time. (If there were no injuries, state "NO INJURIES").

Item 8.

11. Name and address of any other person injured:

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

Auto:

\$ 5420.25

Property:

\$ N/A

Personal injury:

\$ N/A

Other: (Specify below)

\$ N/A

TOTAL

\$ 5420.25

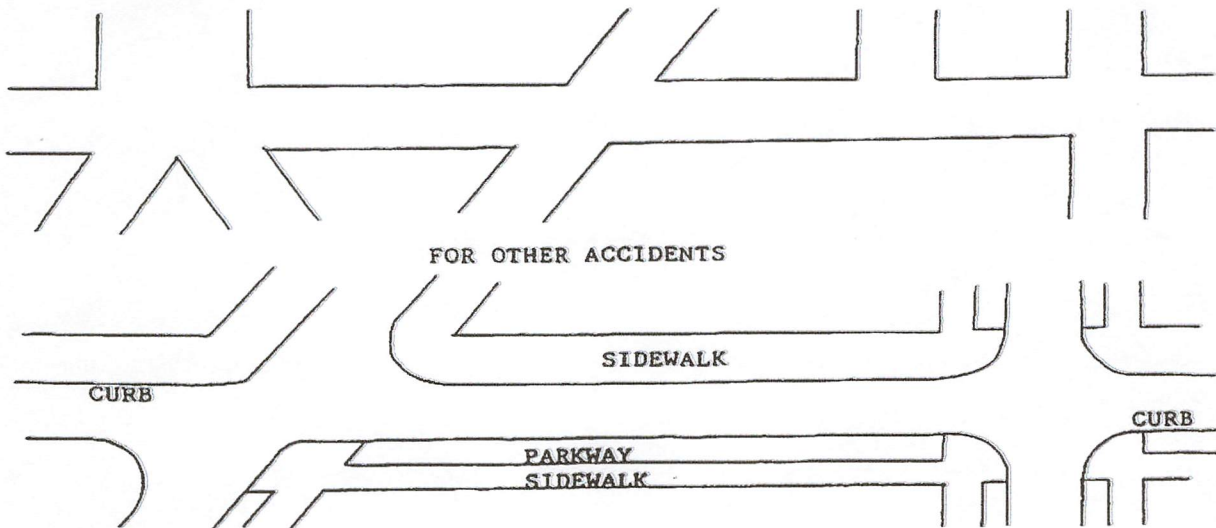
Damaged vehicle (if applicable)

Make: Toyota Model: Corolla Year: 2010 Mileage: 175,170

Names and addresses of witnesses, doctors and hospitals:

FOR ALL ACCIDENT NOTICES, COMPLETE THE FOLLOWING DIAGRAM IN DETAIL. BE SURE TO INCLUDE NAMES OF ALL STREETS, HOUSE NUMBERS, LOCATION OF VEHICLES, INDICATING WHICH IS CITY VEHICLE (IF APPLICABLE), WHICH IS CLAIMANT VEHICLE, LOCATION OF INDIVIDUALS, ETC.

NOTE: If diagrams below do not fit the situation, attach proper diagram and sign.



SIGNATURE OF CLAIMANT

DATE

1/29/24

DATE RECEIVED _____

RECEIVED BY _____

Item 8.

CLAIM NO. _____

CLAIM

Claimant's Name: Alex Xiong

Claimant's Address: 1614 Heller Avenue

Claimant's Phone No. 215-820-8978

Auto \$ 5420.25

Property \$ N/A

Personal Injury \$ N/A

Other (Specify below) \$ N/A

TOTAL \$ 5420.25

PLEASE INCLUDE COPIES OF ALL BILLS, INVOICES, ESTIMATES, ETC.

WARNING: IT IS A CRIMINAL OFFENSE TO FILE A FALSE CLAIM.
(WISCONSIN STATUTES 943.395)

The undersigned hereby makes a claim against the City of Sheboygan arising out of the circumstances described in the Notice of Damage or Injury. The claim is for relief in the form of money damages in the total amount of \$ 5420.25.

SIGNED [Signature]

DATE: 1/29/24

ADDRESS: 1614 Heller Avenue

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

**SHEBOYGAN CHEVROLET BUICK
GMC CADILLAC**

3400 S BUSINESS DR, SHEBOYGAN, WI 53081
Phone: (920) 459-6855
FAX: (920) 459-6286

Workfile ID:
PartsShare:
Federal ID:

57 **Item 8.**
7LqX9Y
83-0747810

Preliminary Estimate

Customer: XIONG, ALEX

Job Number:

Written By: Jeff Wiegand

Insured: XIONG, ALEX
Type of Loss:
Point of Impact: 08 Left Qtr Post (Left Side)

Policy #:
Date of Loss:

Claim #:
Days to Repair: 0

Owner:

XIONG, ALEX

1614 HELLER AVE.
SHEBOYGAN, WI 53081
(215) 820-8978 Cell

Inspection Location:

SHEBOYGAN CHEVROLET BUICK GMC
CADILLAC
3400 S BUSINESS DR
SHEBOYGAN, WI 53081
Repair Facility
(920) 459-6855 Business

Insurance Company:

VEHICLE

2010 TOYO Corolla S Automatic 4D SED 4-1.8L Gasoline SFI SILVER

| | | | |
|------------------------|-------------------------|---------------------|--------------|
| VIN: 2T1BU4EE6AC251587 | Interior Color: | Mileage In: 175,172 | Vehicle Out: |
| License: ABM2719 | Exterior Color: SILVER | Mileage Out: | |
| State: WI | Production Date: 8/2009 | Condition: | Job #: |

TRANSMISSION

Automatic Transmission
Overdrive

POWER

Power Steering
Power Brakes
Power Locks
Power Mirrors

DECOR

Dual Mirrors
Console/Storage

CONVENIENCE

Air Conditioning

Intermittent Wipers

Tilt Wheel

Rear Defogger

Keyless Entry

Message Center

Steering Wheel Touch Controls

Telescopic Wheel

RADIO

AM Radio

FM Radio

Stereo

Search/Seek

CD Player

Auxiliary Audio Connection

SAFETY

Drivers Side Air Bag

Passenger Air Bag

Anti-Lock Brakes (4)

Front Side Impact Air Bags

Head/Curtain Air Bags

SEATS

Cloth Seats

Bucket Seats

WHEELS

Wheel Covers

PAINT

Clear Coat Paint

OTHER

Fog Lamps

Traction Control

Stability Control

Rear Spoiler

California Emissions

Power Trunk/Liftgate

Get live updates at www.carwise.com/e/4GFP7p

Preliminary Estimate

Item 8.

Customer: XIONG, ALEX

Job Number:

2010 TOYO Corolla S Automatic 4D SED 4-1.8L Gasoline SFI SILVER

| Line | Oper | Description | Part Number | Qty | Extended Price \$ | Labor | Paint |
|------------------|------|--------------------------------------|-------------|-----|-------------------|-------------|------------|
| 1 | | PILLARS, ROCKER & FLOOR | | | | | |
| 2 | R&I | LT Rocker molding S, XRS | | | | 0.9 | |
| 3 | | REAR DOOR | | | | | |
| 4 | * | Blnd LT Outer panel (HSS) | | | | | <u>1.0</u> |
| 5 | R&I | LT Belt molding | | | | 0.3 | |
| 6 | R&I | LT Handle, outside US built silver | | | | 0.4 | |
| 7 | R&I | LT R&I trim panel | | | | 0.4 | |
| 8 | | BACK GLASS | | | | | |
| 9 | * | Subl Back glass Toyota US built +25% | | 1 | 168.75 X | | |
| open | | Repl Molding US built | NOT USED | 1 | | | |
| 11 | | Repl Dam | 6481312180 | 1 | 11.64 | | |
| 12 | | QUARTER PANEL | | | | | |
| 13 | | Repl LT Stone guard w/cold area spec | 5874202130 | 1 | 19.65 | 0.2 | |
| 14 | | Repl LT Quarter panel | 6160202170 | 1 | 945.23 | 16.5 | 3.2 |
| 15 | | Add for Clear Coat | | | | | 1.3 |
| 16 | # | Refn Blend upper body | | | | | 1.2 |
| 17 | * | Blnd Fuel door | | | | | <u>0.2</u> |
| 18 | | REAR LAMPS | | | | | |
| 19 | * | Repl LKQ LT Combo lamp assy +25% | 8156112A50 | 1 | 81.25 | <u>0.3</u> | |
| 20 | | REAR BUMPER | | | | | |
| 21 | R&I | R&I bumper cover | | | | Incl. | |
| 22 | | MISCELLANEOUS OPERATIONS | | | | | |
| 23 | # | Subl Hazardous waste removal | | 1 | 3.00 T | | |
| 24 | # | Repl Seam sealer/caulking | | 1 | 12.00 T | 0.5 | |
| 25 | # | Repl Cover Car | | 1 | 5.00 T | | |
| 26 | # | R&I LR DOOR BODYSIDE MLDG. | | | | 0.5 | |
| SUBTOTALS | | | | | 1,246.52 | 20.0 | 6.9 |

ESTIMATE TOTALS

| Category | Basis | Rate | Cost \$ |
|--------------------|---------------|--------------|-----------------|
| Parts | | | 1,226.52 |
| Body Labor | 20.0 hrs @ | \$ 67.00 /hr | 1,340.00 |
| Paint Labor | 6.9 hrs @ | \$ 67.00 /hr | 462.30 |
| Paint Supplies | 6.9 hrs @ | \$ 47.00 /hr | 324.30 |
| Miscellaneous | | | 20.00 |
| Subtotal | | | 3,373.12 |
| Sales Tax | \$ 3,373.12 @ | 5.5000 % | 185.52 |
| Grand Total | | | 3,558.64 |

Customer: XIONG, ALEX**Job Number:**

2010 TOYO Corolla S Automatic 4D SED 4-1.8L Gasoline SFI SILVER

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

Estimate based on MOTOR CRASH ESTIMATING GUIDE and potentially other third party sources of data. Unless otherwise noted, (a) all items are derived from the Guide ARM8428, CCC Data Date 01/17/2024, and potentially other third party sources of data; and (b) the parts presented are OEM-parts. OEM parts are manufactured by or for the vehicle's Original Equipment Manufacturer (OEM) according to OEM's specifications for U.S. distribution. OEM parts are available at OE/Vehicle dealerships or the specified supplier. OPT OEM (Optional OEM) or ALT OEM (Alternative OEM) parts are OEM parts that may be provided by or through alternate sources other than the OEM vehicle dealerships with discounted pricing. Asterisk (*) or Double Asterisk (**) indicates that the parts and/or labor data provided by third party sources of data may have been modified or may have come from an alternate data source. Tilde sign (~) items indicate MOTOR Not-Included Labor operations. The symbol (<>) indicates the refinish operation WILL NOT be performed as a separate procedure from the other panels in the estimate. Non-Original Equipment Manufacturer aftermarket parts are described as Non OEM, A/M or NAGS. Used parts are described as LKQ, RCY, or USED. Reconditioned parts are described as Recond. Recored parts are described as Recore. NAGS Part Numbers and Benchmark Prices are provided by National Auto Glass Specifications. Labor operation times listed on the line with the NAGS information are MOTOR suggested labor operation times. NAGS labor operation times are not included. Pound sign (#) items indicate manual entries.

Some 2023 vehicles contain minor changes from the previous year. For those vehicles, prior to receiving updated data from the vehicle manufacturer, labor and parts data from the previous year may be used. The CCC ONE estimator has a list of applicable vehicles. Parts numbers and prices should be confirmed with the local dealership.

The following is a list of additional abbreviations or symbols that may be used to describe work to be done or parts to be repaired or replaced:

SYMBOLS FOLLOWING PART PRICE:

m=MOTOR Mechanical component. s=MOTOR Structural component. T=Miscellaneous Taxed charge category. X=Miscellaneous Non-Taxed charge category.

SYMBOLS FOLLOWING LABOR:

D=Diagnostic labor category. E=Electrical labor category. F=Frame labor category. G=Glass labor category. M=Mechanical labor category. S=Structural labor category. (numbers) 1 through 4=User Defined Labor Categories.

OTHER SYMBOLS AND ABBREVIATIONS:

Adj.=Adjacent. Algn.=Align. ALU=Aluminum. A/M=Aftermarket part. Blnd=Blend. BOR=Boron steel. CAPA=Certified Automotive Parts Association. D&R=Disconnect and Reconnect. HSS=High Strength Steel. HYD=Hydroformed Steel. Incl.=Included. LKQ=Like Kind and Quality. LT=Left. MAG=Magnesium. Non-Adj.=Non Adjacent. NSF=NSF International Certified Part. O/H=Overhaul. Qty=Quantity. Refn=Refinish. Repl=Replace. R&I=Remove and Install. R&R=Remove and Replace. Rpr=Repair. RT=Right. SAS=Sandwiched Steel. Sect=Section. Subl=Sublet. UHS=Ultra High Strength Steel. N=Note(s) associated with the estimate line.

Customer: XIONG, ALEX

Job Number:

2010 TOYO Corolla S Automatic 4D SED 4-1.8L Gasoline SFI SILVER

CCC ONE Estimating - A product of CCC Intelligent Services Inc.

The following is a list of abbreviations that may be used in CCC ONE Estimating that are not part of the MOTOR CRASH ESTIMATING GUIDE:

BAR=Bureau of Automotive Repair. EPA=Environmental Protection Agency. NHTSA= National Highway Transportation and Safety Administration. PDR=Paintless Dent Repair. VIN=Vehicle Identification Number.

Preliminary Estimate

Item 8.

Customer: XIONG, ALEX

Job Number:

2010 TOYO Corolla S Automatic 4D SED 4-1.8L Gasoline SFI SILVER

PARTS SUPPLIER LIST

| Line | Supplier | Description | Price |
|------|---|--|----------|
| 19 | LKQ Corp 2101 Beloit Avenue Janesville WI 53546 (800) 362-9451 | #~355064385 LKQ LT Combo lamp assy +25% Tail Lamp QTR MTD, LH, NORTH AMERICA BUILT,S#\$V3332 Quote: 2352110706 Expires: 03/04/24 | \$ 65.00 |

Customer: XIONG, ALEX

Job Number:

2010 TOYO Corolla S Automatic 4D SED 4-1.8L Gasoline SFI SILVER

ALTERNATE PARTS USAGE

2010 TOYO Corolla S Automatic 4D SED 4-1.8L Gasoline SFI SILVER

VIN: 2T1BU4EE6AC251587

License: ABM2719

State: WI

Interior Color:

Exterior Color: SILVER

Production Date: 8/2009

Mileage In: 175,172

Mileage Out:

Condition:

Vehicle Out:

Job #:

| Alternate Part Type | Selection Method | # Of Times Notified Of Available Parts | # Of Parts Selected |
|---------------------|--------------------|--|---------------------|
| Aftermarket | Automatically List | 0 | 0 |
| Optional OEM | Manually List | 0 | 0 |
| Reconditioned | Manually List | 0 | 0 |
| Recycled | N/A | 1 | 1 |



DEAN'S AUTO BODY, INC.

Deans Has the Means for All Your Collision Needs!
 1407 N 29TH ST, SHEBOYGAN, WI 53081
 Phone: (920) 457-5494
 FAX: (920) 457-6495

Workfile ID:
 PartsShare:

8deb01e3
 7LT6Lb

Preliminary Estimate

Customer: Xiong, Alex

Written By: Joe Black

Insured: Xiong, Alex
 Type of Loss:
 Point of Impact: 08 Left Qtr Post (Left Side)

Policy #:
 Date of Loss:

Claim #:
 Days to Repair: 0

Owner:
 Xiong, Alex
 1614 Heller Ave
 Sheboygan, WI 53081
 (215) 820-8978 Cell

Inspection Location:
 DEAN'S AUTO BODY, INC.
 1407 N 29TH ST
 SHEBOYGAN, WI 53081
 Repair Facility
 (920) 457-5494 Business

Insurance Company:

VEHICLE

2010 TOYO Corolla S Automatic 4D SED 4-1.8L Gasoline SFI Classic Silver

| | | | |
|------------------------|--------------------------------|---------------------|--------------|
| VIN: 2T1BU4EE6AC251587 | Interior Color: | Mileage In: 175,296 | Vehicle Out: |
| License: ABM-2719 | Exterior Color: Classic Silver | Mileage Out: | |
| State: WI | Production Date: 8/2009 | Condition: Fair | Job #: |

TRANSMISSION

Automatic Transmission
 Overdrive

POWER

Power Steering
 Power Brakes
 Power Locks
 Power Mirrors

DECOR

Dual Mirrors
 Console/Storage

CONVENIENCE

Air Conditioning

Intermittent Wipers

Tilt Wheel

Rear Defogger

Keyless Entry

Message Center

Steering Wheel Touch Controls

Telescopic Wheel

RADIO

AM Radio

FM Radio

Stereo

Search/Seek

CD Player

Auxiliary Audio Connection

SAFETY

Drivers Side Air Bag

Passenger Air Bag

Anti-Lock Brakes (4)

Front Side Impact Air Bags

Head/Curtain Air Bags

SEATS

Cloth Seats

Bucket Seats

WHEELS

Wheel Covers

PAINT

Clear Coat Paint

OTHER

Fog Lamps

Traction Control

Stability Control

Rear Spoiler

California Emissions

Power Trunk/Liftgate

Preliminary Estimate

Customer: Xiong, Alex

2010 TOYO Corolla S Automatic 4D SED 4-1.8L Gasoline SFI Classic Silver

| Line | Oper | Description | Part Number | Qty | Extended Price \$ | Labor | Paint |
|------|------|---|-------------|-----|-------------------|-------|-------|
| 1 | | RESTRAINT SYSTEMS | | | | | |
| 2 | * | R&I LT Head air bag US built | | | m | 0.7 | M |
| 3 | | ROOF | | | | | |
| 4 | | R&I R&I headliner | | | | 3.1 | |
| 5 | | PILLARS, ROCKER & FLOOR | | | | | |
| 6 | | R&I LT Rocker molding S, XRS | | | | 0.9 | |
| 7 | | REAR DOOR | | | | | |
| 8 | | R&I LT R&I door assy w/power units | | | | 1.1 | |
| 9 | | Refn LT Door shell w/power window US built (HSS) | | | | | 1.9 |
| 10 | | Add for Clear Coat | | | | | 0.8 |
| 11 | | R&I LT Belt molding | | | | 0.3 | |
| 12 | # | R&I LT Body Side molding | | | | 0.3 | |
| 13 | | R&I LT Handle, outside US built silver | | | | 0.4 | |
| 14 | | R&I LT R&I trim panel | | | | 0.4 | |
| 15 | # | Clean & re-tape mldg(s) | | 1 | | 0.5 | |
| 16 | # | Rpr Color sand and buff | | | | | |
| | | Note: (If needed / open until time of repair) CCC Guide to Estimating G39 | | | | | |
| | | . Refinished panels may or may not require a varying amount of wet sanding, compound rub-out or buffing operations in order to match original | | | | | |
| | | . Each panel requiring wet sand, rub-out and/or buff (refinish or blend) Add 30% of full base refinish time Math 1.9 x 30% = .6 LT Rear door panel only | | | | | |
| 17 | | BACK GLASS | | | | | |
| 18 | | R&I Back glass Toyota US built | | | | Incl. | |
| 19 | | QUARTER PANEL | | | | | |
| 20 | | Repl LT Quarter panel | 6160202170 | 1 | 945.23 | 16.5 | 3.2 |
| 21 | | Overlap Major Adj. Panel | | | | | -0.4 |
| 22 | | Add for Clear Coat | | | | | 0.6 |
| 23 | | Refn Fuel door | | | | | 0.3 |
| 24 | | Add for Clear Coat | | | | | 0.1 |
| 25 | | Repl LT End panel | 6169802910 | 1 | 73.55 | 3.4 | 0.4 |
| 26 | | Overlap Minor Panel | | | | | -0.2 |
| 27 | | Add for Clear Coat | | | | | 0.1 |
| 28 | | Repl LT Stone guard w/cold area spec | 5874202130 | 1 | 19.65 | 0.2 | |
| 29 | # | Refn Feather edge prime and block | | | | | 0.5 |
| | | Note: CCC Guide to Estimating G34 PRIME & BLOCK . Prime & block (high build/primer-filler) is a required procedure | | | | | |

Preliminary Estimate

Customer: Xiong, Alex

2010 TOYO Corolla S Automatic 4D SED 4-1.8L Gasoline SFI Classic Silver

that restores a repaired panel surface, including the joined areas of replaced welded panels, from 150-grit finish to NEW UNDAMAGED condition.

30 # Rpr Color sand and buff
 Note: (If needed / open until time of repair)
 CCC Guide to Estimating G39
 . Refinished panels may or may not require a varying amount of wet sanding, compound rub-out or buffing operations in order to match original
 . Each panel requiring wet sand, rub-out and/or buff (refinish or blend)
 Add 30% of full base refinish time
 Math $3.2 \times 30\% = 1.0$
 LT Quarter panel only

| | | | | | | | |
|-----------|--------------------------|------|--------------------------------------|------------|---|----------|-------|
| 31 | TRUNK LID | | | | | | |
| 32 | | R&I | R&I trunk lid | | | | 0.5 |
| 33 | REAR LAMPS | | | | | | |
| 34 | ** | Repl | A/M CAPA LT Combo lamp assy | 8156002460 | 1 | 120.00 | Incl. |
| 35 | REAR BUMPER | | | | | | |
| 36 | | R&I | R&I bumper cover | | | | Incl. |
| 37 | VEHICLE DIAGNOSTICS | | | | | | |
| 38 | # | | OEM Diagnostic Support | | 1 | 128.00 | D |
| 39 | # | | Pre Scan | | 1 | | 1.0 M |
| 40 | # | | Post Scan | | 1 | | 0.5 M |
| | | | Note: Manufacture Requires Scan | | | | |
| 41 | MISCELLANEOUS OPERATIONS | | | | | | |
| 42 | # | Repl | OEM Research And Photo Documentation | | 1 | | 1.0 |
| 43 | # | | Hazardous waste removal | | 1 | 8.00 T | |
| 44 | # | Repl | Cover Car | | 1 | 12.00 T | 0.2 |
| 45 | # | Refn | Corrosion protection (repair area) | | | | 0.2 |
| 46 | # | Repl | Flex additive | | 1 | 12.00 T | |
| 47 | # | R&I | Rear Interior and Seats | | | | 2.5 |
| 48 | # | | Disconnect battery cable | | 1 | | 0.2 |
| 49 | # | Repl | Urethane kit | | 1 | 31.25 | |
| 50 | # | | ***Possible hidden damage*** | | 1 | | |
| SUBTOTALS | | | | | | 1,349.68 | 33.7 |
| | | | | | | | 7.5 |

Preliminary Estimate**Customer: Xiong, Alex**

2010 TOYO Corolla S Automatic 4D SED 4-1.8L Gasoline SFI Classic Silver

ESTIMATE TOTALS

| Category | Basis | Rate | Cost \$ |
|----------------------|---------------|---------------|-----------------|
| Parts | | | 1,317.68 |
| Body Labor | 31.5 hrs @ | \$ 78.00 /hr | 2,457.00 |
| Paint Labor | 7.5 hrs @ | \$ 78.00 /hr | 585.00 |
| Mechanical Labor | 2.2 hrs @ | \$ 110.00 /hr | 242.00 |
| Paint Supplies | 7.5 hrs @ | \$ 53.00 /hr | 397.50 |
| Body Supplies | 21.3 hrs @ | \$ 5.00 /hr | 106.50 |
| Miscellaneous | | | 32.00 |
| Subtotal | | | 5,137.68 |
| Sales Tax | \$ 5,137.68 @ | 5.5000 % | 282.57 |
| Grand Total | | | 5,420.25 |
| Deductible | | | 0.00 |
| CUSTOMER PAY | | | 0.00 |
| INSURANCE PAY | | | 5,420.25 |

Preliminary Estimate

Customer: Xiong, Alex

2010 TOYO Corolla S Automatic 4D SED 4-1.8L Gasoline SFI Classic Silver

BODY \$78/HR - REFINISH \$78/HR - MECHANICAL \$110/HR - PAINT & MATERIALS \$53/HR

As vehicle technologies increase, the costs of repairs escalate as well. With this comes a ten-fold increase in administrative duties required to process your claim. When adding even modest inflation it is inevitable at times that the hourly cost of labor must increase. Insurance "allowances" can lag behind these inevitable increases. At those times we will ask that you co-pay any differences. Most often this is not a large amount but allows us to properly train, retain, and compensate our staff for their efforts. Thus, providing you with a professional repair by a professional staff.

****FOLLOW THIS LINK FOR A CO-PAY EXPLAINER VIDEO****

<https://www.youtube.com/watch?v=jzfZCtmMRfo>

**NOTICE TO INSURERS:

Dean's Auto Body, Inc. does not negotiate labor rates. Parts & Procedures are open to justification while giving consideration to OEM guidelines. PLEASE refer to the above video link for a detailed explanation of that policy.

BLEND VS. REFINISH ADJACENT PANEL:

With all repairs the shop will invest time and talent in tinting to negate adjacent panel "blending" However, when required, that procedure will be billed as "adjacent panel refinishing." Not a blend allowance. The basis for this change is exceptionally well validated in the attached blend study report.

As a family owned business, OUR MISSION, is to be your #1 collision repair facility. To provide you with outstanding customer care as we honestly and ethically repair your vehicle using environmentally friendly materials, the latest techniques, and up-to-date procedures. We will strive to grow our company with integrity to keep your business for life.

** All supplements must be addressed before the vehicle leaves. Any supplements left open will result in the vehicle not being delivered until the supplement is agreed upon with a copy in hand.

Per Wisconsin Statue 628.46 - any claim not paid within 30 days is subject to a 7.5% interest charge.

TOTAL LOSS ESTIMATES:

Charges for a total loss estimate, with pictures and documentation to support estimate, will be charged at a minimum of 4 hours and a cost of \$90 an hour. (Costs could go up depending on what is needed to complete the written evaluation for a total loss.)

*Disassembly to gain access to document damage will be added on accordingly at the proper shop rate.

*Scanning and measuring for diagnosing complete damage, will be billed out for each job accordingly at the proper shop rate.

*Any OEM repair procedures needing a subscription to gather information for the repairs will also be added per vehicle according.

STORAGE CHARGES are \$75 per day

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

Preliminary Estimate

Customer: Xiong, Alex

2010 TOYO Corolla S Automatic 4D SED 4-1.8L Gasoline SFI Classic Silver

THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF ONE OR MORE REPLACEMENT PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. WARRANTIES APPLICABLE TO THESE REPLACEMENT PARTS ARE PROVIDED BY THE MANUFACTURER OR DISTRIBUTOR OF THE REPLACEMENT PARTS RATHER THAN BY THE MANUFACTURER OF YOUR MOTOR VEHICLE.

Estimate based on MOTOR CRASH ESTIMATING GUIDE and potentially other third party sources of data. Unless otherwise noted, (a) all items are derived from the Guide ARM8428, CCC Data Date 01/09/2024, and potentially other third party sources of data; and (b) the parts presented are OEM-parts. OEM parts are manufactured by or for the vehicle's Original Equipment Manufacturer (OEM) according to OEM's specifications for U.S. distribution. OEM parts are available at OE/Vehicle dealerships or the specified supplier. OPT OEM (Optional OEM) or ALT OEM (Alternative OEM) parts are OEM parts that may be provided by or through alternate sources other than the OEM vehicle dealerships with discounted pricing. Asterisk (*) or Double Asterisk (**) indicates that the parts and/or labor data provided by third party sources of data may have been modified or may have come from an alternate data source. Tilde sign (~) items indicate MOTOR Not-Included Labor operations. The symbol (<>) indicates the refinish operation WILL NOT be performed as a separate procedure from the other panels in the estimate. Non-Original Equipment Manufacturer aftermarket parts are described as Non OEM, A/M or NAGS. Used parts are described as LKQ, RCY, or USED. Reconditioned parts are described as Recond. Recored parts are described as Recore. NAGS Part Numbers and Benchmark Prices are provided by National Auto Glass Specifications. Labor operation times listed on the line with the NAGS information are MOTOR suggested labor operation times. NAGS labor operation times are not included. Pound sign (#) items indicate manual entries.

Some 2023 vehicles contain minor changes from the previous year. For those vehicles, prior to receiving updated data from the vehicle manufacturer, labor and parts data from the previous year may be used. The CCC ONE estimator has a list of applicable vehicles. Parts numbers and prices should be confirmed with the local dealership.

The following is a list of additional abbreviations or symbols that may be used to describe work to be done or parts to be repaired or replaced:

SYMBOLS FOLLOWING PART PRICE:

m=MOTOR Mechanical component. s=MOTOR Structural component. T=Miscellaneous Taxed charge category.
X=Miscellaneous Non-Taxed charge category.

SYMBOLS FOLLOWING LABOR:

D=Diagnostic labor category. E=Electrical labor category. F=Frame labor category. G=Glass labor category.
M=Mechanical labor category. S=Structural labor category. (numbers) 1 through 4=User Defined Labor Categories.

OTHER SYMBOLS AND ABBREVIATIONS:

Adj.=Adjacent. Algn.=Align. ALU=Aluminum. A/M=Aftermarket part. Blnd=Blend. BOR=Boron steel.
CAPA=Certified Automotive Parts Association. D&R=Disconnect and Reconnect. HSS=High Strength Steel.
HYD=Hydroformed Steel. Incl.=Included. LKQ=Like Kind and Quality. LT=Left. MAG=Magnesium. Non-Adj.=Non
Adjacent. NSF=NSF International Certified Part. O/H=Overhaul. Qty=Quantity. Refn=Refinish. Repl=Replace.
R&I=Remove and Install. R&R=Remove and Replace. Rpr=Repair. RT=Right. SAS=Sandwiched Steel.
Sect=Section. Subl=Sublet. UHS=Ultra High Strength Steel. N=Note(s) associated with the estimate line.

Preliminary Estimate

Customer: Xiong, Alex

2010 TOYO Corolla S Automatic 4D SED 4-1.8L Gasoline SFI Classic Silver

CCC ONE Estimating - A product of CCC Intelligent Services Inc.

The following is a list of abbreviations that may be used in CCC ONE Estimating that are not part of the MOTOR CRASH ESTIMATING GUIDE:

BAR=Bureau of Automotive Repair. EPA=Environmental Protection Agency. NHTSA= National Highway Transportation and Safety Administration. PDR=Paintless Dent Repair. VIN=Vehicle Identification Number.

Preliminary Estimate

Customer: Xiong, Alex

2010 TOYO Corolla S Automatic 4D SED 4-1.8L Gasoline SFI Classic Silver

PARTS SUPPLIER LIST

| Line | Supplier | Description | Price |
|------|---------------------|---------------------------------|-----------|
| 28 | Wilde Toyota | #5874202130 | \$ 19.65 |
| | 3225 S 108th St | LT Stone guard w/cold area spec | |
| | West Allis WI 53227 | Quote: 1752073722 | |
| | | Expires: 02/24/24 | |
| 34 | Keystone, Inc | #TO2800175C | \$ 120.00 |
| | 5050 N WREN DRIVE | A/M CAPA LT Combo lamp assy | |
| | APPLETON WI 54913 | Quote: 2360730237 | |
| | (920) 731-3030 | Expires: 03/11/24 | |

Preliminary Estimate**Customer: Xiong, Alex**

2010 TOYO Corolla S Automatic 4D SED 4-1.8L Gasoline SFI Classic Silver

ALTERNATE PARTS USAGE

2010 TOYO Corolla S Automatic 4D SED 4-1.8L Gasoline SFI Classic Silver

VIN: 2T1BU4EE6AC251587 Interior Color: Mileage In: 175,296 Vehicle Out:
License: ABM-2719 Exterior Color: Classic Silver Mileage Out:
State: WI Production Date: 8/2009 Condition: Fair Job #:

| Alternate Part Type | Selection Method | # Of Times Notified Of Available Parts | # Of Parts Selected |
|---------------------|--------------------|--|---------------------|
| Aftermarket | Automatically List | 1 | 1 |
| Optional OEM | Automatically List | 0 | 0 |
| Reconditioned | Automatically List | 0 | 0 |
| Recycled | N/A | 0 | 0 |

**CITY OF SHEBOYGAN
R. C. 267-23-24**

BY FINANCE AND PERSONNEL COMMITTEE.

APRIL 15, 2024.

Your Committee to whom was referred R. O. No. 8-23-24 by City Clerk submitting a Summons and Complaint in the matter of Wisconsin Consumer Credit vs. Eduardo Angel Hernandez et. al; recommends referring to the Finance and Personnel Committee of the 2024-2025 council year.

Committee:

| | |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

PASSED AND ADOPTED BY THE CITY OF SHEBOYGAN COMMON COUNCIL

_____.

Presiding Officer

Attest

Ryan Sorenson, Mayor, City of
Sheboygan

Meredith DeBruin, City Clerk, City of
Sheboygan

R. O. No. 8 - 23 - 24. By CITY CLERK. June 5, 2023.

Submitting a Summons and Complaint in the matter of Wisconsin Consumer Credit vs. Eduardo Angel Hernandez et al.

FAP

CITY CLERK

STATE OF WISCONSIN

CIRCUIT COURT

SHEBOYGAN

Wisconsin Consumer Credit vs. Eduardo Angel Hernandez et al

Electronic Filing
NoticeCase No. 2023CV000274
Class Code: Money Judgment

FILED

05-18-2023

Sheboygan County Clerk of Circuit Court

2023CV000274

Honorable Angela W. Sutkiewicz

Branch 3

Item 9.

SHEBOYGAN POLICE DEPARTMENT
1315 N. 23RD ST.
SHEBOYGAN WI 53081

Case number 2023CV000274 was electronically filed with/converted by the Sheboygan County Circuit Court office. The electronic filing system is designed to allow for fast, reliable exchange of documents in court cases.

Parties who register as electronic parties can file, receive and view documents online through the court electronic filing website. A document filed electronically has the same legal effect as a document filed by traditional means. Electronic parties are responsible for serving non-electronic parties by traditional means.

You may also register as an electronic party by following the instructions found at <http://efiling.wicourts.gov/> and may withdraw as an electronic party at any time. There is a \$20.00 fee to register as an electronic party. This fee may be waived if you file a Petition for Waiver of Fees and Costs Affidavit of Indigency (CV-410A) and the court finds you are indigent under §814.29, Wisconsin Statutes.

If you are not represented by an attorney and would like to register an electronic party, you will need to enter the following code on the eFiling website while opting in as an electronic party.


Pro Se opt-in code: 9ee897

Unless you register as an electronic party, you will be served with traditional paper documents by other parties and by the court. You must file and serve traditional paper documents.

Registration is available to attorneys, self-represented individuals, and filing agents who are authorized under Wis. Stat. 799.06(2). A user must register as an individual, not as a law firm, agency, corporation, or other group. Non-attorney individuals representing the interests of a business, such as garnishees, must file by traditional means or through an attorney or filing agent. More information about who may participate in electronic filing is found on the court website.

If you have questions regarding this notice, please contact the Clerk of Circuit Court at 920-459-3068.

Sheboygan County Circuit Court
Date: May 18, 2023

Process Server 
Date: 5/19/23 Time: 1:59 am
☐ Personal ☐ Substitute
☐ Posted ☐ Corporate

FILED

05-18-2023

Sheboygan

Item 9.

Clerk of Circuit Court

2023CV000274

Honorable Angela W.

Sutkiewicz

Branch 3

STATE OF WISCONSIN

CIRCUIT COURT

SHEBOYGAN COUNTY

WISCONSIN CONSUMER CREDIT
W5073 COUNTY ROAD O
P.O. BOX 298
PLYMOUTH, WI 53073

Plaintiff,

CASE NO.

v.

EDUARDO ANGEL HERNANDEZ
1429 ERIE AVE.
SHEBOYGAN, WI 53081

SHEBOYGAN POLICE DEPARTMENT
1315 N 23RD ST.
SHEBOYGAN, WI 53081

DEPOT AUTO SERVICE AND TOWING, INC.
1131 PENNSYLVANIA AVE
SHEBOYGAN, WI 53081

THOMAS GRAEFE
W2137 SHAMROCK DR
SHEBOYGAN, WI 53083

Defendants.

SUMMONS

Money Judgment: Case Code 30301
The amount claimed exceeds \$10,000.00

AND

Case Code: Other Contracts 30303
WIS. STAT. §810 REPLEVIN

THE STATE OF WISCONSIN,

To each person named above as a defendant:

You are hereby notified that the plaintiff named above has filed a lawsuit or other legal action against you. The Complaint, which is attached, states the nature and basis of the legal action.

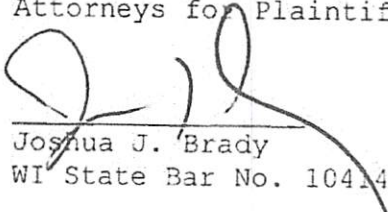
Within **20 days** of receiving this Summons, you must respond with a written answer, as that term is used in Chapter 802 of the Wisconsin Statutes, to the Complaint. The Court may reject or disregard an answer

that does not follow the requirements of the statutes. The answer must be sent or delivered to the Court, which address is Sheboygan County Courthouse, 615 N 6th Street, Sheboygan, WI 53081, and to Galanis, Pollack, Jacobs & Johnson, S.C., plaintiff's attorneys, whose address is 413 N. 2nd Street, Suite 150, Milwaukee, WI 53203. You may have an attorney help or represent you.

If you do not provide a proper answer within **20 days**, the Court may grant judgment against you for the award of money or other legal action requested in the Complaint, and you may lose your right to object to anything that is or may be incorrect in the Complaint. A judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future and may also be enforced by garnishment or seizure of property.

DATED at Milwaukee, Wisconsin, on May 17, 2023.

GALANIS, POLLACK, JACOBS & JOHNSON, SC
Attorneys for Plaintiff



Joshua J. Brady
WI State Bar No. 1041428

P. O. Address:
413 N. 2nd Street
Suite 150
Milwaukee, WI 53203
Telephone: (414) 271-9556
jbrady@gpjlaw.com

FILED

05-18-2023

Sheboygan

Item 9.

Clerk of Circuit Court

2023CV000274

Honorable Angela W.

Sankiewicz

Branch 3

STATE OF WISCONSIN

CIRCUIT COURT

SHEBOYGAN COUNTY

WISCONSIN CONSUMER CREDIT
W5073 COUNTY ROAD O
P.O. BOX 298
PLYMOUTH, WI 53073

Plaintiff,

CASE NO.

v.

EDUARDO ANGEL HERNANDEZ
1429 ERIE AVE.
SHEBOYGAN, WI 53081

SHEBOYGAN POLICE DEPARTMENT
1315 N 23RD ST.
SHEBOYGAN, WI 53081

DEPOT AUTO SERVICE AND TOWING, INC.
1131 PENNSYLVANIA AVE
SHEBOYGAN, WI 53081

THOMAS GRAEFE
W2137 SHAMROCK DR
SHEBOYGAN, WI 53083

Defendants.

COMPLAINT

Money Judgment: Case Code 30301
The amount claimed exceeds \$10,000.00

AND

Case Code: Other Contracts 30303
WIS. STAT. §810 REPLEVIN

Plaintiff, Wisconsin Consumer Credit ("WCC"), by its attorneys, Galanis, Pollack, Jacobs & Johnson, S.C., as and for a cause of action against the defendants above named, alleges and shows to the court as follows:

1. Plaintiff, Wisconsin Consumer Credit is a domestic corporation licensed to conduct business activities in Wisconsin and elsewhere, and conducts the activities as stated herein at the address in the caption.

2. The defendant, Eduardo Angel Hernandez (hereinafter "Defendant"), is an adult resident of Wisconsin whose last known address is shown in the caption.

3. The defendant, Sheboygan Police Department (hereinafter "Sheboygan Police Department"), is a municipal police department located at the address shown in the caption.

4. The defendant, Depot Auto Service and Towing, Inc. is a domestic corporation licensed to conduct business activities in Wisconsin, and conducts the activities as stated herein at the address in the caption. Thomas Graefe is listed as Registered Agent for the purposes of service of process.

5. The defendant, Thomas Graefe (hereinafter "Defendant"), is an adult resident of Wisconsin whose last known address is shown in the caption.

6. Further, upon information and belief, the defendant resides in and/or the transactions were entered in Sheboygan County, State of Wisconsin, and this court accordingly has jurisdiction and venue over this litigation.

FIRST CAUSE OF ACTION
AS TO EDUARDO ANGEL HERNANDEZ ONLY
[REPLEVIN PURSUANT TO WIS. STAT. CH. §810]

7. Plaintiff repeats and realleges the averments made herein in paragraphs one (1) through five (5).

8. On April 8, 2022, Defendant purchased a 2017 Subaru Outback - VIN: 4S4BSANC5H3333389 ("Vehicle") from Van Horn Motors of Sheboygan, Inc., 3512 Wilgus Ave., Sheboygan, WI 53081 ("Seller") Defendant

entered into and signed a Retail Installment Sale Contract ("Installment Agreement"), a copy of which is attached hereto as Exhibit A.

9. On that same day, Seller assigned all rights and interests in the Installment Agreement and the vehicle to Plaintiff as listed in the assignment clause in Exhibit A. Plaintiff is the holder in due course of the underlying contract identified herein. Further, proof of Plaintiff's security interest is attached hereto as Exhibit B.

10. Defendant defaulted on the terms of said Installment Agreement by failing to make monthly installment payments in the amount of \$610.00 when due.

11. Defendant has no right to receive a notice of right to cure default as the amount financed of \$28,482.98 is specifically excluded from the consumer act by Wisconsin statute §421.202(6).

12. Defendant has no right to redeem the property as provided under Sec. 425.208 Wis. Stats. As of the date of the preparation of this complaint, the amount past due is itemized as follows:

| | | |
|---------------------|---------------|------------|
| PAST DUE | | |
| <u>INSTALLMENTS</u> | : | |
| | 11/23/22 | \$610.00 |
| | 12/23/22 | 610.00 |
| | 01/23/23 | 610.00 |
| | 02/23/23 | 610.00 |
| | 03/23/23 | 610.00 |
| | 04/23/23 | 610.00 |
| | Late Charges: | \$ 40.00 |
| | | \$3,700.00 |

Further, if tender is made on or after any subsequent monthly due date, the additional installment then due; and if the collateral is not insured, that would be another basis for a default upon the cont Installment Agreement.

13. That attached hereto as an Exhibit C and incorporated herein by reference, is the Payment History relative to the defendant's account with the plaintiff and evidence of the payment default.

14. That pursuant to the contract and because of the default of the defendant heretofore alleged, the plaintiff, WCC, is entitled to the right, title and possession of such collateral for the purpose of disposing of the same in accordance with the law.

SECOND CAUSE OF ACTION
AS TO EDUARDO ANGEL HERNANDEZ ONLY
[MONEY JUDGMENT]

15. Plaintiff repeats and realleges the averments made herein in paragraphs one (1) through fourteen (14).

16. Upon information and belief, further defaulted by failing to protect Plaintiff's security interest in the collateral.

17. The Defendant is liable for the amount owed and is in default on the Installment Agreement for failing to make payments when due on or after November 23, 2022. The Defendant is presently in arrears on payments totaling \$3,700.00, including \$40.00 in late charges through the April 23, 2023 installment.

18. If another payment should become due after the preparation of this complaint, then any default amounts alleged herein are amended to include the additional installment.

19. That the terms of the Installment Agreement have been defaulted upon pursuant to a failure to make timely payments as required on or after November 23, 2022. That attached hereto as an Exhibit C and incorporated herein by reference, is the Payment History relative to the defendant's account with the plaintiff and evidence of the payment default.

20. The unpaid balance due on the Installment Agreement is \$29,416.43, computed through May 17, 2023, plus per diem interest thereafter.

21. That, pursuant to the Installment Agreement and because of the payment default heretofore alleged, the plaintiff is entitled to the entry of a money judgment in the amount of \$29,416.43.

THIRD CAUSE OF ACTION
AS TO SHEBOYGAN POLICE DEPARTMENT
[NON-CONSUMER ACT REPLEVIN/CONVERSION]

22. Plaintiff repeats and realleges the averments made herein in paragraphs one (1) through twenty-one (21).

23. Upon Information and belief, the Vehicle was towed by the Sheboygan Police Department, or by an agent acting on behalf of or at the direction of the Sheboygan Police Department.

24. The Plaintiff is in receipt of a notice dated March 1, 2023 indicating that the Sheboygan Police Department towed the Vehicle pursuant to having deemed the Vehicle abandoned. A copy of the notice dated March 1, 2023 is attached hereto as Exhibit D.

25. That the notice dated March 1, 2023 mailed by the Sheboygan Police Department, provided the defendant actual notice of Plaintiff's claim with respect to Plaintiff's lienholder rights and claims as to the Vehicle.

26. That there has not been any prejudice to the Sheboygan Police Department by any alleged delay or failure to give the requisite notice as stated in §893.80(1d)(a).

27. That the notice attempts to provide ten (10) days for a lienholder to claim the Vehicle, relying upon Municipal Ordinance 118-279.

28. Further upon information and belief, the Sheboygan Police Department utilized Depot Auto Service and Towing, Inc. to remove the vehicle, and the towing company is required to follow Wisconsin Statue §779.415(2) which requires notice be provided to the lienholder at least twenty (20) days prior to sale or junking of a vehicle.

29. The Sheboygan Police Department purposely omitted the towing company information to try and circumvent the Wisconsin Statutory requirements and timelines for the sale or junking of the vehicle.

30. Further, the Sheboygan Police Department had not provided Plaintiff an amount of the towing lien, or an amount of any storage lien being asserted, therefore the notice of towed vehicle was defective as to content.

31. That the Plaintiff was not properly notified of a valid and enforceable towing and storage lien as the notice provided failed to allow the necessary timelines as authorized in §779.415(2). Therefore the towing and storage lien is not a primary lien to the plaintiff's perfected security interest.

32. That when a municipal statute and state statute contradict each other, the state statute will dictate the timelines and process.

33. Upon information and belief the Vehicle was sold or junked by the Sheboygan Police Department, or by Depot Auto Service and Towing, Inc. acting on behalf of or at the direction of the Sheboygan Police Department, converted for their own use, or converted for the use of others.

34. That because of the actions of the Sheboygan Police Department, Plaintiff is entitled to entry of replevin judgment for possession of the collateral.

FOURTH CAUSE OF ACTION
AS TO DEPOT AUTO SERVICE AND TOWING, INC.
[NON-CONSUMER ACT REPLEVIN/CONVERSION]

35. Plaintiff repeats and realleges the averments made herein in paragraphs one (1) through thirty-four (34).

36. The plaintiff believes the Motor vehicle described as a **2017 Subaru Outback - VIN: 4S4BSANC5H3333389** ["Vehicle"] is located at the addresses for Depot Auto Service and Towing, Inc.

37. Depot Auto Service and Towing, Inc. [Hereinafter Tow Co.] is wrongfully detaining the Vehicle.

38. Plaintiff is entitled to the immediate possession of the Vehicle.

39. That the Vehicle has not been taken for a tax, assessment or fine or seized under any execution or attachment against the property of plaintiff.

40. The value of the Vehicle is estimated to be \$21,000.00 if not damaged.

41. The cause of the detention, according to the plaintiff's best knowledge is that Tow Co. purports to have a Towing and Storage lien pursuant to Wis. Stat. §779.415.

42. That the plaintiff was not properly notified of a valid and enforceable towing and storage lien within 30 days of Tow Co. taking possession as required pursuant to §779.415(1m). Therefore the towing and

storage lien is not a primary lien to the plaintiff's perfected security interest.

43. If notification was timely mailed by the Tow Co., the amount being sought exceeded the maximum amount statutorily available as \$100.00 for a tow lien and \$600.00 for a storage lien pursuant to Wis. Stat. §779.415(1)(a).

44. Tow Co. has converted the vehicle for their own use without authority to do so as they do not have a timely or valid towing or storage lien.

45. That Tow Co. is restricted from selling the motor vehicle until the dispute outlined in this litigation is resolved, or otherwise settled.

46. That if the Vehicle were sold by either defendant, converted for their own use, or converted for the use of others; the plaintiff is entitled to entry of judgment for money as to the Tow Co. for the amount obtained over the maximum statutory liens.

47. That the plaintiff hereby makes a statutory offer of settlement pursuant to Wis. Stat. §807.01(3) to pay the Tow Co. the maximum amount of \$700.00 as allowable for a towing and storage lien. A failure to accept the settlement offer within 10 days will hereby allow the plaintiff to pursue remedies outlined in said statute.

FIFTH CAUSE OF ACTION
AS TO SHEBOYGAN POLICE DEPARTMENT & DEPOT AUTO SERVICE AND TOWING,
INC.
[MONEY JUDGMENT]

48. Plaintiff repeats and realleges the averments made herein in paragraphs one (1) through thirty-four (34).

49. That because of the actions of the Sheboygan Police Department and Depot Auto Service and Towing, Inc., Plaintiff is entitled to entry of judgment the amount for the value of the collateral so disposed not to exceed the balance owed of \$29,416.43 against the Sheboygan Police Department and Depot Auto Service and Towing, Inc, jointly and severally.

SIXTH CAUSE OF ACTION
AS TO THOMAS GRAEFE
[NON-CONSUMER ACT REPLEVIN/CONVERSION]

38. Plaintiff repeats and realleges the averments made herein in paragraphs one (1) through thirty-seven (37).

39. Possessor, Thomas Graefe ["Possessor"] is in possession of the **2017 Subaru Outback - VIN: 4S4BSANC5H3333389** ["Vehicle"].

40. Possessor is wrongfully detaining the Collateral.

41. Plaintiff is entitled to the immediate possession of the Vehicle.

42. That the Vehicle has not been taken for a tax, assessment or fine or seized under any execution or attachment against the property of plaintiff.

43. The cause of the detention, according to the Plaintiff's best knowledge is unknown.

44. The value of the Vehicle is estimated to be \$21,000.00.

45. The plaintiff believes the Vehicle may be located at the address for the defendant, Thomas Graefe.

46. That the plaintiff's lien on the Vehicle would remain in place and security enforceable is there has been any transfer of said Vehicle.

47. That because of the actions of the Thomas Graefe, Plaintiff is entitled to entry of replevin judgment for possession of the collateral.

WHEREFORE, plaintiff demands judgment against the defendants, as follows:

(1) As to the **First Cause of Action**, as to Eduardo Angel Hernandez, For the possession of, or the recovery of possession of the **2017 Subaru Outback - VIN: 4S4BSANC5H3333389** subject to the security agreement or, the value thereof in case a delivery cannot be had, and of damages for the detention; to the date of entry of judgment; and

(2) As to the **Second Cause of Action**, as to Eduardo Angel Hernandez, the sum of \$29,416.43, principal, fees and interest, computed through May 17, 2023, plus per diem interest per day thereafter; and

(3) As to the **Third Cause of Action**, as to the Sheboygan Police Department, For the possession of, or the recovery of possession of the **2017 Subaru Outback - VIN: 4S4BSANC5H3333389** subject to the security agreement or, the value thereof in case a delivery cannot be had, and of damages for the detention; to the date of entry of judgment; and

(4) As to the **Fourth Cause of Action**, as to Depot Auto Service and Towing, Inc., For the possession of, or the recovery of possession of the **2017 Subaru Outback - VIN: 4S4BSANC5H3333389** subject to the security agreement or, the value thereof in case a delivery cannot be had, and of damages for the detention; to the date of entry of judgment; and

(5) As to the **Fifth Cause of Action**, as to the Sheboygan Police Department and Depot Auto Service and Towing, Inc., jointly and severally, the sum of \$29,416.43, principal, fees and interest, computed through May 17, 2023, plus per diem interest per day thereafter; and

(6) As to the **Sixth Cause of Action**, as to Thomas Graefe and Towing, Inc., For the possession of, or the recovery of possession of the **2017 Subaru Outback - VIN: 4S4BSANC5H3333389** subject to the security agreement or, the value thereof in case a delivery cannot be had, and of damages for the detention; to the date of entry of judgment; and

(7) For the costs and expenses, including court costs, and the reasonable expenses of retaking, holding, preparing for sale or lease, selling, leasing and the like, and reasonable attorneys' fees and legal expenses incurred by the Plaintiff, to the extent provided for in the Note and not otherwise prohibited by law; and

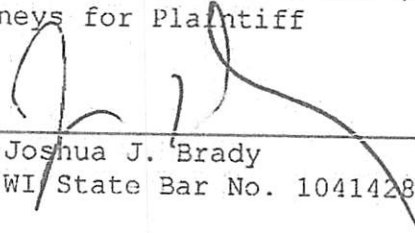
(8) That the Wisconsin Department of Transportation is directed to issue certificate of title for the **2017 Subaru Outback - VIN: 4S4BSANC5H3333389** in the name of the plaintiff.

(9) For the taxable costs and disbursements of the action.

Dated: May 17, 2023.

GALANIS, POLLACK, JACOBS & JOHNSON, SC
Attorneys for Plaintiff

By

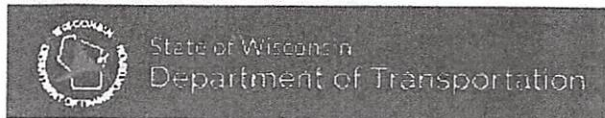

Joshua J. Brady
WI State Bar No. 1041428

P. O. Address:
413 N. 2nd Street
Suite 150
Milwaukee, WI 53203
Telephone: (414) 271-9556
jbrady@gpjlaw.com

FAIR DEBT COLLECTION PRACTICES ACT DISCLOSURE
15 U.S.C. SECTION 1692, AS AMENDED

1. Galanis, Pollack, Jacobs & Johnson, S.C. is a law firm/debt collector representing a creditor in the collection of a debt that you owe to said creditor. We are attempting to collect such debt and any information obtained from you will be used for that purpose.
2. The name and address of the creditor that the law firm represents is:

WISCONSIN CONSUMER CREDIT
W5073 COUNTY ROAD O
P.O. BOX 298
PLYMOUTH, WI 53073
3. The debt that the law firm is attempting to collect is described in the attached Complaint and Exhibits.
4. The total amount due by Eduardo Angel Hernandez on the total debt as of May 17, 2023 was \$29,416.43. Since interest, late charges and other charges may vary from day to day, the amount of the debt on the day you pay may be greater. Hence, if you pay the amount stated above, an adjustment may be necessary after we receive your check, in which event we will inform you before depositing the check for collection.
5. Unless you dispute the validity of the debt, or any portion thereof, within thirty (30) days after receipt of this notice, we will assume the debt to be valid.
6. If you notify us that you are disputing the debt, or any portion thereof, within thirty (30) days after receipt of this notice, we will obtain verification of the debt or a copy of the judgment against you, and a copy of such verification or judgment will be provided in writing to you.
7. If the original creditor is different from the present creditor and within thirty (30) days after receipt of this notice, you request the name and address of such original creditor, we will obtain that information, and that information will be mailed to you.
8. The law does not require us to wait until the end of the thirty (30) day period before proceeding with this lawsuit to collect the debt. If, however, you request proof of the debt or the name and address of the original creditor within the thirty (30) day period that begins with your receipt of the accompanying notice, the law requires us to suspend our efforts to collect the debt until we provide the requested information to you.
9. All written requests should be addressed to Galanis, Pollack, Jacobs & Johnson, S.C., 413 N. 2nd Street, Suite 150, Milwaukee, WI 53203.



Item 9.

EXHIBIT**B**

Lien Holder Results

VIN: 4S4BSANC5H3333389

Year: 2017

Make: SUBARU

Paper title delivered to the lien holder.

WISCONSIN CONSUMER CREDIT INC

Lien Holder: WISCONSIN CONSUMER CREDIT INC

Address: PO BOX 298

PLYMOUTH WI 53073-0298

Date Listed: 05/09/2023

Back

Exit

Version A

EXHIBIT

C

| Account Payment History | | | | | | | | | | | | |
|--|---------------|-------------------------------------|-------------------------------------|--------------------|-----------|----------|-----------|-------|--------------------|-------------------------|---------------------|-----------------------|
| Signer: | | EDUARDO ANGEL HERNANDEZ | | | | | | | | | | |
| Co-Signer: | | | | | | | | | | | | |
| Account # | | | | | | | | | | | | |
| Term | | 72.00 | | | | | | | | | | |
| Payment Due Date | Amount Due \$ | Date Pymnt made w/in Due Date Grace | Date Pymnt made outside of due date | Amount Tendered \$ | Principal | Interest | Fees Paid | Fees | Credits Being Used | Monthly Payment Balance | From Pymnt Due Date | Grace Period End Date |
| 5/23/2022 | \$610.00 | 5/5/2022 | | 610.00 | 288.70 | 321.30 | 0.00 | | | 0.00 | 05/23/22 | 06/02/22 |
| 6/23/2022 | \$610.00 | 5/23/2022 | | 610.00 | 397.96 | 212.04 | | | | 0.00 | 06/23/22 | 07/03/22 |
| 7/23/2022 | \$610.00 | 6/24/2022 | | 610.00 | 238.48 | 371.52 | | | | 0.00 | 07/23/22 | 08/02/22 |
| 8/23/2022 | \$610.00 | 7/23/2022 | | 610.00 | 276.21 | 333.79 | | | | 0.00 | 08/23/22 | 09/02/22 |
| 9/23/2022 | \$610.00 | 9/23/2022 | | 610.00 | 0.00 | 610.00 | | | | 0.00 | 09/23/22 | 10/03/22 |
| 10/23/2022 | \$610.00 | 10/23/2022 | | 610.00 | 171.20 | 438.80 | | | | 0.00 | 10/23/22 | 11/02/22 |
| 11/23/2022 | \$610.00 | | | | | | | | | 610.00 | 11/23/22 | 12/03/22 |
| 12/23/2022 | \$610.00 | | | | | | | 10 | | 610.00 | 12/23/22 | 01/02/23 |
| 1/23/2023 | \$610.00 | | | | | | | | | 610.00 | 01/23/23 | 02/02/23 |
| 2/23/2023 | \$610.00 | | | | | | | 10 | | 610.00 | 02/23/23 | 03/05/23 |
| 3/23/2023 | \$610.00 | | | | | | | 10.00 | | 610.00 | 03/23/23 | 04/02/23 |
| 4/23/2023 | \$610.00 | | | | | | | 10.00 | | 610.00 | 04/23/23 | 05/03/23 |
| | | | | | | | | | | | | |
| Total | 7,320.00 | | | 3,660.00 | 1,372.55 | 2,287.45 | 0.00 | 40.00 | | | | |
| | | | | | 3,660.00 | | | | | | | |
| Payments Due | 7,320.00 | | | | | | | | | | | |
| Payments Made | 3,660.00 | | | | | | | | | | | |
| System Adj | | | | | | | | | | | | |
| Amount Behind | 3,660.00 | | | | | | | | | | | |
| Late/NSF Fees | 40.00 | | | | | | | | | | | |
| Other Fees | | | | | | | | | | | | |
| Fees Paid | 0.00 | | | | | | | | | | | |
| Total Due | \$3,700.00 | | | | | | | | | | | |
| Amount Financed | \$28,482.98 | | | | | | | | | | | |
| Principal Paid to Date | \$1,372.55 | | | | | | | | | | | |
| Total Principal Due | \$27,110.43 | | | | | | | | | | | |
| Total Outstanding Interest as of 5/11/23 | \$2,266.00 | | | | | | | | | | | |
| Total Fees Due | \$40.00 | | | | | | | | | | | |
| Additional Charges | | | | | | | | | | | | |
| Total Due on Account | \$29,416.43 | | | | | | | | | | | |
| | | | | | | | | | | | | |
| Contract cancellations | | | | | | | | | | | | |
| Sale Price | | | | | | | | | | | | |
| MONEY LENDER | | | | | | | | | | | | |

March 1, 2023

Wisconsin Consumer Credit
W5073 County Road O
Plymouth, WI 53073

EXHIBIT

D

Case Number: C23-01859
Year: 2017
Vehicle Make: SUBARU
Model: OUTBACK
Color: WHITE
VIN #: 4S4BSANC5H3333389
Towed By: DEPOT TOWING

To Whom It May Concern:

Please be advised that the above-described vehicle, a **2017 Subaru Outback**, has been removed by the Sheboygan Police Department from **1130 N 10th St.** under the authority of the Vehicle Abandonment Ordinance #118-276. The vehicle is now being held at the City's contract salvage yard.

Failure of the owner or lien holder of the vehicle to exercise their rights to claim the vehicle as per Municipal Ordinance #118-279 shall be deemed a waiver of all rights, title and interest in the vehicle and a consent to the sale of the vehicle by the contract towing service. If your vehicle is unlicensed, it will continue to be deemed abandoned even after you reclaim the vehicle for as long as it is unlicensed. If your vehicle is unlicensed and is found parked upon public property within the city, it may be removed without providing new advanced notice.

Each retained vehicle not re-claimed within 10 days of this certified mail notice being sent to the last titled owner/lien holder will be disposed of as per Municipal Ordinance #118-279, said 10-day period ends **03/11/2023**.

If you feel this letter has been generated in error, please contact the Sergeant of Administration, Sergeant Andy Kunding at 920-459-3352.

Sincerely,

CHRISTOPHER D. DOMAGALSKI
CHIEF OF POLICE

ANDREW S. KUNDINGER
SERGEANT OF ADMINISTRATION

SBC:cnk

STATE OF WISCONSIN**CIRCUIT COURT****SHEBOYGAN**

Wisconsin Consumer Credit vs. Eduardo Angel Hernandez et al **Electronic Filing Notice**

Case No. 2023CV000274
Class Code: Money Judgment

FILED**05-18-2023****Sheboygan County****Clerk of Circuit Court****2023CV000274****Honorable Angela W.
Sutkiewicz****Branch 3**

Item 9.

DEPOT AUTO SERVICE AND TOWING, INC.
1131 PENNSYLVANIA AVE.
SHEBOYGAN WI 53081

Case number 2023CV000274 was electronically filed with/converted by the Sheboygan County Circuit Court office. The electronic filing system is designed to allow for fast, reliable exchange of documents in court cases.

Parties who register as electronic parties can file, receive and view documents online through the court electronic filing website. A document filed electronically has the same legal effect as a document filed by traditional means. Electronic parties are responsible for serving non-electronic parties by traditional means.

You may also register as an electronic party by following the instructions found at <http://efiling.wicourts.gov/> and may withdraw as an electronic party at any time. There is a \$20.00 fee to register as an electronic party. This fee may be waived if you file a Petition for Waiver of Fees and Costs Affidavit of Indigency (CV-410A) and the court finds you are indigent under §814.29, Wisconsin Statutes.

If you are not represented by an attorney and would like to register an electronic party, you will need to enter the following code on the eFiling website while opting in as an electronic party.

Pro Se opt-in code: 9ee897

Unless you register as an electronic party, you will be served with traditional paper documents by other parties and by the court. You must file and serve traditional paper documents.

Registration is available to attorneys, self-represented individuals, and filing agents who are authorized under Wis. Stat. 799.06(2). A user must register as an individual, not as a law firm, agency, corporation, or other group. Non-attorney individuals representing the interests of a business, such as garnishees, must file by traditional means or through an attorney or filing agent. More information about who may participate in electronic filing is found on the court website.

If you have questions regarding this notice, please contact the Clerk of Circuit Court at 920-459-3068.

Sheboygan County Circuit Court
Date: May 18, 2023

STATE OF WISCONSIN**CIRCUIT COURT****SHEBOYGAN**

Wisconsin Consumer Credit vs. Eduardo Angel Hernandez et al

**Electronic Filing
Notice**

Case No. 2023CV000274
Class Code: Money Judgment

FILED**05-18-2023****Sheboygan C****Item 9.****Clerk of Circuit Court****2023CV000274****Honorable Angela W.
Sutkiewicz****Branch 3**

EDUARDO ANGEL HERNANDEZ
1429 ERIE AVE.
SHEBOYGAN WI 53081

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Sheboygan County Circuit Court
Date: May 18, 2023

STATE OF WISCONSIN

CIRCUIT COURT

SHEBOYGAN

Wisconsin Consumer Credit vs. Eduardo Angel Hernandez et al

**Electronic Filing
Notice**

Case No. 2023CV000274
Class Code: Money Judgment

FILED

05-18-2023

Sheboygan County

Clerk of Circuit Court

2023CV000274

Honorable Angela W.
Sutkiewicz

Branch 3

Item 9.

THOMAS GRAEFE
W2137 SHAMROCK DR.
SHEBOYGAN WI 53083

Case number 2023CV000274 was electronically filed with/converted by the Sheboygan County Circuit Court office. The electronic filing system is designed to allow for fast, reliable exchange of documents in court cases.

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Sheboygan County Circuit Court
Date: May 18, 2023

**CITY OF SHEBOYGAN
DIRECT REFERRAL R. O. 21-24-25
TO FINANCE AND PERSONNEL COMMITTEE**

BY DIRECTOR OF PLANNING AND DEVELOPMENT.

JUNE 24, 2024.

Submitting the 2023 Consolidated Annual Performance Evaluation Report (CAPER)
for the purpose of a presentation and public hearing to be held on June 24, 2024.

2023 Consolidated Annual Performance Evaluation Report (CAPER)

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM



CR-05 - Goals and Outcomes

Progress the jurisdiction has made in carrying out its strategic plan and its action plan. 91.520(a)

This could be an overview that includes major initiatives and highlights that were proposed and executed throughout the program year.

The City of Sheboygan presents the Program Year 2023 CAPER for the period of April 1, 2023 - March 31, 2024. The CAPER presents the City's progress in carrying out projects and activities pursuant to the 2023 Annual Action Plan for CDBG funds received from the United States Department of the Housing and Urban Development (HUD) to principally benefit low- and moderate-income persons. The CAPER also provides a general assessment of the City's progress in addressing the priorities and objectives contained in the five-year Consolidated Plan (Con Plan) 2020-2014. In 2023, the City spent approximately 95% percent of the funds on activities benefiting LMI persons.

The City complete one major road project, Broadway Street, in a qualified Census Tract.

The city continues to assist LMI households through the housing rehab program which ensures homes are decent, safe and sanitary for the occupants and helps to preserve quality housing within our city.

Critical partnerships with many non-profits throughout the city continue to be a major focus in supporting LMI households with critical services from transportation, case management and housing counseling.

Finally, the city was able to assist two small businesses launch and expand it's job force with vital financial assistance.

Comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives. 91.520(g)

Categories, priority levels, funding sources and amounts, outcomes/objectives, goal outcome indicators, units of measure, targets, actual outcomes/outputs, and percentage completed for each of the grantee's program year goals.

| Goal | Category | Source / Amount | Indicator | Unit of Measure | Expected – Strategic Plan | Actual – Strategic Plan | Percent Complete | Expected – Program Year | Actual – Program Year | Percent Complete |
|--|-----------------------------------|-----------------|---|------------------------|---------------------------|-------------------------|------------------|-------------------------|-----------------------|------------------|
| Accessibility improvements to existing homes | Affordable Housing Homeless | CDBG: \$ | Homeowner Housing Rehabilitated | Household Housing Unit | 30 | 0 | 0.00% | | | |
| Affordable Housing Market Analysis | Affordable Housing Homeless | CDBG: \$ | Other | Other | 1 | 0 | 0.00% | | | |
| Child Care Assistance | Non-Housing Community Development | CDBG: \$ | Public service activities other than Low/Moderate Income Housing Benefit | Persons Assisted | 0 | 39 | | 25 | 39 | 156.00% |
| Child Care Assistance | Non-Housing Community Development | CDBG: \$ | Public service activities for Low/Moderate Income Housing Benefit | Households Assisted | 100 | 0 | 0.00% | | | |
| Community Facilities | Non-Housing Community Development | CDBG: \$ | Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit | Persons Assisted | 15000 | 0 | 0.00% | 1200 | 0 | 0.00% |
| Community Facilities | Non-Housing Community Development | CDBG: \$ | Public service activities other than Low/Moderate Income Housing Benefit | Persons Assisted | 0 | 870 | | 875 | 870 | 99.43% |
| Community Facilities | Non-Housing Community Development | CDBG: \$ | Businesses assisted | Businesses Assisted | 0 | 0 | | 25 | 0 | 0.00% |

| | | | | | | | | | | |
|--|-----------------------------------|----------|--|---------------------|------|-----|--------|-----|-----|--------|
| Economic Development | Non-Housing Community Development | CDBG: \$ | Jobs created/retained | Jobs | 35 | 0 | 0.00% | 7 | 0 | 0.00% |
| Homelessness | Homeless | CDBG: \$ | Public service activities other than Low/Moderate Income Housing Benefit | Persons Assisted | 1000 | 602 | 60.20% | 0 | 602 | |
| Homelessness | Homeless | CDBG: \$ | Tenant-based rental assistance / Rapid Rehousing | Households Assisted | 0 | 0 | | 725 | 0 | 0.00% |
| Homelessness | Homeless | CDBG: \$ | Homeless Person Overnight Shelter | Persons Assisted | 0 | 41 | | 156 | 41 | 26.28% |
| Homelessness | Homeless | CDBG: \$ | Overnight/Emergency Shelter/Transitional Housing Beds added | Beds | 0 | 146 | | 0 | 146 | |
| Homelessness | Homeless | CDBG: \$ | Homelessness Prevention | Persons Assisted | 0 | 0 | | 150 | 0 | 0.00% |
| Homelessness | Homeless | CDBG: \$ | Other | Other | 1 | 0 | 0.00% | | | |
| Increased home ownership opportunities | Affordable Housing Homeless | CDBG: \$ | Public service activities other than Low/Moderate Income Housing Benefit | Persons Assisted | 0 | 35 | | 0 | 35 | |
| Increased home ownership opportunities | Affordable Housing Homeless | CDBG: \$ | Direct Financial Assistance to Homebuyers | Households Assisted | 15 | 0 | 0.00% | 15 | 0 | 0.00% |

| | | | | | | | | | | |
|---|-----------------------------------|----------|--|------------------------|-------|---|-------|-----|---|-------|
| Increased home ownership opportunities | Affordable Housing Homeless | CDBG: \$ | Other | Other | 0 | 0 | | 225 | 0 | 0.00% |
| Mental and Health Services | Non-Homeless Special Needs | CDBG: \$ | Public service activities other than Low/Moderate Income Housing Benefit | Persons Assisted | 150 | 0 | 0.00% | | | |
| Neighborhood Revitalization and Stabilization | Non-Housing Community Development | CDBG: \$ | Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit | Households Assisted | 20000 | 0 | 0.00% | | | |
| Neighborhood Revitalization and Stabilization | Non-Housing Community Development | CDBG: \$ | Buildings Demolished | Buildings | 5 | 0 | 0.00% | | | |
| Neighborhood Revitalization and Stabilization | Non-Housing Community Development | CDBG: \$ | Housing Code Enforcement/Foreclosed Property Care | Household Housing Unit | 300 | 0 | 0.00% | | | |
| Neighborhood Revitalization and Stabilization | Non-Housing Community Development | CDBG: \$ | Other | Other | 12 | 0 | 0.00% | | | |
| New owner-occupied housing construction | Affordable Housing | CDBG: \$ | Rental units constructed | Household Housing Unit | 3 | 0 | 0.00% | | | |

| | | | | | | | | | | |
|---|-----------------------------|----------|--|------------------------|-----|-----|-------|-----|-----|--------|
| New owner-occupied housing construction | Affordable Housing | CDBG: \$ | Homeowner Housing Added | Household Housing Unit | 2 | 0 | 0.00% | | | |
| Preservation of existing homes | Affordable Housing | CDBG: \$ | Rental units rehabilitated | Household Housing Unit | 0 | 0 | | 2 | 0 | 0.00% |
| Preservation of existing homes | Affordable Housing | CDBG: \$ | Homeowner Housing Rehabilitated | Household Housing Unit | 0 | 7 | | 14 | 7 | 50.00% |
| Preservation of existing homes | Affordable Housing | CDBG: \$ | Direct Financial Assistance to Homebuyers | Households Assisted | 30 | 0 | 0.00% | | | |
| Preservation of existing homes | Affordable Housing | CDBG: \$ | Buildings Demolished | Buildings | 5 | 0 | 0.00% | | | |
| Preservation of existing homes | Affordable Housing | CDBG: \$ | Housing Code Enforcement/Foreclosed Property Care | Household Housing Unit | 500 | 0 | 0.00% | | | |
| Re-Evaluate City Rehab Programs | Affordable Housing Homeless | CDBG: \$ | Homeowner Housing Added | Household Housing Unit | 15 | 0 | 0.00% | | | |
| Youth Assistance Program | Non-Homeless Special Needs | CDBG: \$ | Public service activities other than Low/Moderate Income Housing Benefit | Persons Assisted | 0 | 227 | | 360 | 227 | 63.06% |
| Youth Assistance Program | Non-Homeless Special Needs | CDBG: \$ | Public service activities for Low/Moderate Income Housing Benefit | Households Assisted | 50 | 0 | 0.00% | | | |

Table 1 - Accomplishments – Program Year & Strategic Plan to Date

Assess how the jurisdiction's use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan, giving special attention to the highest priority activities identified.

CR-10 - Racial and Ethnic composition of families assisted

Describe the families assisted (including the racial and ethnic status of families assisted).

91.520(a)

| | CDBG |
|---|--------------|
| White | 3,170 |
| Black or African American | 489 |
| Asian | 409 |
| American Indian or American Native | 48 |
| Native Hawaiian or Other Pacific Islander | 11 |
| Total | 4,127 |
| Hispanic | 591 |
| Not Hispanic | 4,583 |

Table 2 – Table of assistance to racial and ethnic populations by source of funds

Narrative

The City served over 5000 households with CDBG funded activities during the 2023 Program Year. These numbers exclude area benefit activities that impact an entire neighborhood. It is important to note that in addition to the races listed above, the City of Sheboygan also served American Indian/Alaskan Native and White; Asian and White; Black/African American and White; Am. Indian/Alaskan and Black/African American; and other Multi-Racial households.

CR-15 - Resources and Investments 91.520(a)

Identify the resources made available

| Source of Funds | Source | Resources Made Available | Amount Expended During Program Year |
|-----------------|------------------|--------------------------|-------------------------------------|
| CDBG | public - federal | 2,784,632 | 2,773,445 |

Table 3 - Resources Made Available

Narrative

This includes Loan 108 program funding sources.

Identify the geographic distribution and location of investments

| Target Area | Planned Percentage of Allocation | Actual Percentage of Allocation | Narrative Description |
|---|----------------------------------|---------------------------------|-----------------------|
| BLOCK GRANT TARGET AREA, SHEBOYGAN | 80 | 50 | |
| Downtown Central Commerical Business District | 10 | | |
| Eligible Census Tracts | 10 | 50 | |

Table 4 – Identify the geographic distribution and location of investments

Narrative

Leveraging

Explain how federal funds leveraged additional resources (private, state and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.

In order to expand the scope and impact of our projects, the City of Sheboygan works to ensure it is utilizing all available funding streams. In 2023, in addition to its entitlement of \$865,297, the City leveraged other funding in the amount of \$7,914,819, allowing for a broader range of issues to be addressed. Like most cities, Sheboygan has multifaceted needs which cannot be met by CDBG alone, including affordable housing, infrastructure improvements, economic development, and social services among others. By leveraging nearly \$9.14 in funds for every CDBG dollar spent, the City of Sheboygan was able to maximize available resources.

CR-20 - Affordable Housing 91.520(b)

Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely low-income, low-income, moderate-income, and middle-income persons served.

| | One-Year Goal | Actual |
|--|---------------|--------------|
| Number of Homeless households to be provided affordable housing units | 80 | 580 |
| Number of Non-Homeless households to be provided affordable housing units | 500 | 711 |
| Number of Special-Needs households to be provided affordable housing units | 20 | 0 |
| Total | 600 | 1,291 |

Table 5 – Number of Households

| | One-Year Goal | Actual |
|--|---------------|----------|
| Number of households supported through Rental Assistance | 725 | 0 |
| Number of households supported through The Production of New Units | 0 | 0 |
| Number of households supported through Rehab of Existing Units | 15 | 3 |
| Number of households supported through Acquisition of Existing Units | 0 | 0 |
| Total | 740 | 3 |

Table 6 – Number of Households Supported

Discuss the difference between goals and outcomes and problems encountered in meeting these goals.

In addition to households supported above, the city also supports Shoreline Metro our local city bus service. CDBG funds specifically target the routes in the LMA census track. Through this an additional 2784 individuals were served.

We continue to have a labor shortage in the construction trades. It is very difficult to find contractors that want to participate in housing rehabilitation programs. Most contractors that do rehabilitation are

interested in complete kitchen and bath remodels. It is also very difficult to find available plumbers and electricians.

Discuss how these outcomes will impact future annual action plans.

The City is working with our local CAP agency to assist with acquisition and soft costs in a tax credit project to create 44 new housing units for 60% LMI or lower. These units will be reported in the next CAPER report. The CDBG program will also be launching a down payment assistance program to ensure LMI households are able to access housing in our current market at an affordable rate. The vacancy rate for all housing options in our community is under 1%. This is making it even more difficult to find affordable housing. The city has plans for over 3000 new housing units to be built over the next 5-7 years that will begin to relieve pressure on accessing housing.

Include the number of extremely low-income, low-income, and moderate-income persons served by each activity where information on income by family size is required to determine the eligibility of the activity.

| Number of Households Served | CDBG Actual | HOME Actual |
|-----------------------------|--------------|-------------|
| Extremely Low-income | 2,515 | 0 |
| Low-income | 1,146 | 0 |
| Moderate-income | 704 | 0 |
| Total | 4,365 | 0 |

Table 7 – Number of Households Served

Narrative Information

CR-25 - Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c)

Evaluate the jurisdiction's progress in meeting its specific objectives for reducing and ending homelessness through:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

Outreach services are used to engage people experiencing homelessness who are otherwise unable or unwilling to seek assistance on their own. Lakeshore Community Action Program, a subrecipient, serves as the lead agency for the Lakeshore Continuum of Care, and is also responsible for administering the City's Point In Time count. The agency participates in extensive outreach activities and responds to each client. CDBG funds are allocated to their supportive housing and rental assistance program. They also offer a homebuyer program, skills enhancement, the Emergency Food Assistance Program, and a GED/HSED program. Lakeshore CAP's staff consistently works to gain a holistic understanding of the situation that led the individual to be homeless in order to connect them with appropriate services, while respecting their autonomy.

As like most communities, we need additional resources to address the mental health and substance addiction needs within the community.

Addressing the emergency shelter and transitional housing needs of homeless persons

The Lakeshore Continuum of Care utilizes a coordinated entry system which provides a systematic process for assessing people and prioritizing them for the appropriate housing intervention based on need and vulnerability. Emergency shelter and transitional housing staff provide the valuable service of assessing program consumers and referring them to necessary services within the community. The Salvation Army, Safe Harbor, the Sheboygan County Warming Center and Pay it Forward served the homeless population in various capacities in 2023.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: likely to become homeless after being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

The homelessness prevention and rapid re-housing programs are administered by the Lakeshore CAP, a CDBG subrecipient. The Sheboygan Housing Coalition, a cross-sector cooperative comprised of more than 70 member agencies, including the City, also works to prevent homelessness through various programs.

CDBG funds are directly used for rental assistance in an effort to prevent homelessness.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

This continues to be a challenge for us in the City. This is especially true because even with program supports, our vacancy rate is less than 1%. In January 2024 there were 12 vacant housing units available across the entire city. We continue to work with partner agencies and identify opportunities to address this critical need.

CR-30 - Public Housing 91.220(h); 91.320(j)**Actions taken to address the needs of public housing**

The housing authority has experienced some turn over in staffing. This has added to the existing challenges previously experienced by individuals residing in public housing within the city. The city has seen an uptick in the number of complaints received from residents in public housing. City staff continue to look for opportunities to partner with the housing authority.

Actions taken to encourage public housing residents to become more involved in management and participate in homeownership

Lakeshore CAP and Partners for Community Development offer down payment assistance programs for first time homeowners. These agencies also provide rent smart training to residents of the public housing.

Actions taken to provide assistance to troubled PHAs

The City of Sheboygan has no authority over the public housing authority.

CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)

Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)

The city conducted a housing study in 2021 that is currently being re-evaluated at this time. Based on preliminary numbers, the city will need about 5000 new housing units over the next 5 years. Currently, the city has been construction about 200 annually. The City is aggressively addressing the housing shortage with a multi-prong approach. We are actively working on 2 low-income tax credit projects that will bring about 90 new low income units into the market place. In addition, the city has support multiple housing projects for low income, senior and market rate units with our ARPA funding. We have just opened 4 new tax increment districts with a large focus on housing. We anticipate about 3000 new housing units within these 4 new TIDs. We have also created an affordable housing revolving loan fund program with TID closure funds to also support the development of new housing units. This growth will help our local businesses with work force shortages, provide options to empty nesters to move out of large underutilized homes, as well as take pressure off the existing rental market to make units available for affordable rent.

Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)

The City completed a public request for proposals process to allow public service agencies to submit a request for funding, ensuring applicant programs meet priority needs found in the Consolidated and Annual Action Plans. Material cost and contractor availability continue to be addressed. Staff continue to look for additional funding streams and for opportunities to collaborate with outside agencies.

Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)

The city addresses lead-based paint hazards through the housing rehabilitation program. In addition, Partners for Community Development receives funding through the State to address additional eligible properties abate lead hazards.

Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)

The city works in callaboration with many agencies to provide services to poverty level families. In addition, we maximize our CDBG public service funds to further this mission.

Actions taken to develop institutional structure. 91.220(k); 91.320(j)

City staff works throughout the year to increase institutional structure, both within the City and throughout our partner agencies. This is accomplished by providing technical assistance on federal grant

management, such as growing their knowledge of Davis-Bacon requirements, financial management and other grant management procedures. Staff maintains contact with partner agencies throughout the year, offering referrals for funding and training opportunities where appropriate.

Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)

City staff is heavily connected to work with public and private housing and social services agencies to make the biggest impact. Evidence of this includes involvement in multi-sector task forces, coalitions, and networks that connect the City to private and social service programs.

Identify actions taken to overcome the effects of any impediments identified in the jurisdictions analysis of impediments to fair housing choice. 91.520(a)

The City of Sheboygan held two landlord training programs in 2023 and continued to work with the Lakeshore Apartment Association to educate local landlords on fair housing related issues. The City also funded Partners for Community Development in conjunction with Recommendation No. 3, funding post-purchase counseling.

CR-40 - Monitoring 91.220 and 91.230

Describe the standards and procedures used to monitor activities carried out in furtherance of the plan and used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

Projects and programs funded with CDBG are subject to monitoring. City staff makes contact with each subrecipient prior to the execution of agreements. Performance standards are established and included in the signed Agreement for each subrecipient of CDBG funds. All recipients of CDBG public services funds are evaluated through quarterly reports to the City, as required by the funding agreement. Each report provides statistics on the program participants and a narrative of the activities undertaken during the reporting period. The information provided to the City is entered into the Integrated Disbursement and Information System (IDIS). City staff continues to be in regular contact with subrecipients throughout the program year, offering training sessions, one-on-one technical assistance and performance check-ins.

Citizen Participation Plan 91.105(d); 91.115(d)

Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports.

The City makes every effort to provide citizens with reasonable notice and opportunity to comment on performance reports. Notice of the public hearing and comment period is published in the paper of record, the Sheboygan Press and is posted on the City website and in public locations throughout the City, including the Library and City Hall. A copy of the report is available for review on the City's website and residents are encouraged to share their feedback at the public hearing, held during a Personnel and Finance Committee meeting.

CR-45 - CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

No significant changes at this time.

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?

No

[BEDI grantees] Describe accomplishments and program outcomes during the last year.

CR-45 - CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

No significant changes at this time.

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?

No

[BEDI grantees] Describe accomplishments and program outcomes during the last year.

CR-58 – Section 3

Identify the number of individuals assisted and the types of assistance provided

| Total Labor Hours | CDBG | HOME | ESG | HOPWA | HTF |
|---------------------------------------|--------|------|-----|-------|-----|
| Total Number of Activities | 1 | 0 | 0 | 0 | 0 |
| Total Labor Hours | 11,168 | | | | |
| Total Section 3 Worker Hours | 0 | | | | |
| Total Targeted Section 3 Worker Hours | 0 | | | | |

Table 8 – Total Labor Hours

| Qualitative Efforts - Number of Activities by Program | CDBG | HOME | ESG | HOPWA | HTF |
|---|------|------|-----|-------|-----|
| Outreach efforts to generate job applicants who are Public Housing Targeted Workers | | | | | |
| Outreach efforts to generate job applicants who are Other Funding Targeted Workers. | | | | | |
| Direct, on-the job training (including apprenticeships). | 1 | | | | |
| Indirect training such as arranging for, contracting for, or paying tuition for, off-site training. | | | | | |
| Technical assistance to help Section 3 workers compete for jobs (e.g., resume assistance, coaching). | | | | | |
| Outreach efforts to identify and secure bids from Section 3 business concerns. | 1 | | | | |
| Technical assistance to help Section 3 business concerns understand and bid on contracts. | | | | | |
| Division of contracts into smaller jobs to facilitate participation by Section 3 business concerns. | | | | | |
| Provided or connected residents with assistance in seeking employment including: drafting resumes, preparing for interviews, finding job opportunities, connecting residents to job placement services. | | | | | |
| Held one or more job fairs. | | | | | |
| Provided or connected residents with supportive services that can provide direct services or referrals. | | | | | |
| Provided or connected residents with supportive services that provide one or more of the following: work readiness health screenings, interview clothing, uniforms, test fees, transportation. | | | | | |
| Assisted residents with finding child care. | | | | | |
| Assisted residents to apply for, or attend community college or a four year educational institution. | | | | | |
| Assisted residents to apply for, or attend vocational/technical training. | | | | | |
| Assisted residents to obtain financial literacy training and/or coaching. | | | | | |
| Bonding assistance, guaranties, or other efforts to support viable bids from Section 3 business concerns. | | | | | |
| Provided or connected residents with training on computer use or online technologies. | | | | | |
| Promoting the use of a business registry designed to create opportunities for disadvantaged and small businesses. | | | | | |
| Outreach, engagement, or referrals with the state one-stop system, as designed in Section 121(e)(2) of the Workforce Innovation and Opportunity Act. | | | | | |

| | | | | | |
|--------|--|--|--|--|--|
| Other. | | | | | |
|--------|--|--|--|--|--|

Table 9 – Qualitative Efforts - Number of Activities by Program

Narrative

The City of Sheboygan includes Section 3 goals in all of our publically-bid projects. Given the small market in Sheboygan, meeting the Section 3 goals can be difficult but the City continues to make every effort to do so.

**CITY OF SHEBOYGAN
DIRECT REFERRAL RESOLUTION 32-24-25
TO FINANCE AND PERSONNEL COMMITTEE**

BY ALDERPERSONS MITCHELL AND PERRELLA.

JUNE 24, 2024.

A RESOLUTION authorizing the City Attorney's Office to settle the matter of *Cities & Villages Mutual Insurance Company, et al. v. Jacob O. Smith*, Circuit Court Case No. 2022CV357.

WHEREAS, the law firm of Borgelt, Powell, Peterson & Frauen represents Cities & Villages Mutual Insurance Company ("CVMIC") in this matter and said law firm is recommending that the Common Council approve a settlement in this matter whereby Jacob O. Smith pays a lump sum for injury caused to the City of Sheboygan's employee in the course of the employee's duties as a police officer; and

WHEREAS, the City Attorney's Office has reviewed the litigation file and agrees with the CVMIC attorney's recommendation; and

WHEREAS, while the \$4,500 lump sum recommended does not represent the full amount of the loss, it represents the City's best option to receive any significant funds; and

WHEREAS, the Common Council needs to approve this settlement since CVMIC's workers' compensation insurance is a partially self-funded program.

NOW, THEREFORE, BE IT RESOLVED: That the City Attorney's Office is hereby authorized to settle the matter of *Cities & Villages Mutual Insurance Company, et al. v. Jacob O. Smith*, Circuit Court Case No. 2022CV357, by accepting a \$4,500 one-time lump sum payment to CVMIC from Jacob O. Smith.

PASSED AND ADOPTED BY THE CITY OF SHEBOYGAN COMMON COUNCIL

Presiding Officer

Attest

Ryan Sorenson, Mayor, City of
Sheboygan

Meredith DeBruin, City Clerk, City of
Sheboygan

**CITY OF SHEBOYGAN
GENERAL ORDINANCE 3-24-25**

BY ALDERPERSONS MITCHELL AND PERRELLA.

JUNE 17, 2024.

AN ORDINANCE amending Section 18-74 of the Municipal Code so as to authorize the Finance Director/Treasurer to compensate Matthew Greenwood interim pay for his service to the City as Interim Information Technology Director.

WHEREAS, the retirement of the former Information Technology Director was effective June 7, 2024; and

WHEREAS, in the best interest of continued City operations, the City Administrator deemed it necessary to appoint an Interim Information Technology Director as soon as possible; and

WHEREAS, Matthew Greenwood was appointed to this role by the City Administrator effective May 23, 2024; and

WHEREAS, Sheboygan Municipal Code (“SMC”) § 18-74(a) allows an affected department head and Human Resources Director to recommend to the City Administrator that an appropriate subordinate, non-represented employee fill a vacant position temporarily and that if the subordinate employee is in a lower salary grade while serving on an acting basis, the employee “shall receive additional compensation for the additional work assigned;” and

WHEREAS, SMC § 18-74(a) provides further that the acting employee shall be compensated with “an increase of ten percent” when acting in full capacity or at a “reduced amount” “for limited acting duties or when partial duties are assigned” and that such compensation shall be issued “after a replacement starts in the form of a lump-sum for all acting time;” and

WHEREAS, SMC § 18-74 as currently written will not pay Mr. Greenwood the minimum of the Information Technology Director’s salary per the position’s grade on the compensation plan; and

WHEREAS, the significant responsibility that has been undertaken by Mr. Greenwood warrants a deviation from the current ordinance; and

WHEREAS, the City Administrator and Human Resources Director agree that Mr. Greenwood should be compensated to the minimum pay amount for the Information Director position as it resides in grade 21 of the compensation structure.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

SECTION 1: SMC § 18-74 is hereby amended so as to provide that the Finance Director is authorized to compensate Matthew Greenwood for his service to the City as Interim Information Technology Director at the rate of \$57.57 per hour for the length of service in that role.

SECTION 2: The Common Council thanks Mr. Greenwood for his service to the City.

SECTION 3: The Finance Director is authorized to withdraw funds sufficient to effectuate this ordinance from Acct. No. 713170-510110 (Information Technology Fund – Full Time Salaries).

SECTION 4: REPEALER CLAUSE All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 5: EFFECTIVE DATE This ordinance shall be in effect from and after its passage and publication according to law.

PASSED AND ADOPTED BY THE CITY OF SHEBOYGAN COMMON COUNCIL

Presiding Officer

Attest

Ryan Sorenson, Mayor, City of
Sheboygan

Meredith DeBruin, City Clerk, City of
Sheboygan

**CITY OF SHEBOYGAN
ORDINANCE 2-24-25**

BY ALDERPERSONS MITCHELL AND PERRELLA.

JUNE 17, 2024.

AN ORDINANCE amending Section 18-74 of the Municipal Code so as to update the rules and conditions for acting pay for nonrepresented employees.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

SECTION 1: AMENDMENT “Sec 18-74 Acting Pay For Nonrepresented Employees” of the Sheboygan Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Sec 18-74 Acting Pay For Nonrepresented Employees

- (a) For the purposes of this section, a temporary vacancy means any vacancy of at least two weeks but less than six months.
- (b) When any department head learns that a temporary vacancy has occurred~~s or is about to occur~~ of more than two calendar weeks but less than six months in any nonrepresented position in the city service within such department, the director of human resources and labor relations, in consultation with the affected department head, may recommend to the city administrator an appropriate subordinate nonrepresented employee to fill the position on an acting basis for the duration of the temporary vacancy. Positions in the transit, police, and fire departments require the approval of the respective commissions.
- (c) -If the subordinate appointed under (b) is in a lower compensation classification pursuant to section 18-38 than the vacant position~~salary grade while serving in such an acting capacity~~, the subordinate shall receive additional compensation for the additional work assigned while serving in such an acting capacity. An increase of ten percent to the subordinate's base pay will be~~is~~ assigned when acting in full capacity; a reduced amount will be issued for limited acting duties or when partial duties are assigned. This amount will be paid to the subordinate as additional compensation while the replacement is taking on the duties of the vacant role. The additional compensation will in no case result in the subordinate being paid less than the minimum or greater than the maximum rate of pay for the classification established under section 18-38 in which the vacant position resides within the compensation structure~~issued after a replacement starts in the form of a lump sum for all acting time. In no case shall the temporary increase in pay be greater than the salary of the person~~

~~who left.~~

- (d) Within six months of the beginning of a temporary vacancy, the city administrator will determine whether the opening will remain or a change in the table of organization needs to be made and will inform the employee filling the position on an acting basis as to the status of the replacement. The employee may be reclassified to the position the employee is ~~actually~~ performing. ~~In case of such a reclassification, the employee's pay will be adjusted to match the new classification based on the employee's performance.~~
- (e) The director of human resources and labor relations is authorized to draft policies and procedures related to acting pay. Employees who are reclassified under (d) will have their pay adjusted to be consistent with the salary and wage schedules provided for under section 18-71 and all related policies.

(Code 1997, § 82-57)

SECTION 2: REPEALER CLAUSE All ordinances or resolutions or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 3: EFFECTIVE DATE This Ordinance shall be in effect from and after its passage and publication according to law.

PASSED AND ADOPTED BY THE CITY OF SHEBOYGAN COMMON COUNCIL

Presiding Officer

Attest

Ryan Sorenson, Mayor, City of
Sheboygan

Meredith DeBruin, City Clerk, City of
Sheboygan