



FINANCE AND PERSONNEL COMMITTEE MEETING AGENDA

January 23, 2023 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 (Alderspersons Mitchell, Filicky-Peneski, Perella, Ackley and Felde may attend remotely)
3. Pledge of Allegiance
4. Introduction of Committee Members and Staff

MINUTES

5. Approval of Minutes - January 9, 2023

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

6. R. O. No. 96-22-23 / January 16, 2023: Submitting the City of Sheboygan Analysis of Impediments to Fair Housing.
7. Res. No. 127-22-23 / January 16, 2023: A RESOLUTION approving and adopting the Amendment to the City of Sheboygan 457 (b) Deferred Compensation Plan for the CARES Act.
8. Res. No. 128-22-23 / January 16, 2023: A RESOLUTION authorizing the appropriate City officials to execute an Adoption Agreement for the extension and offering of additional investment options with Nationwide.
9. Direct Referral Gen. Ord. No. 19-22-23 by Alderspersons Mitchell and Filicky-Peneski amending Section 82-33 of the Sheboygan Municipal Code so as to modify the City Table of Organization.
10. Direct Referral Res. No. 129-22-23 by Alderspersons Mitchell and Filicky-Peneski authorizing the Finance Director/Treasurer to issue Kaitlyn Krueger merit payment for her extraordinary service to the City.

DATE OF NEXT REGULAR MEETING

11. Next Meeting Date - February 13, 2023

ADJOURN

12. 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

REQUEST FOR FINANCE AND PERSONNEL COMMITTEE CONSIDERATION

ITEM DESCRIPTION: R.O. No. 96-22-23 by Director of Planning and Development, submitting the City of Sheboygan Analysis of Impediments to Fair Housing.

REPORT PREPARED BY: Chad Pelishek, Director of Planning and Development

REPORT DATE: January 20, 2023

MEETING DATE: January 23, 2023

FISCAL SUMMARY:

Budget Line Item:
 Budget Summary: N/A
 Budgeted Expenditure: N/A
 Budgeted Revenue: N/A

STATUTORY REFERENCE:

Wisconsin Statutes:
 Municipal Code: N/A

BACKGROUND / ANALYSIS:

The attached report, the "City of Sheboygan: Analysis of Impediments to Fair Housing," is required by the U.S. Department of Housing and Urban Development (HUD) from all communities that receive Community Development Block Grant (CDBG) funds. The document serves as the basis for fair housing planning; provides essential information to policy makers, administrative staff, housing providers, lenders, and fair housing advocates; and assists in building public support for fair housing efforts.

STAFF COMMENTS:

To maximize the potential of this report, the Common Council (and the community as a whole) should see it as more than merely a requirement for receiving block grant funding. Rather, it should be used as a meaningful tool and roadmap to assist the community in taking steps to ensure equal access to housing opportunities for all persons in the City. The Common Council should especially take note of the report's recommendations, contained on pages 32-37, and consider what actions it should take to remedy the impediments to fair housing in the report and implement said recommendations.

Once adopted by the Common Council, City staff will submit the report to the Fair Housing division at the U.S. Department of Housing and Urban Development (HUD).

ACTION REQUESTED:

Motion to recommend Common Council to approve R.O. 96-22-23 by Director of Planning and Development, submitting the City of Sheboygan Analysis of Impediments to Fair Housing.

ATTACHMENTS:

- I. R.O. 96-22-23

R. O. No. 96 - 22 - 23. By DIRECTOR OF PLANNING & DEVELOPMENT.
January 16, 2023.

Submitting the City of Sheboygan Analysis of Impediments to Fair Housing.

The attached report, the "City of Sheboygan: Analysis of Impediments to Fair Housing," is required by the U.S. Department of Housing and Urban Development (HUD) from all communities that receive Community Development Block Grant (CDBG) funds. The document serves as the basis for fair housing planning; provides essential information to policy makers, administrative staff, housing providers, lenders, and fair housing advocates; and assists in building public support for fair housing efforts.

To maximize the potential of this report, the Common Council (and the community as a whole) should see it as more than merely a requirement for receiving block grant funding. Rather, it should be used as a meaningful tool and roadmap to assist the community in taking steps to ensure equal access to housing opportunities for all persons in the City. The Common Council should especially take note of the report's recommendations, contained on pages 32-37, and consider what actions it should take to remedy the impediments to fair housing in the report and implement said recommendations.

FP

Director of Planning & Development

City of Sheboygan

Analysis of Impediments to Fair Housing



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Executive Summary

The “City of Sheboygan: Analysis of Impediments to Fair Housing 2022” should be used as a meaningful tool and roadmap for the community to take steps to ensure equal access to housing opportunities for all persons in the City of Sheboygan. This study contains an analysis of demographic and economic characteristics in relation to their impact on fair housing; a discussion of fair housing impediments; and a series of recommendations designed to dismantle the impediments identified.

Sheboygan Background Data

An analysis of the demographic and economic characteristics in Sheboygan assists in identifying trends that currently have or will have an impact on Sheboygan’s housing market and impediments to fair housing choice. Some of the major findings include:

- Household sizes over the last five years have increased.
- The number of individuals born outside of the United States below 100% of the poverty level went from 6.1% in 2015 to 25.7% in 2020.
- 16.8% of the Sheboygan population speaks a language other than English in the home. Of these individuals, 39.8% speak English less than very well.
- Unemployment rates are higher for African Americans and Latinos than that of whites and Asians. Subsequently, median incomes are lower for African Americans and Latinos than for whites and Asians.
- The proportion of Asians and Latinos without a high school diploma is significantly higher than that of whites and African Americans.
- A majority of Sheboygan’s housing is comprised of older housing units.
- Sheboygan’s housing supply does not contain many large units (4 bedrooms or more).

Update on Impediments accomplished from the 2017-2022 Plan

In the past five years, the City of Sheboygan has been aggressive in funding agencies that can assist with fair housing impediments as it relates to budget and financial counseling services, post purchase housing counseling, and leveraging community non-profits to provide additional resources to low income homeowners to rehabilitate properties.

The American Rescue Plan allowed HUD to add 70,000 emergency housing vouchers in 2021 nationwide. In 2022 Wisconsin received another 350 vouchers. While more vouchers are still needed to bridge the gap, progress has been made in the last five years.

Using Community Development Block Grant funds, the City has provided a free First Time Homebuyers class. This class taught potential and prospective homebuyers everything they need to know about

purchasing a home. The City also offered a Tenant Training class that taught participants how to become knowledgeable tenants.

The City has recently updated the Fair Housing Guide. This guide is available in Spanish and English at City Hall.

The City has added 358 units of affordable housing. Currently four additional affordable housing structures are in the works to be built in the near future.

The City has been working towards creating more diverse boards. Women and minorities are much more prevalent on City boards than they were in the past couple of years.

The City has created the Neighborhood Revitalization Fund to increase and improve the supply of safe, quality, affordable housing and revitalize central city neighborhoods.

The Sheboygan County Housing Coalition, which is a cross-section of nonprofit, government and community representatives, continues to work collaboratively toward the prevention of homelessness and the creation of lasting housing solutions for homeless and at-risk families and individuals throughout Sheboygan County.

Impediments to Fair Housing Choice

An *impediment* to fair housing choice is defined as any actions, omissions, or decisions that restrict, or have the effect of restricting, the availability of housing choices, based on race, color, religion, sex, disability, familial status, or national origin. Impediments may take the form of a city or other governmental entity's policy, practice or procedure, housing industry practices, or other societal factors that may contribute to impeding a person or family from obtaining housing. The City of Sheboygan's research and interviews with community representatives helped identify the following impediments:

City of Sheboygan Impediments

- Impediment #1: Group Homes of Community Living Arrangements (CLA): Advocates for persons with disabilities in other communities have waged successful legal challenges against municipal ordinances that are similar to Sheboygan's. These challenges asserted that these types of ordinances were too restrictive and were found to have violated the Federal Fair Housing Act.
- Impediment #2: Inadequate Affordable Housing Supply Relative to Resident Income: Currently, 25.84% of Sheboygan households (5,335 households) pay 30% or more of their income for housing costs. Three impediments that contribute to the shortage of larger (4 bedrooms or more) affordable housing are the structural quality of housing available, the lack of financial resources to build/preserve/rehabilitate affordable housing, and a lack of housing choice section 8 rent assistance vouchers.

- Impediment #3: Poor Credit, Lack of Credit History and Lack of Financial Literacy: Poor credit history, whether incurred by personal choices or circumstances beyond a person's control, can hinder a person's access to housing.
- Impediment #4: Transit Commuting Difficult to Some Surrounding Areas: Shoreline Metro provides limited routes to outlying communities which limits transit-dependent residents from living in certain neighboring communities, specifically the Town of Sheboygan. This is an impediment because it limits where these residents choose to live and/or work.
- Impediment #5: Racial/Ethnic Segregation and Linguistic Isolation: Almost all of the minority population in Sheboygan County is located in the City of Sheboygan. Specifically, the Latino and Asian populations are in the east central part of the City. While segregation and minority concentration are not as serious in Sheboygan as they are in larger urban areas like Milwaukee and Detroit, it is important to recognize their existence now, before the long term effects and costs of segregation start to impact Sheboygan as they have in Milwaukee and elsewhere.

Linguistic isolation exists in over 6% of the Sheboygan population. A population that does not speak English well will have specific housing impediments related to communicating effectively with a rental agent, real estate agent, mortgage lender or insurance agent.

- Impediment #6: Fair Housing Rights Information: No files or other fair housing complaint details were received by the City of Sheboygan in the last five years. The absence of complaints may be due to the public's unfamiliarity with the fair housing laws/ordinance and the weak protections the law offers, how the City of Sheboygan can assist them, as well as the subtle nature of housing discrimination.

Federal and State Impediments

While the City of Sheboygan is not directly involved in these Federal and State impediments, it is essential to address them because they impact the City's ability to "affirmatively further fair housing" as required by HUD. Federal and State impediments identified are:

- Impediment #7: Section 8 Housing Choice Vouchers Availability: Cuts in funding to the Section 8 program impedes local communities' ability to assist their population in finding quality, affordable housing.
- Impediment #8: No Infrastructure between Medicare/Medicaid and Section 8: The lack of infrastructure between Medicare/Medicaid and Section 8 costs the government more money and keeps persons with disabilities segregated and living in institutions instead of being integrated into society.

Private Market Impediments

Private market impediments are obstacles to fair housing in the housing production, mortgage lending and rental and home sales markets. Though Sheboygan is limited in its ability to directly address private market impediments, it can take a leadership role in bringing these issues to the public's attention.

- Impediment #9: Housing Producers: The main impediment to fair housing in housing production is attributed to a lack of programs that provide financial incentives to developers to build accessible housing, affordable housing or larger housing units to accommodate large families.
- Impediment #10: Mortgage Lending: Discrimination in mortgage lending prevents or impedes home seekers from obtaining the financing normally required to purchase a home. The major impediments identified include:
 - ❖ *Discrimination in the Lending Market*
 - ❖ *Lack of Spanish/Hmong-speaking lenders*
 - ❖ *Foreclosures*
 - ❖ *Lack of flexible underwriting to accommodate persons with no credit history*
- Impediment #11: Housing Sales and Rental Markets: A major impediment to housing choice is discrimination in the sale and rental of housing. Racial discrimination remains the major form of discrimination in the housing market and there is evidence that despite legislative and enforcement efforts, it has not diminished. In addition, with the burgeoning Hmong and Spanish-speaking populations, it is important to ensure an equal level of service be available to alleviate this impediment to fair housing choice.

Recommendations

The *Recommendations* are the most critical element of the Analyses of Impediments to Fair Housing for local communities to address and remedy the barriers identified.

City of Sheboygan Recommendations

- Recommendation #1: Devote Resources to a Comprehensive Review of Section 15.206 of the City of Sheboygan's Ordinances: Community Living Arrangements (CLA): The City should partner with disability advocacy groups and Independent Living Centers to review and analyze the Community Living Arrangements section of their zoning ordinance.
- Recommendation #2: Facilitate the Production of Affordable and Accessible Housing: The City should do enforce existing laws that ensure accessible housing construction and continue to implement the Housing Rehabilitation program.

- Recommendation #3: Increase Education and Outreach about Fair Housing Issues and Resources: The City of Sheboygan must actively *affirmatively further fair housing* by making sure its residents are informed and educated on their fair housing rights and how to file a claim.
- Recommendation #4: Continue Landlord Training: The City should continue to offer landlord training to landlords to increase knowledge about Fair Housing Law.
- Recommendation #5: Continue to Utilize Appropriate Financing Mechanisms to Produce Accessible Housing and Affordable Housing: Ongoing efforts should continue to utilize available, appropriate financing mechanisms, such as Tax Incremental Financing (TIF) to increase the production of affordable housing units and accessible housing units for persons with disabilities.

Federal and State Recommendations

- Recommendation #6: Advocate for Changes in State and Federal Programs to Expand Affordable Housing Options: The City should advocate for the following: additional Section 8 Housing Choice Vouchers; affordable housing production resources; and for the creation of a smoother infrastructure between Medicare/Medicaid and Section 8.

Private Market Recommendations

- Recommendation #7: Advocate for Open and Inclusive Real Estate and Rental Markets: The City of Sheboygan should advocate for more open and inclusive home rental and sales markets by working with the housing industry and appropriate State departments.
- Recommendation #8: Improve Access of Minority and Low-Income Applicants to Home Mortgages: The City should help minority and low-income loan seekers to obtain greater access to home mortgages.

Introduction

Overview

The following report, the “City of Sheboygan: Analysis of Impediments to Fair Housing” is required by the U.S. Department of Housing and Urban Development (HUD) from all communities that receive Community Development Block Grant (CDBG) funds.¹ The AI serves as the basis for fair housing

¹ Under the Housing and Community Development Act of 1975, all recipients of Federal Community Development Block Grant (CDBG) funds, used for various housing and community development activities which primarily benefit low and moderate income persons, are required to certify that they will comply with Title VIII of the Civil Rights Act (also known as the Federal Fair Housing Law). HUD must ensure that all programs and activities relating to housing and community development are administered in a manner “affirmatively to further the purpose of Title VIII.” In 2012 the City of Sheboygan received \$793,502 in CDBG funds from HUD, down from \$981,553 in 2011.

planning, provides essential information to policy makers, administrative staff, housing providers, lenders, and fair housing advocates, and assists in building public support for fair housing efforts. To maximize the potential of this report, the community must view it as more than just a requirement for receiving block grant funding. It should be used as a meaningful tool and roadmap in order for the community to take steps to ensure equal access to housing opportunities for all persons in the City.

Scope of Study

The City of Sheboygan: Analysis of Impediments to Fair Housing was conducted by the City of Sheboygan, Department of City Development. The report contains several components. First, the study provides an analysis of demographic and economic characteristics in relation to their impact on fair housing. Next is a discussion of impediments within the City of Sheboygan's policies, procedures and practices; within other governmental level policies; and within the private markets such as: mortgage lending, homeowners' insurance, real estate sales and the rental market. These impediments were identified as a result of extensive research and interviews with community representatives. The report concludes with a series of recommendations designed to dismantle those impediments identified in the previous section.

Fair Housing

Fair housing is a civil right that guarantees equal housing opportunities for all persons regardless of race, color, religion, sex, disability, familial status, national origin, (federal and state) source of income, age, marital status and sexual orientation (state only).² These categories, which are covered under these laws, are known as "protected classes." An *impediment* to fair housing is anything that may hinder or prevent a person from having equal access to housing because of their membership in one of the previously mentioned protected classes. Impediments may take the form of a city or other governmental entity's policy, practice or procedure, housing industry practices, or other societal factors that may contribute to impeding a person from obtaining housing.

Sheboygan Background Data

Overview

A combination of discrimination, geographic preferences, demographic shifts, changes in the number and structure of households and the economy, among other things account for the City of Sheboygan's current housing conditions. U.S. Census Bureau maps are used in this report to map socioeconomic and housing market conditions and to assist in highlighting patterns that may otherwise go unnoticed. The

² In Accordance with 24 CFR 570.904 fair housing choice is defined as the "ability of persons regardless of race, color, religion, sex, handicap, familial status or national origin, of similar income levels to have available to them the same housing choices." Impediments to fair housing are defined as, "any actions, omissions, or decisions, which restrict housing choice because of race, color, religion, sex, national origin, familial status or handicap."

City of Sheboygan's demographic, economic and social characteristics will be discussed in this section and connections will be made to characteristics that are related to impediments in the housing market. *Sheboygan Metropolitan Area*

In order to evaluate the demographic and economic characteristics of the City of Sheboygan, the entire Sheboygan Metropolitan area must be analyzed to provide a larger base and to serve as a comparison to the City. The City of Sheboygan is part of the larger Sheboygan Metropolitan Statistical Area (Figure 1), as defined by the U.S. Census Bureau. The Sheboygan Metropolitan Statistical Area (MSA) and Sheboygan County share the same boundaries. The maps below illustrate the geographic areas analyzed in order to review socioeconomic housing patterns.

Figure 1: Metropolitan Sheboygan³

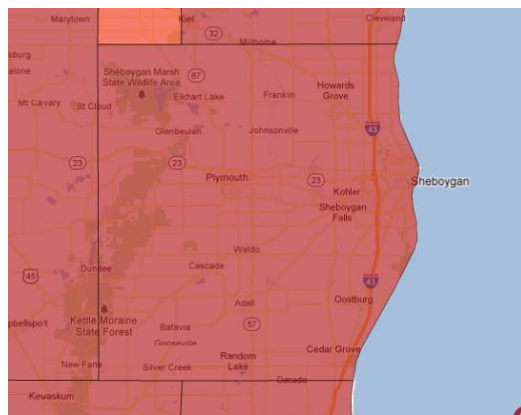
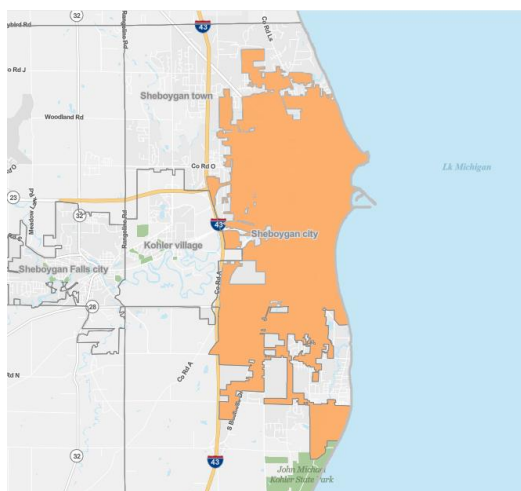


Figure 2: City of Sheboygan⁴



³ Source: <http://2010.census.gov/2010census/popmap/>

⁴ Source: data.census.gov

Sheboygan Population Distribution

In 2020, the City of Sheboygan's population was 48,153, a decrease of 2.3% from 2010. The surrounding county saw a smaller decrease during this time period of only .3%. During this period of slight decrease, whites in the City experienced a decline in population while most minority groups saw an increase in population. The implication is that while people of color were moving into the City of Sheboygan, whites were leaving.

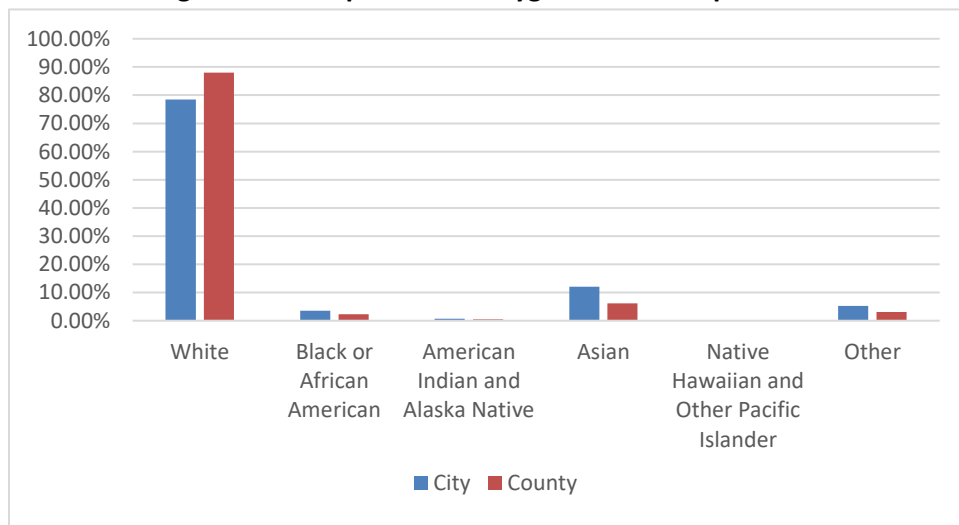
Table 1: Metropolitan Sheboygan Population Distribution⁵

	2010		2015		2020	
Geography	Population	Percent	Population	Percent	Population	Percent
Sheboygan County	115,507	57%	115,226	58%	115,152	58%
City of Sheboygan	49,288	43%	48,853	42%	48,153	42%

Racial Composition

There is evidence of a racial segregation component to the housing patterns in the City of Sheboygan. In 2020, 70% (13,837 persons) of the Sheboygan metropolitan minority population resided in the City. As pointed out above, the white population actually decreased by 9.7% from 2010 to 2020 in the City of Sheboygan while whites accounted for a majority of the growth for the outlying communities in Sheboygan County during that same period. Figure 3 depicts the racial housing pattern in Sheboygan County.

Figure 3: Metropolitan Sheboygan Racial Composition⁶



⁵ Source: data.census.gov

⁶ Source: data.census.gov

The Black population experienced the most pronounced percentage increase in population between 2000 and 2020. Between 2000 and 2010 the Black population grew by 102% (449 persons) and between 2010 and 2020 the Black population grew by 84% (747 persons). The Hispanic population had a large increase between 2000 and 2020 of 105% (3,195 persons); between 2000 and 2010 the Hispanic population increased by 60% (1,832 persons) and then by 28% (1,363 persons) between 2010 and 2020. The Asian population experienced an increase in population of 35% (1,149 persons) between 2000 and 2010 and grew by another 24% (1,080 persons) between 2010 and 2020.

Despite the rapid growth of the minority populations and the decline in the white population during the 2000's and 2010's, whites still make up the vast majority of the population within the City of Sheboygan. Table 2 summarizes the population growth characteristics experienced in the City of Sheboygan between 2000 and 2020.

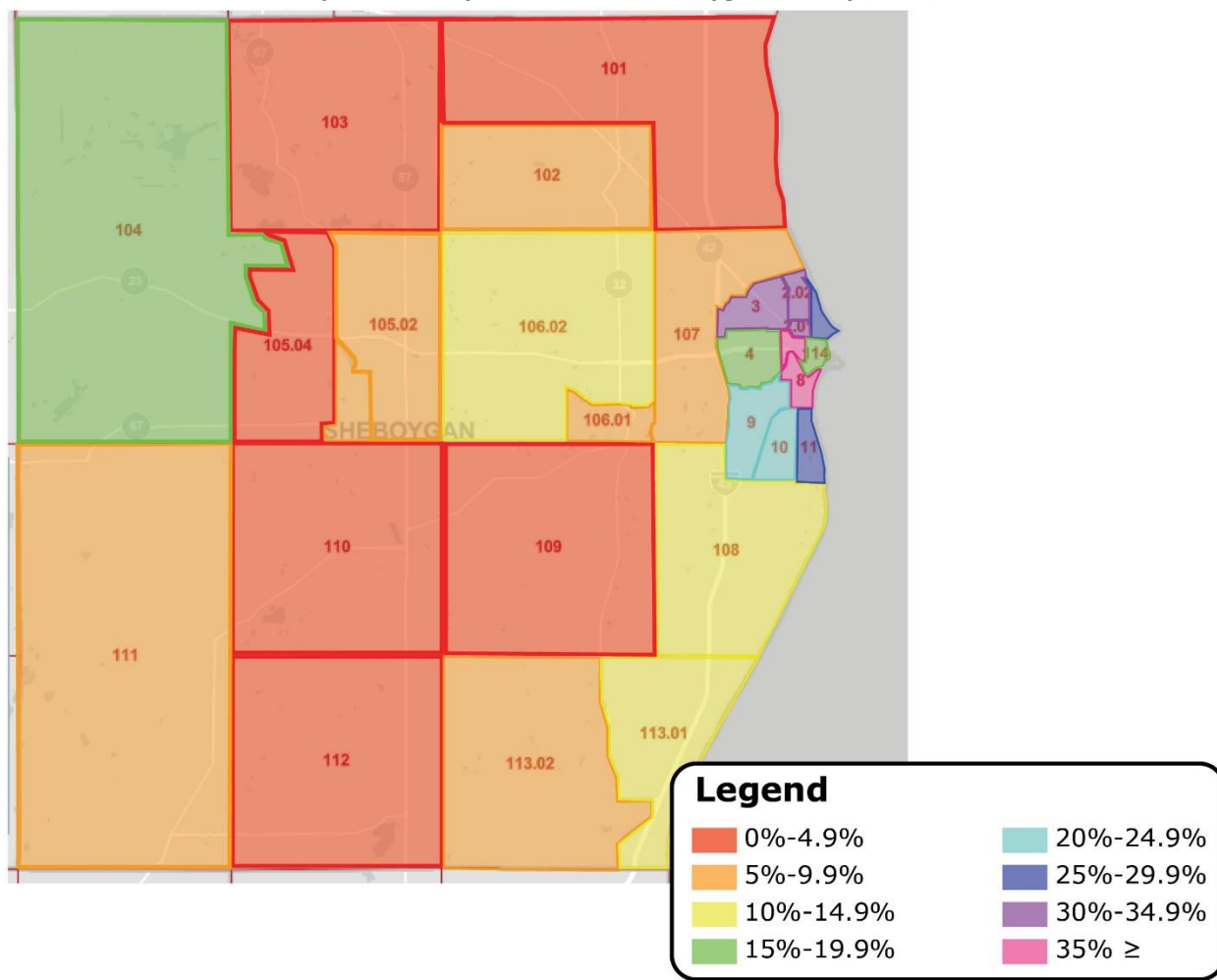
Table 2: City of Sheboygan Population by Race⁷

	2000		2010		2020	
	Population	Percent	Population	Percent	Population	Percent
Not Hispanic or Latino	47,758	94.03%	44,422	9.87%	43,700	87.52%
Hispanic/Latino	3,034	5.97%	4,866	90.13%	6,229	12.48%
Asian	3,290	6.48%	4,439	9.01%	5,519	11.05%
Black	436	0.86%	885	1.80%	1,632	3.27%
White	44,507	87.63%	40,685	82.55%	36,092	72.29%
Indian/Alaskan Native	242	0.48%	242	0.49%	317	0.63%
Hawaiian	18	0.04%	12	0.02%	16	0.03%
Other	1,447	2.85%	1,770	3.59%	2,408	4.82%
2 or more races	852	1.68%	1,255	2.55%	3,945	7.90%
Total	50,792	100.00%	49,288	100.00%	49,929	100.00%

Map 1 illustrates where all non-whites in Sheboygan County live. An overwhelming majority of people of color, also indicated in Figure 3, reside in the City of Sheboygan.

⁷ Source: data.census.gov

Map 1: Minority Residents in Sheboygan County (MSA)⁸



Household Profiles

Throughout much of the U.S., an increase in households is occurring at a rate that exceeds population growth. This is due to the growing number of single person and single parent households, longer life expectancies, the rate of divorce, etc. A by-product of this trend is smaller household size. The City of Sheboygan has seen the number of households decrease by .4% between 2010 and 2020; this may be an effect of the decrease in population or result of the current economic condition. Also reverse of this trend is the increase seen in 6-person households. Between 2010 and 2020, the City saw a 27.63% (126 households) increase in 6-person households. The most significant change that the City saw was an increase in the number of 1 person households of 8.76% (594 households).

⁸ Source: data.census.gov

Table 3: City of Sheboygan Household Size⁹

Household Size	2010		2020	
	Number	Percent	Number	Percent
1 Person	6,778	33.4%	7,372	36.6%
2 Person	6,634	32.7%	6,459	31.9%
3 Person	2,780	13.7%	2,642	13.1%
4 Person	2,260	11.1%	1,865	9.2%
5 Person	1,011	5.0%	942	4.5%
6 Person	456	2.2%	582	2.9%
7 Person	389	1.9%	365	1.8%
Total	20,308	100.0%	20,227	100.0%
Average Household Size	2.4		2.5	

City of Sheboygan residents have experienced changes in marital status between 2010 and 2020, as illustrated in Table 4. For example, persons falling within the “never married” category of marital status have increased by almost 5%, or 594 persons, while “married” persons have declined by 5.83% or 1,118 persons. This may be due in part to persons waiting until they’re older to get married. “Divorced” persons increased to 5,198 in 2020, an increase of 22.05%. Both the increase in divorced persons and an increase in persons not married are related to smaller overall household sizes.

Table 4: City of Sheboygan Marital Status¹⁰

Marital Status	Never Married	Married	Divorced	Widowed
2010	11,918	19,185	4,259	3,048
2020	12,512	18,067	5,198	2,328
Change	594	-1,118	939	-720
% Change	4.98%	-5.83%	22.05%	-23.62%

Housing Characteristics

The City of Sheboygan experienced a housing unit decrease of 2.3% from 2010 to 2020, or 520 housing units. Vacant housing units have decreased along with the housing unit decrease, with a decrease of 439 vacant units. This decrease in housing units may be due to the age of the housing stock in the City and the need to demolish older homes and they fall into disrepair. Owner-occupied housing accounted for 58.79% of occupied housing units in the City of Sheboygan, as opposed to the 41.21% who are renter-occupied.

⁹ Source: data.census.gov

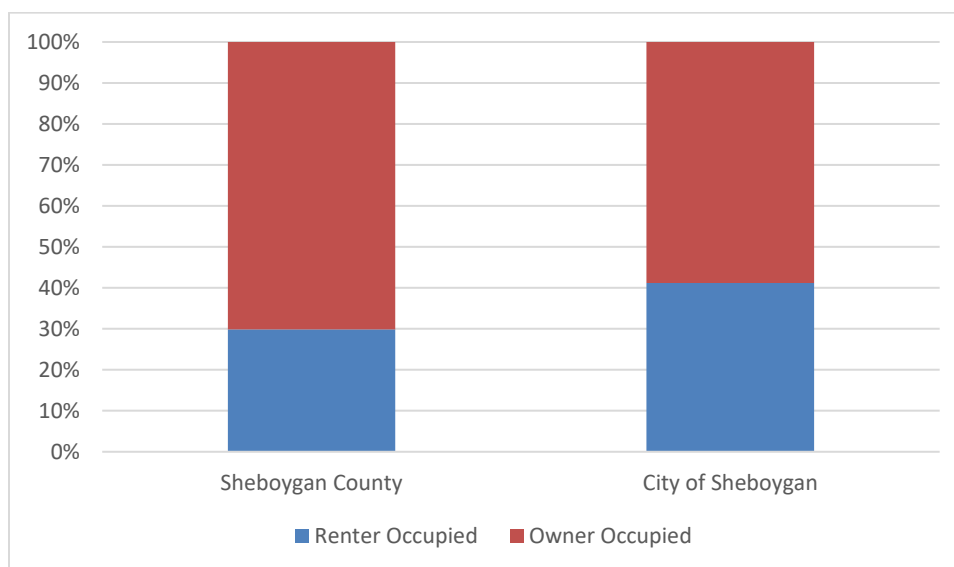
¹⁰ Source: data.census.gov

Table 5: City of Sheboygan Homeownership Status¹¹

Household Size	2010		2015 (Estimate)		2020	
	Number	Percent	Number	Percent	Number	Percent
Total Housing Units	22,339		21,994		21,819	
Occupied	20,308	90.9%	20,183	91.8%	20,227	92.7%
Owner	12,430	61.2%	12,218	60.5%	11,892	58.79%
Renter	7,878	38.8%	7,965	39.5%	8,335	41.21%
Vacant	2,031	9.1%	1,811	8.2%	1,592	7.3%

As mentioned, Sheboygan’s housing stock is primarily owner-occupied; however, this number has been steadily declining. Sheboygan County’s owner occupancy is higher, at 70.27%, than the City’s at 58.79%.

Figure 4: Metro Sheboygan Homeownership Status¹²

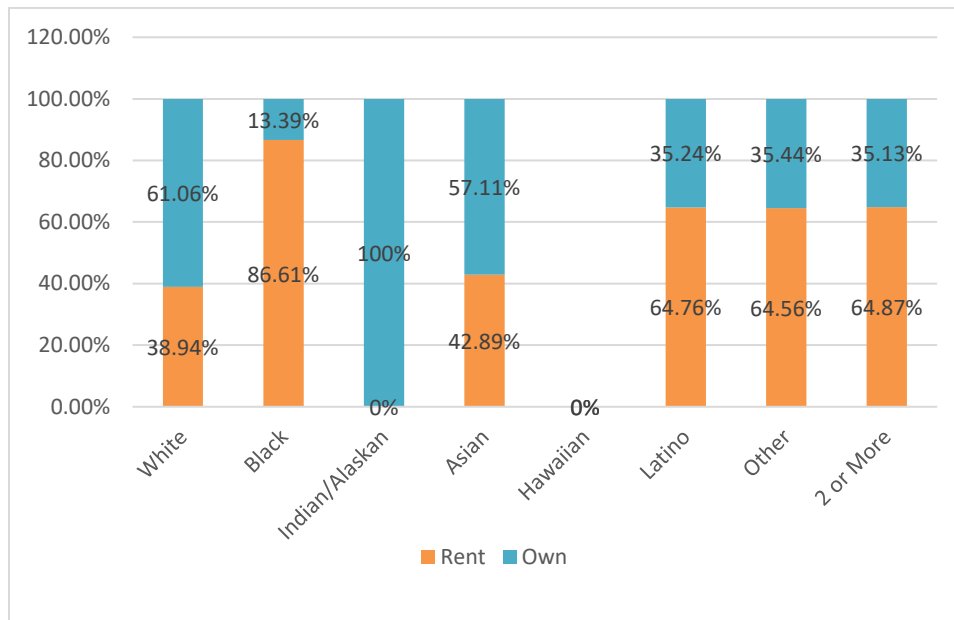


There are vast disparities in homeownership rates by race in the City of Sheboygan. For instance, more than 4.5 times as many whites own their own homes compared to blacks, whites are almost twice as likely to own their homes than Latinos, and about 7% more whites own their homes than Asians. As home equity is often the foundation for educational, employment and business opportunities, these disparities disadvantage minorities. While incomes by race and ethnicity are generally lower, it is disconcerting that access to financing for non-whites and Hispanics for homeownership may be an impediment. Impediments to homeownership are impediments to fair housing.

¹¹ Source: data.census.gov

¹² Source: data.census.gov

Figure 5: City of Sheboygan Homeownership Status by Race¹³

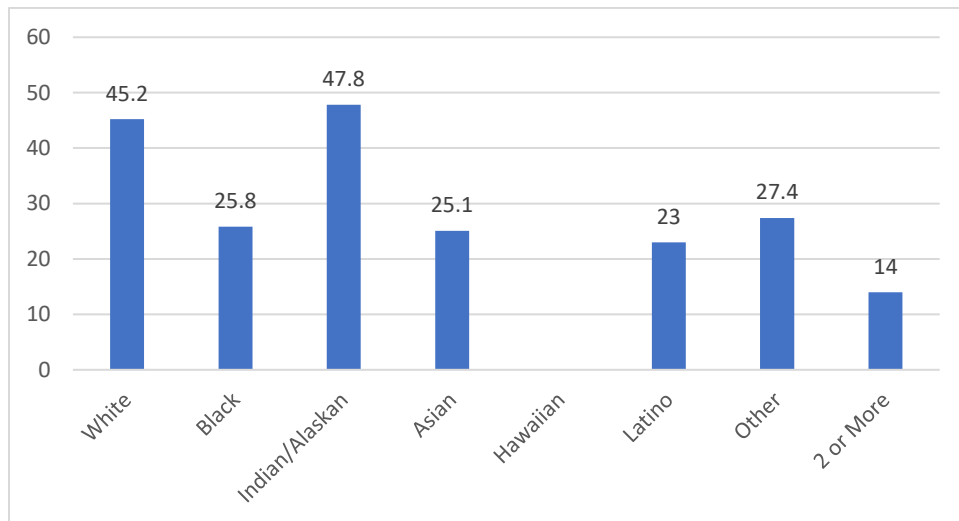


Age Distribution

The median age for the City of Sheboygan is 36.8, which is a year less than the United States median age and almost two years less than the State of Wisconsin median age of 38.6, and a significant 4.5 years less than the Sheboygan County median age of 41.3. Median age by race and ethnicity varies significantly in Sheboygan, as shown in Figure 7. For instance, Latinos have a median age that is almost 50% below that of whites, while blacks have a median age that is roughly 43% less than whites and Latinos have a median age that is 44% less than whites. The significantly younger median age of minority households presents many implications for future and current housing needs. Currently, larger units are needed to accommodate larger families with children. As the children of these families become adults – they will likely create demand for affordable housing and larger housing units (currently housing characteristics more prevalent in minority communities).

¹³ Source: data.census.gov

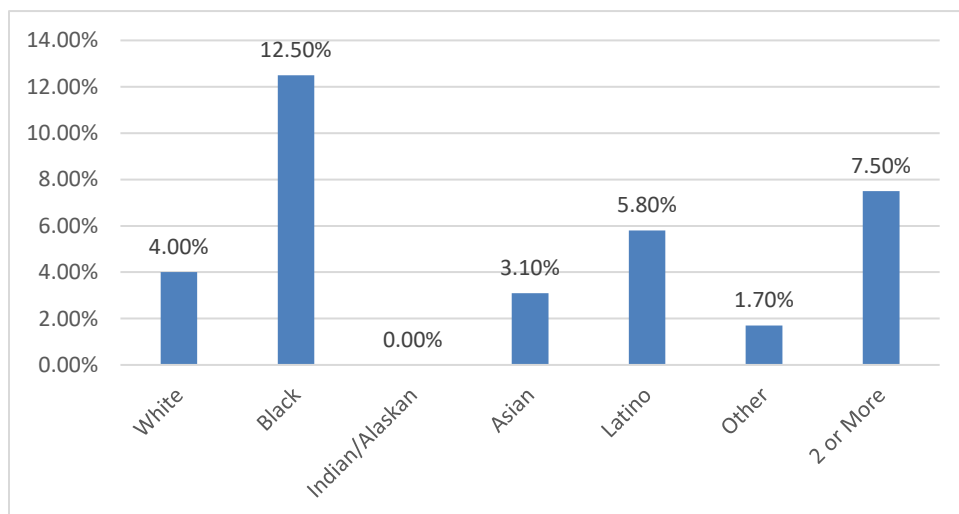
Figure 6: City of Sheboygan Median Age by Race¹⁴



Employment and Income

The City of Sheboygan's unemployment rate in 2020 was 4.2%, which compares to 5.4% for the United States and 4.7% for the State of Wisconsin. However, the unemployment rate for blacks in the City of Sheboygan is over 200% higher than for whites, for Latinos it is roughly 45% higher, and for individuals of 2 or more races is 87.5% higher.

Figure 7: Unemployment by Race¹⁵

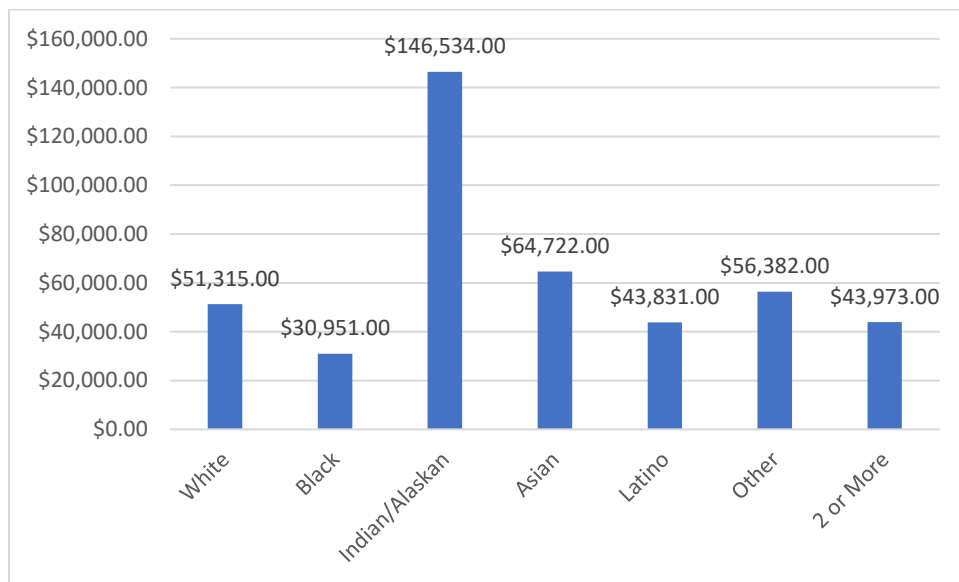


¹⁴ Source: data.census.gov

¹⁵ Source: data.census.gov

Furthermore, on average – blacks earn \$20,364 less per year than whites, which works out to roughly \$1,697 per month. Latinos earn \$7,484 less per year than whites, or \$623 per month. Individuals of 2 or more races earn \$7,342 less per year than whites, or \$612 per month. Given the relatively higher unemployment rates and lower incomes of African Americans, Latinos, and individuals of 2 or more races in Sheboygan, the need for affordable housing for these populations is more evident.

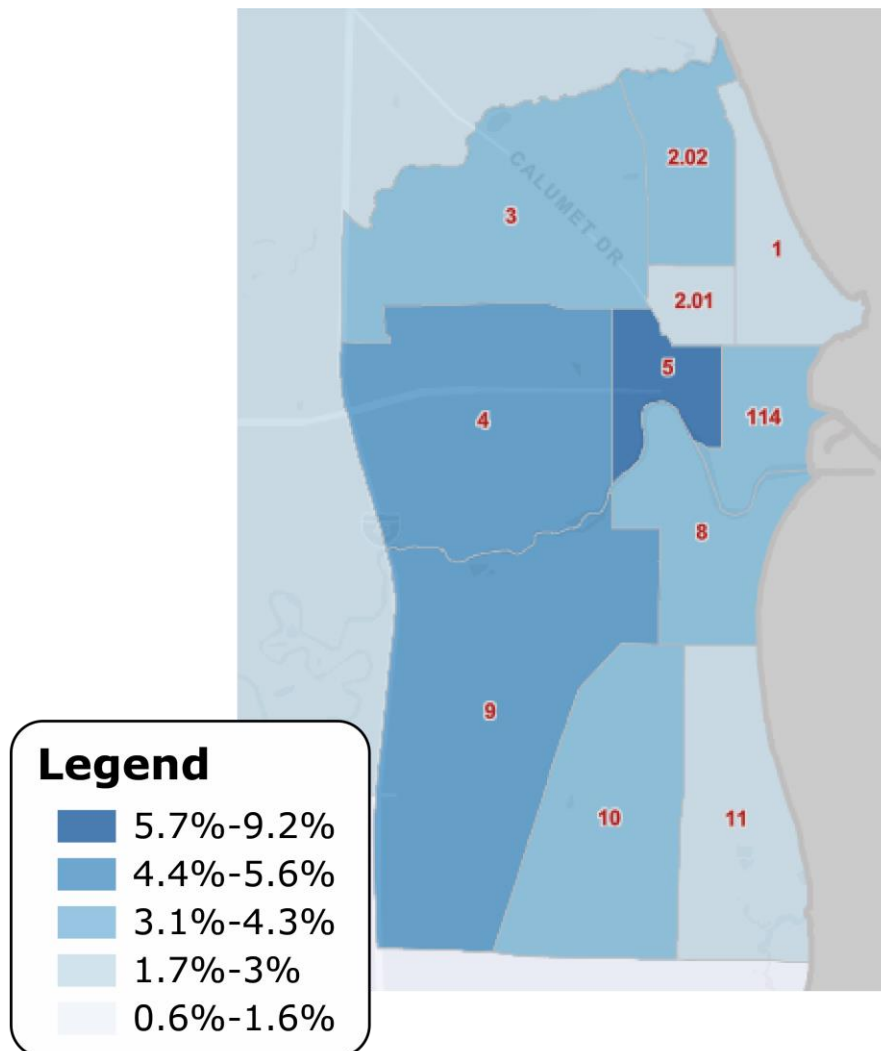
Figure 8: Median Household Income by Race¹⁶



¹⁶ Source: data.census.gov

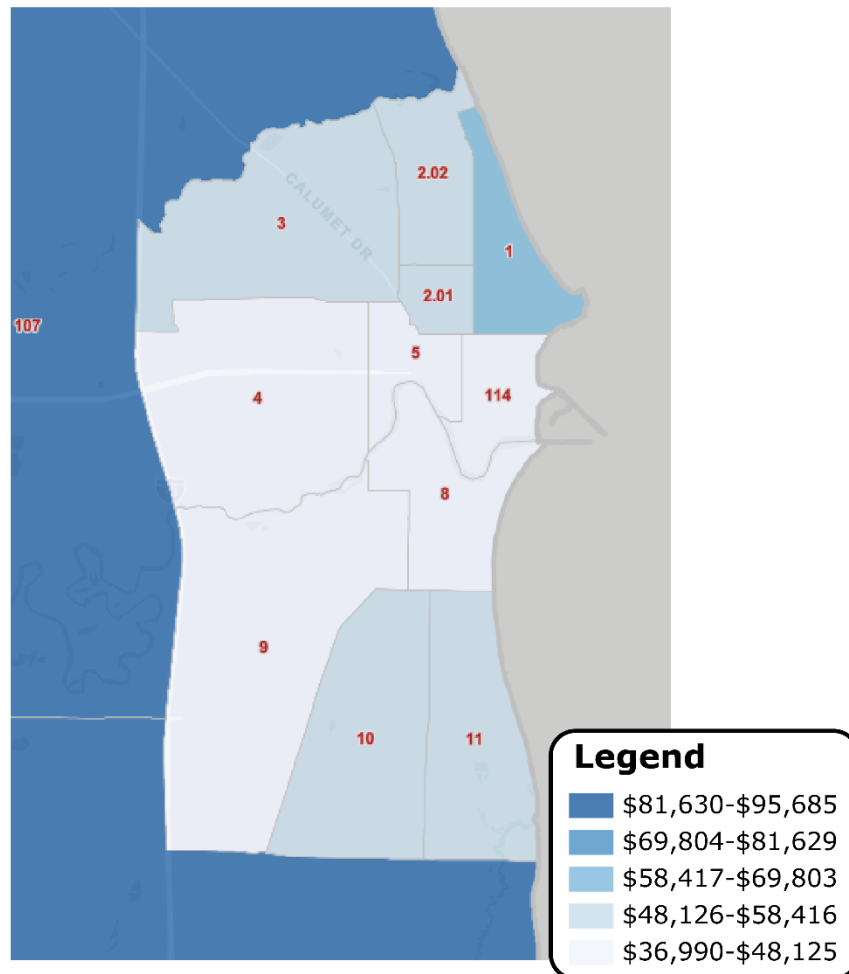
Map 2 illustrates the percent of persons unemployed in each census tract in the City of Sheboygan. The highest unemployment rates are in census tracts toward the middle of the City.

Map 2: City of Sheboygan's Unemployed Population¹⁷



¹⁷ Source: data.census.gov

Map 3: City of Sheboygan's Median Household Income¹⁸

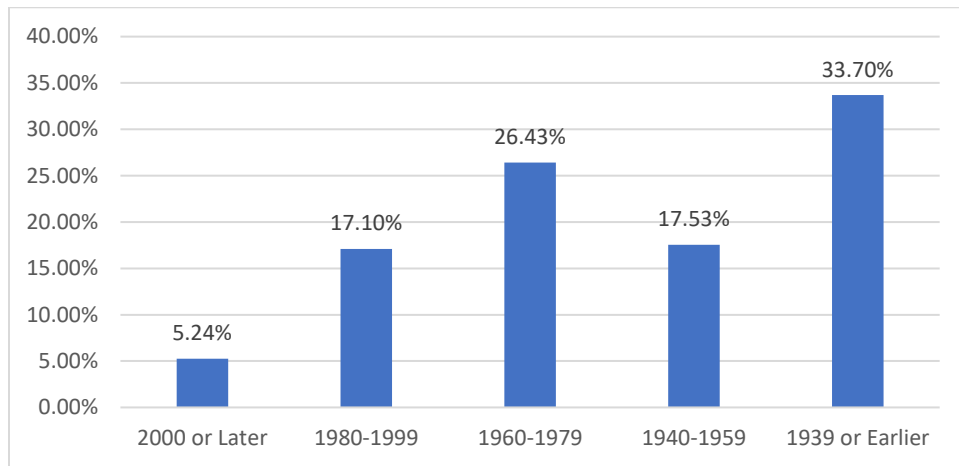


Map 3 illustrates the median household income for each census tract in the City of Sheboygan. The overall Median Household Income for the City of Sheboygan is \$52,088. While the representation of the lowest median income, shown on this map, does not correspond exactly to the areas of highest unemployment, shown on Map 2, both of these issues exist (as do many of the impediments relating to fair housing) in the middle of the City. Poverty restricts housing choice. Families and children living in poverty may hesitate to assert their housing rights for fear of retaliation by the landlord. With vacancy rates so low and the supply of affordable housing scarce, poor households are often caught in a vicious cycle of lacking the financial means to move and feeling that they have no choice but to remain in unsafe housing.

¹⁸ Source: data.census.gov

Housing Supply

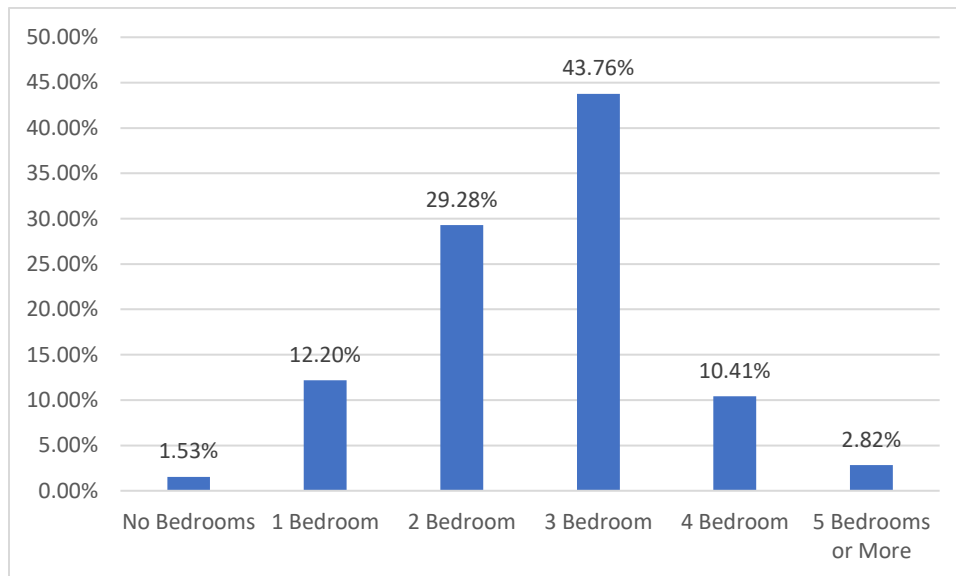
Figure 9: City of Sheboygan Year Housing Units Built¹⁹



The vast majority of the City of Sheboygan’s housing was constructed before 1939. The median year that all structures were built in the City is 1959, which compares with Wisconsin’s median of 1975 and the United States’ median of 1980. In general, older housing stock is likely to be less expensive because it is more likely to be in disrepair or have greater maintenance needs, but it is also more likely to be inaccessible to persons with disabilities. In addition, an old housing stock raises concerns about the need to address lead-based paint hazards. Because old houses are more likely to have lead hazards and because lower income households are more likely to live in older housing, there is a high concern about lead based paint hazards, especially in young children. While it is required for landlords to disclose the possibility of lead-based paint hazards to tenants, not all landlords are compliant. Poor households may be constrained in their ability to find and afford rental housing that does not have lead hazards.

¹⁹ Source: data.census.gov

Figure 10: City Sheboygan Number of Bedrooms per Unit²⁰



The City of Sheboygan’s housing is primarily composed of two and three bedroom units, which make up about 73% of the total housing units. The prevalence of two and three bedroom units is relevant given the current and potential need for larger housing units addressing the needs of many of the larger Latino and Asian families.

Education

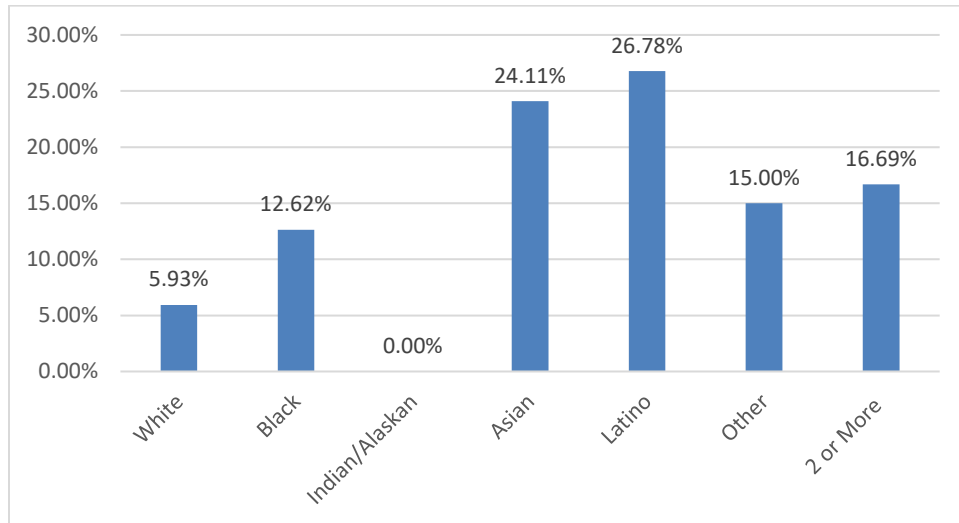
Twenty two percent of the City of Sheboygan’s population age 25 and older have a bachelor’s degree or beyond, which compares to 33% of the United States population and 31% of the State of Wisconsin’s. Vast disparities in educational attainment manifest when analyzed by race and ethnicity. For instance, whites are about four times as likely to graduate from high school than Latinos and Asians.

The large disparity between whites, Asians and Latinos are due in part to families immigrating to Sheboygan from other countries. For instance, Hmong adults coming from a refugee camp in Thailand are unlikely to have received high school education equivalency. Perhaps over time, the longer immigrant families are here, the more likely the next generation of these families will get a high school diploma and the educational rates will positively change.

Disparities in education are important to fair housing for several reasons. First, persons with less education on the average will have lower incomes than those with more education. This has an effect on how much housing one can afford and the choices available. Also, persons with less education will likely have less access to educational or financial resources that assist people in purchasing a home or obtaining a loan.

²⁰ Source: data.census.gov

**Figure 11: Education by Race
(No Highschool Diploma Received)²¹**



Assessment of Current Fair Housing

Fair Housing Programs and Activities

1. CDBG Programs

The City of Sheboygan, Department of City Development currently provides funding to income eligible homeowners through a HUD program. The Housing Rehabilitation Loan Program provides renovation funding to income-eligible homes either on a deferred basis or a 0-4% payback loan. This program provides funding to better affordable housing in our low-to-moderate income neighborhoods. This fund may also be used to address accessibility issues for disabled populations.

2. Developer Incentives

To give developers more incentive to develop affordable housing within the City, the City utilizes TIF 1-year extension which allows a TID to be open for an additional year and funds to be used for affordable housing.

3. Homebuyer Assistance

Partners for Community Development assists eligible applicants with financial assistance to cover the upfront costs of acquiring a single-family home under this program to income eligible applicants. Financial assistance through this program is provided as a 0% interest, deferred loan with no required monthly payments.

²¹ Source: data.census.gov

4. Rebuilding Together

The Rebuilding Together organization's mission is to preserve and revitalize houses and communities, assuring that low-income homeowners, particularly those who are elderly and disabled and families with children, live in warmth, safety, and independence. The goal is to make a sustainable impact in partnership with communities.

5. Lakeshore CAP

Lakeshore CAP provides home buying and rental assistance programs for Sheboygan's LMI residents. The Home Buyer and Financial Assistance program is designed to educate and assist income-eligible households with mortgages for the purchase of a home. The Supportive Housing/Rental Assistance program provides resources and assists eligible households who are experiencing homelessness or are at risk of becoming homeless to maintain housing, and work towards self-sufficiency.

6. Habitat for Humanity

Habitat for Humanity's mission is to bring people together to build homes, communities and hope. Habitat for Humanity Lakeside, the local chapter has continued its Home Repair Program (formerly known as A Brush with Kindness) to assist homeowners with making repairs to their properties.

7. Love, Inc.

Love Inc.'s Gap Ministry helps fill unmet needs in community services and products. Their home repair program provides services necessary to make improvements to the home.

8. Sheboygan County Economic Development Corporation Forward Fund

Sheboygan County Economic Development Corporation (SCEDC) has created The Forward Fund, a community partnership to help move Sheboygan County forward. They have raised funding to create a new community housing development program to support the construction of new housing units. The SCEDC will lead in developing approximately 600 housing units over the next three to five years throughout Sheboygan County to bring entry-level housing to the market.

9. Family Services Association

Family Services Association is dedicated to helping individuals and families maintain and achieve financial stability and improve their quality of life. This is accomplished by providing education, counseling, advocacy, and financial management programs. The Consumer Credit Counseling Service program provides financial education/counseling to groups or individuals as it relates to budgeting, student loans, housing, bankruptcy, ID Theft, and Debt Repayment Plans. This program also has a Rent Smart course that helps renters to understand their rights as tenants, overcome challenges in finding and securing rental housing, and develop a positive relationship with their landlord.

Sheboygan Fair Housing Ordinance

Municipal Code of the City of Sheboygan, Chapter 46 – Fair Housing (see Appendix A).

Declaration of Policy

It is declared to be the policy of the city, pursuant to the United States Constitution and state constitution, Wis. Stats. §§ 66.1011 and 106.50, and also its power to protect the public health, safety and general welfare that all persons are entitled to fair and equal access to housing and to be free of all forms of discrimination, regardless of their actual or perceived sex, gender identity, race, color, religion, age, ancestry, marital status, family status, veteran status, status as a victim of domestic abuse, sexual assault, or stalking, lawful source of income, national origin, disability, or sexual orientation. To that end the city enacts this chapter, which prohibits any person, not exempted in this chapter, from discriminating against any other person by impairing to any degree access to any housing or housing accommodations on the basis of their actual or perceived sex, gender identity, race, color, religion, age, ancestry, marital status, family status, veteran status, status as a victim of domestic abuse, sexual assault, or stalking, lawful source of income, national origin, disability, or sexual orientation and creates a board with the power and duty to enforce equal opportunity in housing for all citizens of the city.

City of Sheboygan Comprehensive Plan

On December 5, 2011, the City of Sheboygan adopted its Comprehensive Plan. Chapter Four of this plan describes the City's goals for Housing and Neighborhood Development. The plan states the following:

“Facilitate the provision of quality, safe, and appealing housing at a variety of price points and for all stages of life. Support the development and maintenance of strong neighborhoods.”

The City also states that it will strive to adapt to changing demographics, living preferences, family sizes and economic conditions to continue meeting the needs of existing and potential new residents.

Fair Housing Legal Status

No files or other fair housing complaint details were received by the City of Sheboygan in the last five years. Neither the City Attorney's office nor the Department of City Development maintained records of complaints filed under the City's fair housing ordinance. In addition, neither entity had records of fair housing actions initiated against the City, a company or corporation within the City.

Fair Housing Commission

On April 12, 2006, the Fair Housing Commission made a motion to hold two agenda items until further information is provided. Each motion carried (see Appendix B). The Fair Housing Commission has not met since the April 12, 2006 meeting.

Gen. Ord. No. 63-09-10 adopted April 19, 2010 states that the Fair Housing Commission and the Board of Housing Appeals were merged into a new Board of Housing Appeals and Fair Housing Practices. The Board of Housing Appeals and Fair Housing met six times between 2016 and 2017 and last me April 4, 2017.

R. C. No. 375-16-17 adopted on April 5, 2017 eliminated and re-established various committees and amended the composition of other. According to chapter 46 of the City of Sheboygan's municipal code, the City Plan Commission has authority to receive, initiate and investigate complaints alleging any discrimination or discriminatory practice.

Affordable Housing Market Study

In 2021, an Affordable Housing Market Study was completed for the City of Sheboygan. As part of this study a variety of methods and data was gathered and used to understand the housing market. This study also incorporated a series of interviews with people familiar with the housing market- the housing experts, and a community survey of area residents. The project team met and interviewed a variety of people with knowledge and insight about the local housing market, including realtors, lenders, developers, landlords, and employers. A community survey was conducted online and had approximately 850 responses. This study helped the City to better understand its affordable housing market, which starts with a general understanding of the overall housing market. The study also lays out strategies the City can use to fill gaps identified in the housing market, with the overarching goal of improving housing affordability throughout the community.

Sheboygan County Housing Coalition Tall Hall Series

The Sheboygan County Housing Coalition presented its first Town Hall series relating to affordable housing concerns in our community. The goal of this series was to educate community members on housing basics, types of housing, and what contributes to housing insecurity. This series helped to build a basic foundation of knowledge in an effort to engage the entire community in developing housing solutions. In this first series "Building a Foundation of Knowledge" four Town Hall Meetings (sessions) were held.

Impediments to Fair Housing Choice

Impediments to fair housing choice are:

- Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin which restrict housing choices or the availability of housing choices
- Any actions, omissions, or decisions which have the effect of restricting housing choices or the availability of housing choices on the basis of race, color, religion, sex, disability, familial status, or national origin.

This section describes fair housing impediments identified through the City of Sheboygan's research and communications with community housing partners. This section is organized into City of Sheboygan impediments, Federal and State impediments and Private market impediments.

Impediment #1: Group Homes of Community Living Arrangements (CLA)

Community Living Arrangements by City definition refer to facilities licensed by the State of Wisconsin, including child welfare agencies, group homes for children, and community based residential facilities. CLAs of 9 or more residents, as stated in the Sheboygan zoning ordinance, shall not be within 2,500 feet of another CLA. In addition, the City ordinance states, "The total capacity of all community living arrangements (of all capacities) in the City shall not exceed 1% of the City's population (unless specifically authorized by the City Council following a public hearing)."

Advocates of persons with disabilities have said that the intent of this 2500-foot law is to prevent the *ghettoization* of group homes, but instead ends up being an impediment to locating these group homes. Advocates in other communities have successfully challenged similar municipal ordinances as violations of the Federal Fair Housing Act.

Impediment #2: Inadequate Affordable Housing Supply Relative to Resident Income

A shortage of affordable housing may not appear to be a fair housing issue on its face. However, the negative impact that lack of affordability has particularly on persons with disabilities, people of color, families with children or the elderly cannot be ignored. Having an adequate supply of affordable housing, both for ownership and rental, in which a household will pay no more than 30% of its gross annual income, is essential for an open and inclusive housing market in Sheboygan. The Fair Market Rent for a two-bedroom apartment in Sheboygan for 2022 was \$797. According to the National Low Income Housing Coalition's Out of Reach report, in order to afford this level of rent and utilities without paying more than 30% of its income on housing, a household must earn \$2,657 monthly or \$31,880 annually. Currently, 25.84% of Sheboygan households (5,335 households) pay 30% or more of their income for housing costs. Spending more than 30% of household income on rent or housing costs is considered to be a rent burden. See Map 4.

Structural Quality/Substandard Housing

The age of a housing unit is not an absolute predictor of housing quality; however, the older the housing structure, the greater the likelihood of code compliance problems. Thirty three percent of Sheboygan's housing was built before 1939. The majority of those units are located in the central part of the City. Not surprisingly, the least expensive housing costs are also in the older, central part of the City. (It is likely that one reason many of the homes there are not expensive is because they are more likely to be in disrepair.)

The Lack of Financial Resources to Build/Preserve/Rehabilitate Affordable Housing

In part, the shortage of affordable housing is due to a lack of resources to build and preserve affordable units in Sheboygan. Constructing any type of affordable housing requires numerous subsidies. This layering of subsidies is common in affordable housing and necessary to close the financing gap. Most developers currently obtain financing by combining federal money disbursed through local and state governments. In addition to this very complex nature of financing, the development of affordable housing is also highly competitive. When financing and subsidy resources are scarce and a higher return on investment is unlikely, many developers prefer to build simpler and more profitable market rate housing developments.

Housing Authority City of Sheboygan (HACS): Lack of Housing Choice Section 8 Rent Assistance Vouchers

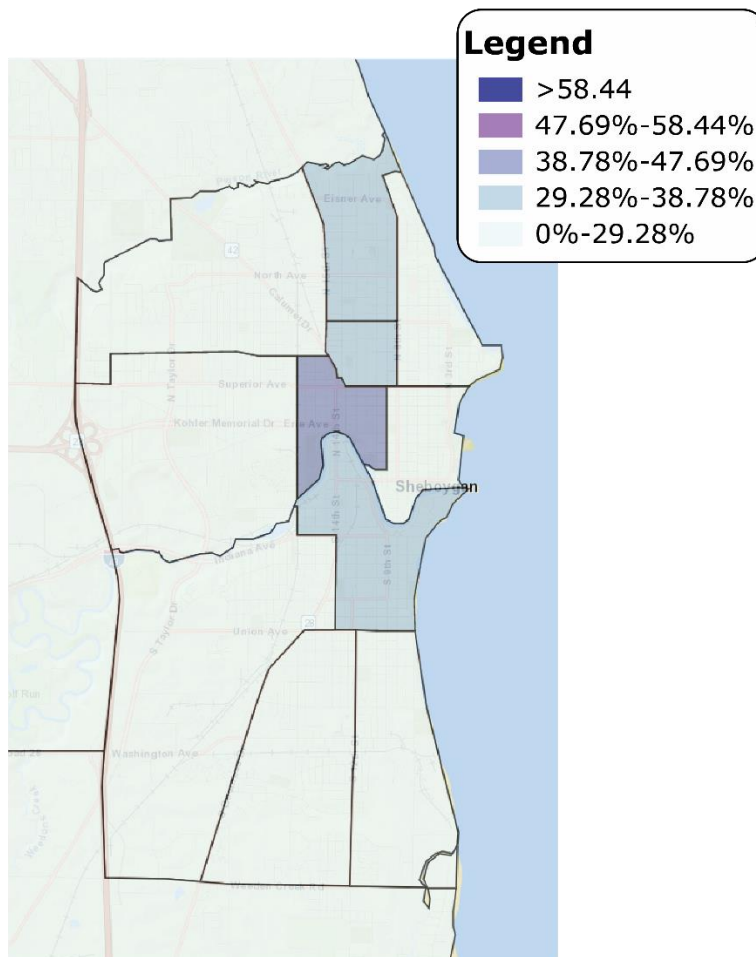
The inability to find suitable and quality affordable housing is a difficult challenge for many households. The need for Section 8 Rent Assistance Vouchers far exceeds the available resources.

Vacancy Rates

Housing vacancy rates in the United States — both for homeowner and rental housing — are at or near historic lows, according to the U.S. Census Bureau's recently released Housing Vacancy Survey (HVS). Vacancy rates for rental housing are lower than at any point during the 35-year period from 1985 until the start of the COVID-19 pandemic in early 2020. The vacancy rate for homeowner housing is lower than at any point from 1980 until early 2020. Both rental and homeowner vacancy rates decreased between 2009 and 2019 as the nation recovered from the foreclosure crisis. Housing supply then tightened further during the COVID-19 pandemic. Sheboygan is no different. In 2020 the City of Sheboygan had a 3.3% rental vacancy rate and a 1.1 homeowner vacancy rate. This low rate of vacancy does not provide enough housing units for residents to have adequate choices for housing in their price range that fits their needs.

Map 4 illustrates which census tracts in the City that have a housing cost burden, spending more than 30% of their household incomes on housing expenses. The tracts in the central part of the City are spending the most on rent.

Map 4: Percent of Households with a Housing Cost Burden²²



Impediment #3: Poor Credit, Lack of Credit History and Lack of Financial Literacy

Poor credit history, whether incurred by personal choices or circumstances beyond a person's control, can hinder a person's access to housing. Persons new to this country, specifically those who speak Hmong, often have not established the credit required to obtain a prime mortgage or rental housing. In addition, both housing industry and advocacy representatives suggest that some African Americans do not have an established relationship with a conventional bank or financial institution and/or have sufficient credit histories. These situations do not make these groups any less likely to

²² Source: data.census.gov

be able to responsibly take on a mortgage; however, these situations do make it difficult for lenders to use conventional underwriting guidelines to give them a mortgage and give lenders a seemingly legitimate excuse to deny the loan. Also, many landlords use an applicant's credit history as a part of the tenant selection process. Those persons without a good credit history may be ineligible for some housing options.

Impediment #4: Transit Commuting Difficult to Some Surrounding Areas

Shoreline Metro provides limited routes to outlying communities which limits transit-dependent residents from living in certain neighboring communities, specifically the Town of Sheboygan. This is an impediment because it limits where these residents choose to live and/or work. Hours of operation limitations affecting 2nd and 3rd shift employees, and employees who work on Sundays, are also a concern.

Impediment #5: Racial/Ethnic Segregation and Linguistic Isolation

Segregation

Legal but discriminatory housing practices created segregated and unequal neighborhoods and communities in all parts of the country, including Sheboygan. Although housing discrimination is no longer legal, residential segregation persists due to long-standing housing patterns, current and historic institutional barriers and economic disparities.

As noted previously, almost all of the minority population in Sheboygan County is located in the City of Sheboygan with most of the residential minority concentration in the central part of the City. The reasons for this racial/ethnic segregation in Sheboygan are no different than those reasons established by researchers for other American cities: (1) housing costs are lower in the areas in which minorities have concentrated; (2) some families may choose to live in neighborhoods that have other families of the same race or ethnicity; or (3) discriminatory practices on the part of various actors (real estate professionals, lenders, rental agents or homeowners insurance brokers) in the housing industry. While segregation and minority concentration are not as serious in Sheboygan as they are in larger urban areas like Milwaukee and Detroit, it is important to recognize their existence now before the long term effects and costs of segregation start to impact Sheboygan, as they have in Milwaukee and elsewhere.

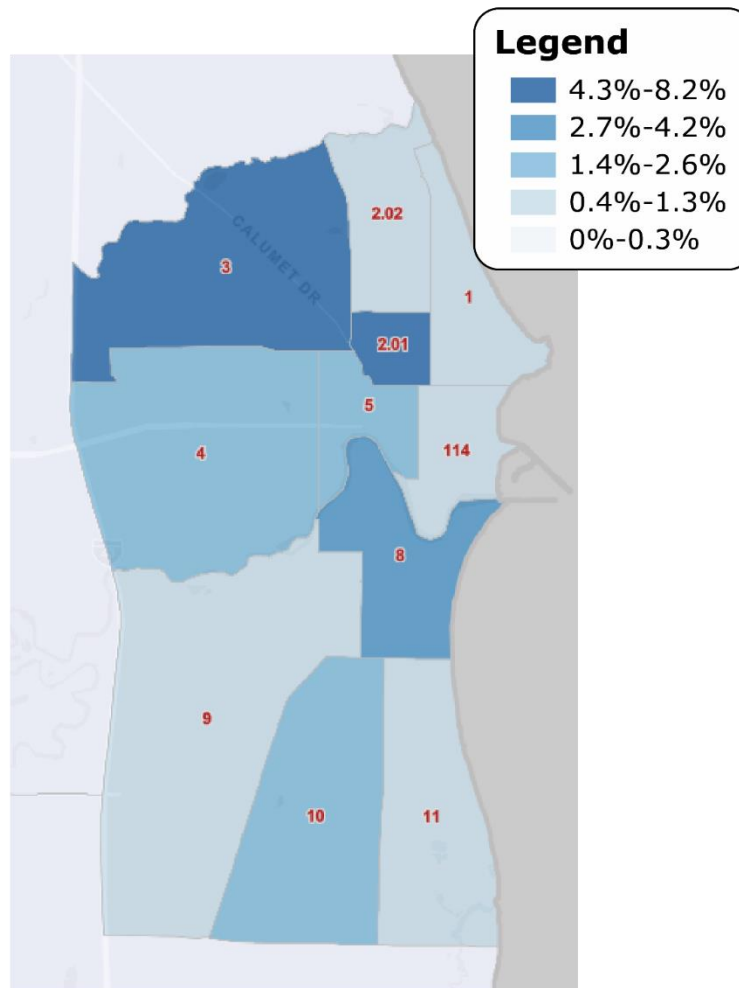
Linguistic Isolation

A household in which no one in the household speaks English well is *linguistically isolated*. Linguistic isolation hinders a person's ability to integrate economically, academically and socially into our society and has stranded many non-English speakers in low-wage menial jobs.

As shown on Map 5, there are two census tracts in which the linguistic isolation exists in 4.3%-8.2% of the households. A population that does not speak English well will have specific housing impediments related to communicating effectively with a rental agent, real estate agent, mortgage lender or

insurance agent. This shows a need for fair housing education targeted in several languages, most importantly in Spanish and Hmong.

Map 5: Linguistic Isolation in the City of Sheboygan²³



Impediment #6: Fair Housing Rights Information

There is no evidence that fair housing rights are being publicized or marketed in an effective way, and there is no phone number specifically for fair housing questions/complaints listed in the Sheboygan telephone directory. No files or other fair housing complaint details were received by the City of Sheboygan in the last five years. Neither the City Attorney's office nor the Department of City Development maintained records of complaints filed under the City's fair housing ordinance. In

²³ Source: data.census.gov

addition, neither entity had records of fair housing actions initiated against the City, a company or corporation within the City. This evidences the lack of access or knowledge about Sheboygan's Fair Housing Ordinance. Frequency of fair housing complaints represents only a fraction of the frequency of housing discrimination. The absence of complaints may be due to the public's unfamiliarity with the fair housing laws/ordinance and the weak protections the law offers, how the City of Sheboygan can assist them, as well as the subtle nature of housing discrimination.

Federal and State Impediments

While the City of Sheboygan is not directly involved in these Federal and State impediments, it is essential to address them because they impact the City's ability to "affirmatively further fair housing" as required by HUD. In addition, it is important the City address these impediments in order to develop recommendations and local responses, as warranted.

Impediment #7: Section 8 Housing Choice Vouchers Availability

As mentioned previously, cuts in funding to the Section 8 program impedes local communities' ability to assist their population in finding quality, affordable housing.

Impediment #8: No Infrastructure between Medicare/Medicaid and Section 8

Researchers and practitioners have demonstrated repeatedly that people with severe disabilities living in institutions can live successfully in the community. To succeed, they need decent, safe, and affordable housing as well as access to the supports and services they want and need to live as independently as possible. Unfortunately, as mentioned earlier, people with disabilities are disproportionately poor – particularly those individuals who must rely on Supplemental Security Income. For low-income people with disabilities, affordable housing means subsidized housing that is either developed or rented through government housing programs.

Private Market Impediments

Private market impediments are obstacles to fair housing in the housing production, mortgage lending, homeowner's insurance, and rental and home sales markets. Though Sheboygan is limited in its ability to directly address private market impediments, it can take a leadership role in bringing these issues to the public's attention. The following discussion identifies several private market impediments that must be addressed.

Impediment #9: Housing Producers

Housing production in the private market is based on incentives that are usually monetary. Subsequently, one of the impediments to fair housing in housing production is attributed to a lack of programs that provide such incentives to these developers.

Accessibility: Not enough rental and for sale units being produced

The percentage of population by age that experience a disability is disproportionately higher in aging and senior housing holds. Wisconsin DOA projections show that there will be a 68% increase in those age 65+ by 2040 in Sheboygan County. It is likely the City will see a similar increase. A 2007 study by Smith et. al. published in the Journal of the American Planning Association projects that due to the aging population, 21% of all households will have at least one disabled resident in 2050.

Affordability: Not enough affordable housing units being produced

Lack of affordable housing, both private and subsidized, is an impediment to low-income populations. Because low income persons are more likely to be people of color, persons with a disability, elderly or families with children, this is a fair housing concern. As mentioned previously, constructing any type of affordable housing requires numerous subsidies. Currently, 25.84% of Sheboygan households (5,335 households) pay 30% or more of their income for rent.

Unit Size: Lack of large units

A lack of larger units is a fair housing impediment because it impacts at least two protected class groups – families (with children and extended), as well as minority households, many of which tend to be larger. The dearth of these larger units also affects families who are low-income, as they do not have the range of choices available to them, as families with higher income do. The result of this impediment is also overcrowded housing, primarily among new immigrant families who may be doubling up, have larger families, or be living as an extended family with several generations under one roof. As discussed in a previous section, these issues are of increasing importance in Sheboygan.

Impediment #10: Mortgage Lending

Discrimination in the Lending Market

Discrimination in mortgage lending prevents or impedes home seekers from obtaining the financing normally required to purchase a home. Racial discrimination in the home loan industry can be based either on the race of the loan seeker or on the racial composition of the neighborhood in which the home being purchased is located. This latter form of discrimination is commonly referred to as mortgage redlining.

Discrimination in the home loan industry can take several forms including: outright denial of a loan; discouraging a loan seeker from applying; less favorable rates and terms; long processing times; and

exclusionary underwriting guidelines. Loan policies can also have a discriminatory effect on minorities when qualifying standards are more stringent than warranted to secure a loan. Discrimination can also occur externally to the lending institution itself, specifically, in the appraisal of the home; in the underwriting of private mortgage insurance, and in the practices and procedures of the secondary loan market. The lack of loan origination offices in minority and central city areas is also a form of redlining, which can lead to disparate impact.

Lack of Spanish/Hmong-speaking lenders

For non-English speaking persons new to this country or for persons more comfortable speaking another language, obtaining a home mortgage can be particularly difficult. Because non-English speaking persons seeking a mortgage often have to rely on their children or other family members to translate, errors and misunderstandings are more likely to occur.

Lack of flexible underwriting to accommodate persons with no credit history

Persons new to this country have not the established credit typically required to obtain a prime mortgage. In addition, many people of color do not have a business relationship with a conventional bank or financial institution. These situations may complicate the ability for members of these groups to obtain a mortgage, even if they are otherwise qualified and creditworthy. Such situations may make it more challenging for lenders to use conventional underwriting guidelines, thus creating an obstacle to homeownership. This impediment to fair housing must be addressed by more flexibility in underwriting guidelines, as will be discussed in the Recommendations Section of this report.

Impediment #11: Housing Sales and Rental Markets

A major impediment to housing choice is discrimination in the sale and rental of housing. Racial discrimination remains the major form of discrimination in the housing market and there is evidence that despite legislation and enforcement efforts, it has not diminished. Moreover, discrimination in the housing market is seen as the major contributor to residential racial segregation.

It is difficult to assess the severity of the problem of discrimination in the sale of homes in Sheboygan on the basis of the number of complaints that have been reported to the City or fair housing enforcement agencies. Typically, most people who are denied housing or offered unfavorable terms because of discrimination do not realize that discrimination has occurred. In other cases, people may be aware or suspect discrimination, but they may not know where to file a complaint, do not feel that it will be remedied, or do not want to be confrontational. In other cases, people may feel vulnerable and fear retaliation by a housing provider.

Lack of Spanish and Hmong-speaking real estate brokers

It is essential for non-English speaking, or limited English speaking persons to have access to housing professionals who are bi- or multilingual. This assures that all home seekers are afforded the same

information and service when purchasing housing. With the burgeoning Hmong and Spanish-speaking populations in Sheboygan, it is important to ensure an equal level of service be available to alleviate this impediment to fair housing choice.

Recommendations

The most critical element of the Analysis of Impediments to Fair Housing is the *Recommendations* that are provided for local communities to address and remedy the barriers identified. This section should be used as a starting point for the City to develop and implement a comprehensive fair housing action plan. The format of this section replicates the format found in the Impediments Section.

Recommendation #1: Devote Resources to a Comprehensive Review of Section 15.26 of the City of Sheboygan's Ordinances: Community Living Arrangements (CLA)

The City should partner with disability advocacy groups, such as the Wisconsin Coalition for Advocacy and other Independent Living Centers to review and analyze the Community living Arrangements section of their zoning ordinance. The language should be reviewed in terms of future legal implications and potential liability of the City, as advocates have successfully challenged similar municipal ordinances elsewhere as violations of the Federal Fair Housing Act.

Recommendation #2: Facilitate the Production of Affordable and Accessible Housing

There are already laws in place that makes sure housing is accessible. The City should enforce these laws to ensure accessible housing construction. In addition to the construction of accessible housing, the City should continue to implement the Housing Rehabilitation program which allows for accessibility improvements to housing units.

Recommendation #3: Increase Education and Outreach about Fair Housing Issues and Resources

The City of Sheboygan must actively *affirmatively further fair housing* by making sure its residents are informed and educated on their fair housing rights and how to file a claim.

Research and Encourage Fair Housing Service Providers

The City should research service provider options to provide fair housing services such as: conducting housing discrimination complaint intake, case management, investigation and legal referral services to victims of discrimination; investigations of systemic forms of illegal discrimination; and outreach and education throughout the community.

Increase knowledge and awareness of fair housing rights and procedures

The City should create a concise packet of information on fair housing, along with a complaint form that can be used to file a claim with the City of Sheboygan. Include the state and federal complaint forms in

the packet (see Appendix C). This packet should be easily viewable on the City's website. It should also be available to all different housing and service providers. The packet should also be available in English, Spanish and Hmong.

Increase Outreach to Linguistically Isolated and Bilingual Communities

The City should facilitate the formation of a partnership with organizations such as the Hmong Mutual Assistance Association that serve non-English speaking or limited English-speaking persons, to develop a pro-active approach to reaching these linguistically isolated populations. The City should also work particularly with agencies that have relationships with the Hmong and Hispanic communities to develop an outreach plan. One important aspect of this plan would be to evaluate and devise methods by which the City communicates with non-English speaking residents about housing issues. Overall, this plan should assess both the immediate and long-term needs of the community and create strategies to address them. In addition, the City should work towards hiring bilingual employees, particularly in departments that most often work with the public.

Streamline the City's Discrimination Complaint Process

The City should draft an internal memo outlining instructions for all City employees as to how to deal with a fair housing complaint. The City should also create an intake form that outlines the process, and should offer this form with the educational packet described above. The complaint process and the forms described above should be readily available via a link on the City's website.

Provide Training for City Staff and Elected Officials

The staff of the City Council and appropriate City departments should be trained and familiarized with the recommendations of this document, the City's Fair Housing Ordinance, the City's obligation to "affirmatively further fair housing" and how to facilitate referrals of fair housing and fair lending inquiries.

Recommendation #4: Continue Landlord Training

The City should continue to offer landlord training to landlords to increase knowledge about Fair Housing Law. Twice a year the City hosts a landlord training seminar which, in part, teaches landlords about fair housing issues. It discusses how to implement fair and legal practices of tenant screening along with the benefits. Additionally, the training teaches about the legal rights and responsibility for both landlords and tenants and a local Attorney who specializes in Landlord/Tenant law is available to answer questions. Training should include busting myths about the Section 8 Voucher program and about people who are part of housing assistance programs.

Recommendation #5: Continue to Utilize Appropriate Financing Mechanisms to Produce Accessible Housing and Affordable Housing

The City of Sheboygan partners with housing developers to create affordable and accessible housing. Ongoing efforts should continue to be made to utilize available, appropriate financing mechanisms, such

as Tax Incremental Financing (TIF) to increase the production of affordable housing units and accessible housing units for persons with disabilities. For instance, TIF approval evaluation criteria could prioritize residential development projects that include accessible housing. Partnerships with local community development groups and affordable housing developers should be established to research creative ways to produce and finance affordable housing.

Federal and State Recommendations

Recommendation #6: Advocate for Changes in State and Federal Programs to Expand Affordable Housing Options

Advocate for Additional Section 8 Housing Choice Vouchers

The City of Sheboygan should facilitate a meeting with local HUD officials, as well as Wisconsin's US Senators and Representatives, to discuss the adverse impact of recent HUD actions. Specifically, these discussions should emphasize the deleterious effects of the HUD budget cuts and administrative changes within the Section 8 Voucher Program on the City and its residents. The City of Sheboygan should advocate for additional Section 8 Vouchers or alternative means to meet the need of low-income residents.

Advocate for Affordable Housing Production Resources

The City of Sheboygan should facilitate a meeting with state and federal elected officials to advocate for additional financing resources to build affordable housing, particularly for extremely low-income persons. The City should also research successful models of affordable housing production in other communities for possible replication in the City of Sheboygan.

Advocate for the Creation of a Smoother Infrastructure between Medicare/Medicaid and Section 8

Many persons with disabilities who desire to move out of nursing care facilities lack the financial resources to make such a transition. The City should meet with representatives of HUD and the Department of Health and Human Services to explore options that would allow those persons, desiring to do so, to move out of nursing care facilities and be integrated into the community.

Private Market Recommendations

Recommendation #7: Advocate for Open and Inclusive Real Estate and Rental Markets

The City of Sheboygan should advocate for more open and inclusive home rental and sales markets by working with the housing industry and appropriate State departments to accomplish the following:

- Initiate regular training of members of various real estate professional organizations, apartment owners' associations, building owners and managers, rental-housing providers, local newspapers and other members of the housing industry to ensure all members have the most

up-to-date information on fair housing laws, procedures, regulations and issues. These training sessions should also be designed to increase awareness and sensitivity to fair housing advocacy.

- Encourage greater efforts on the part of the real estate and rental industries to hire and train minority and bilingual real estate and rental professionals.
- Increase efforts by the Wisconsin Department of Regulations and Licensing to prevent and discourage discrimination by licensees. This would mean a greater willingness by the State to use license suspension and revocation powers to prevent and discourage discrimination.
- Initiate public/private work-sharing agreements between government and private enforcement advocacy organizations to conduct ongoing systemic testing of the industry to monitor and assure compliance with fair housing laws.
- Encourage more active support by the real estate and rental industries for affirmative programs designed to promote integrated residential patterns.
- Encourage more active participation by providers of rental housing in local rent assistance programs to expand location choice for low-income and minority residents.

Recommendation #8: Improve Access of Minority and Low-Income Applicants to Home Mortgages

There are a number of ways in which minority and low-income loan seekers could obtain greater access to home mortgages, as follows:

- Lenders should adopt a pro-integrative component in their lending programs. Without this component, well-intentioned programs targeting lower income census tracts or borrowers may only serve to exacerbate patterns of racially segregated housing in Sheboygan.
- Lenders need to become more responsive to the needs of all the neighborhoods that they claim to serve. This means locating offices in lower income neighborhoods, having loan originators interact with local citizens and community organizations and participating in programs that will benefit low-income and minority communities, such as the Federal Home Loan Bank's Affordable Housing Program.
- Additional mortgage products are needed that include innovative rate structures, lower down payments and credit provisions for low-income families and immigrant families with no credit history.
- Special loan programs should be more heavily marketed in the lower income and minority neighborhoods. These programs also need to be marketed more creatively through a variety of mediums.
- Housing counseling services for low-income families should be coordinated between the various housing counseling organizations to ensure consistent and uniform information is provided. Counseling service topics should be expanded to include skill development for home seekers to include risk reduction and accident prevention information. This can help improve credit and debt ratios in order to meet the qualifying standards required by lenders.
- Methods need to be explored to work with the secondary market and private mortgage insurance (PMI) companies to tailor programs to the needs of Sheboygan.

- Testing of lenders should be ongoing to monitor compliance with fair lending and fair housing laws, for the same reasons as stated in the previous section.
- Increase efforts by the Wisconsin Department of Financial Institutions to prevent and discourage discrimination by lenders and brokers. This would mean a greater willingness by the State to use license suspension and revocation powers to prevent and discourage discrimination
- Training programs for loan officers should be expanded to assure they are knowledgeable about fair lending requirements and sensitive to community needs.
- There needs to be an expansion of second review programs for minorities who are rejected.

Appendix A

Chapter 46 FAIR HOUSING

ARTICLE I. IN GENERAL

Sec. 46-1. Definitions.

The words, terms and phrases used in this chapter shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Age means an individual's status as having obtained 40 or more years of age.

Board means the city plan commission.

Committee means the city licensing, hearing, and public safety committee.

Complainant means a person who files a complaint alleging discrimination in housing.

Disability means a physical or mental impairment that substantially limits one or more major life activities, a record of having such an impairment or being regarded as having such an impairment. Disability does not include the current illegal use of a controlled substance, as defined in Wis. Stats. § 961.01(4), or a controlled substance analog, as defined in Wis. Stats. § 961.01(4m), unless the individual is participating in a supervised drug rehabilitation program.

Discriminate, discrimination, or discriminatory means any act, policy or practice that, regardless of intent, has the effect of segregating, excluding, treating a person or class of persons unequally in a manner described in section 46-3 or 46-4, or subjecting any person to differential treatment as a result of that person's actual or perceived race, color, religion, national origin, sex, sexual orientation, gender identity, age, disability, marital status, familial status, or veteran status.

Dwelling unit means a structure or that part of a structure that is used or intended to be used as a home, residence or sleeping place by one person or by two or more persons who are maintaining a common household, to the exclusion of all others.

Family includes one natural person.

Family status means any of the following conditions that apply to a person seeking to rent or purchase housing or to a member or prospective member of the person's household regardless of the person's marital status:

- (1) A person is pregnant.
- (2) A person has a past, current, or prospective status as parent or legal guardian to a child or children below the age of 18 who may or may not reside with that person.
- (3) A person is in the process of securing sole or joint legal custody, periods of physical placement or visitation rights of a minor child.
- (4) A person's household includes one or more minor or adult relatives.
- (5) A person's household includes one or more adults or minor children in his or her legal custody or physical placement or with whom he or she has visitation rights.
- (6) A person's household includes one or more adults or minor children placed in his or her care under a court order, under a guardianship or with the written permission of a parent or other person having legal custody of the adult or minor child.

Gender identity means the actual or perceived gender-related identity, expression, appearance, or mannerisms, or other gender-related characteristics of an individual, regardless of the individual's designated sex at birth.

Hearing means a hearing under the jurisdiction of the board, except where otherwise indicated.

Housing means any improved property, or any portion thereof, including a mobile home as defined in Wis. Stats. § 101.91(10), manufactured home, as defined in Wis. Stats. § 101.91(2), or condominium, that is used or occupied, or is intended, arranged or designed to be used or occupied, as a home or residence. Housing includes any vacant land that is offered for sale or rent for the construction or location thereon of any building, structure or portion thereof that is used or occupied, or is intended, arranged or designed to be used or occupied, as a home or residence.

Housing for older persons has the meaning as defined by federal or state law.

Marital status means a person's past, current, or prospective status as single, married, domestically partnered, in a civil union, divorced, or widowed.

National origin means a person's or his or her ancestor's place of origin.

Place of public resort, accommodation, assemblage, or amusement means any place, store, or other establishment that supplies accommodations, goods, or services to the general public, or that solicits or accepts the patronage or trade of the general public, or that is supported directly or indirectly by government funds.

Probable cause means reasonable grounds to believe that one or more persons has, may have, or may be violating one or more provisions of this chapter.

Religion means all aspects of world view, ground motive, philosophical presupposition, commitment, faith, belief, religious observance, and religious practice.

Respondent means the person accused in a complaint of discrimination in housing filed with the board.

Sexual orientation has the meaning given in Wis. Stats. § 111.32(13m).

Status as a victim of domestic abuse, sexual assault, or stalking means the status of a person who is seeking to rent or purchase housing or of a member or prospective member of the person's household having been, or being believed by the lessor or seller of housing to be, a victim of domestic abuse, as defined in Wis. Stats. § 813.12(1)(am), sexual assault under Wis. Stats. §§ 940.225, 948.02, or 948.025, or stalking under Wis. Stats. § 940.32.

Veteran status means an individual's status as one who served in the active military, naval, or air service of any current or former sovereign nation.

(Ord. No. 50-12-13, § 1, 3-18-13; Ord. No. 39-16-17, § 28, 4-5-17; Ord. No. 25-20-21, § 1, 12-7-20)

Sec. 46-2. Declaration of policy.

It is declared to be the policy of the city, pursuant to the United States Constitution and state constitution, Wis. Stats. §§ 66.1011 and 106.50, and also its power to protect the public health, safety and general welfare that all persons are entitled to fair and equal access to housing and to be free of all forms of discrimination, regardless of their actual or perceived sex, gender identity, race, color, religion, age, ancestry, marital status, family status, veteran status, status as a victim of domestic abuse, sexual assault, or stalking, lawful source of income, national origin, disability, or sexual orientation. To that end the city enacts this chapter, which prohibits any person, not exempted in this chapter, from discriminating against any other person by impairing to any degree access to any housing or housing accommodations on the basis of their actual or perceived sex, gender identity, race, color, religion, age, ancestry,

marital status, family status, veteran status, status as a victim of domestic abuse, sexual assault, or stalking, lawful source of income, national origin, disability, or sexual orientation and creates a board with the power and duty to enforce equal opportunity in housing for all citizens of the city.

(Ord. No. 50-12-13, § 1, 3-18-13; Ord. No. 25-20-21, § 2, 12-7-20)

Sec. 46-3. Discrimination prohibited.

(a) It is unlawful for any person to discriminate:

- (1) By refusing to sell, rent, finance or contract to construct housing or by refusing to negotiate or discuss the terms thereof.
- (2) By refusing to permit inspection or exacting different or more stringent price, terms or conditions for the sale, lease, financing or rental of housing.
- (3) By refusing to finance or sell an unimproved residential lot or to construct a home or residence upon such lot.
- (4) By advertising in a manner that indicates discrimination by a preference or limitation.
- (5) For a person in the business of insuring against hazards, by refusing to enter into, or by exacting different terms, conditions or privileges with respect to, a contract of insurance against hazards to a dwelling.
- (6) By refusing to renew a lease, causing the eviction of a tenant from rental housing or engaging in the harassment of a tenant.
- (7) In providing the privileges, services or facilities that are available in connection with housing.
- (8) By falsely representing that housing is unavailable for inspection, rental or sale.
- (9) By denying access to, or membership or participation in, a multiple listing service or other real estate service.
- (10) By coercing, intimidating, threatening or interfering with a person in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed, a right granted or protected under this section, or with a person who has aided or

encouraged another person in the exercise or enjoyment of a right granted or protected under this section.

- (11) In making available any of the following transactions, or in the terms or conditions of such transactions, for a person whose business includes engaging in residential real estate-related transaction:
 - a. The making or purchasing of loans or the provision of other financial assistance for purchasing, constructing, improving, repairing or maintaining housing or the making or purchasing of loans or the provision of other financial assistance secured by residential real estate.
 - b. Selling, brokering or appraising residential real property.
- (12) By otherwise making unavailable or denying housing.
- (b) No person may induce or attempt to induce a person to sell or rent housing by representations regarding the present or prospective entry into the neighborhood of a person of a particular economic status or a member of a protected class, or by representations to the effect that such present or prospective entry will or may result in any of the following:
 - (1) The lowering of real estate values in the area concerned.
 - (2) A deterioration in the character of the area concerned.
 - (3) An increase in criminal or antisocial behavior in the area concerned.
 - (4) A decline in the quality of the schools or other public facilities serving the area.

(Ord. No. 50-12-13, § 1, 3-18-13)

Sec. 46-4. Discrimination against persons with disabilities prohibited.

- (a) *Types of discrimination prohibited.* In addition to discrimination prohibited under section 46-3, no person may do any of the following:
 - (1) Segregate, separate, exclude or treat unequally in the sale or rental of, or otherwise make unavailable or deny, housing to a buyer or renter because of a disability of that buyer or renter, a disability of a person residing in or intending

to reside in that housing after it is sold, rented or made available or a disability of a person associated with that buyer or renter.

- (2) Segregate, separate, exclude or treat unequally a person in the terms, conditions or privileges of sale or rental of housing, or in the provision of services or facilities in connection with such housing, because of a disability of that person, a disability of a person residing in or intending to reside in that housing after it is sold, rented or made available or a disability of a person associated with that person.
 - (3) Refuse to permit, at the expense of a person with a disability, reasonable modification of existing housing that is occupied, or is to be occupied, by such a person if the modifications may be necessary to afford the person full enjoyment of the housing, except that in the case of rental housing the landlord may, where it is reasonable to do so, condition permission for a modification on the tenant's agreement to restore the interior of the housing to the condition that existed before the modification, other than reasonable wear and tear. The landlord may not increase any customarily required security deposit. Where it is necessary to ensure that funds will be available to pay for the restorations at the end of the tenancy, the landlord may negotiate as part of a restoration agreement a requirement that the tenant pay into an interest-bearing escrow account, over a reasonable period, a reasonable amount of money not to exceed the cost of the restorations. The interest in any such account shall accrue to the benefit of the tenant. If escrowed funds are not used by the landlord for restorations, they shall be returned to the tenant.
 - (4) Refuse to make reasonable accommodations in rules, policies, practices or services that are associated with the housing, when such accommodations may be necessary to afford the person equal opportunity to use and enjoy housing, unless the accommodation would impose an undue hardship on the owner of the housing.
- (b) *Animals assisting persons with disabilities.*
- (1) If an individual's vision, hearing or mobility is impaired, it is discrimination for a person to refuse to rent or sell housing to the individual, cause the eviction of the individual from housing, require extra compensation from an individual as a condition of continued residence in housing or engage in the harassment of the

individual because he or she keeps an animal that is specially trained to lead or assist the individual with impaired vision, hearing or mobility if all of the following apply:

- a. Upon request, the individual shows to the lessor, seller or representative of the condominium association credentials issued by a school recognized by the department as accredited to train animals for individuals with impaired vision, hearing or mobility.
 - b. The individual accepts liability for sanitation with respect to, and damage to the premises caused by, the animal.
- (2) Subdivision (1) does not apply in the case of the rental of owner-occupied housing if the owner or a member of his or her immediate family occupying the housing possesses and, upon request, presents to the individual a certificate signed by a physician which states that the owner or family member is allergic to the type of animal the individual possesses.
- (c) *Design and construction of covered multifamily housing.* In addition to discrimination prohibited under paragraphs (a) and (b) and section 46-3, no person may design or construct covered multifamily housing, as defined in Wis. Stats. § 101.132(1)(d), unless it meets the standards specified in Wis. Stats. § 101.132(2)(a)1. to 4. In addition, no person may remodel, as defined in Wis. Stats. § 101.132(1)(h), housing with three or more dwelling units unless the remodeled housing meets the standards specified in Wis. Stats. § 101.132(2)(a)1. to 4. as required under Wis. Stats. § 101.132(2)(b)1., 2. or 3., whichever is applicable.

(Ord. No. 50-12-13, § 1, 3-18-13)

Sec. 46-5. Exemptions and exclusions.

- (a) Nothing in this chapter shall prohibit discrimination based on age or family status with respect to housing for older persons.
- (b) Nothing in this chapter shall prohibit a person from exacting different or more stringent terms or conditions for financing housing based on the age of the individual applicant for financing if the terms or conditions are reasonably related to the individual applicant.

- (c) Nothing in this chapter shall prohibit the development of housing designed specifically for persons with disabilities and preference in favor of persons with disabilities in relation to such housing.
- (d) Nothing in this chapter requires that housing be made available to an individual whose tenancy would constitute a direct threat to the safety of other tenants or persons employed on the property or whose tenancy would result in substantial physical damage to the property of others, if the risk of direct threat or damage cannot be eliminated or sufficiently reduced through reasonable accommodations. A claim that an individual's tenancy poses a direct threat or a substantial risk of harm or damage must be evidenced by behavior by the individual that caused harm or damage, that directly threatened harm or damage, or that caused a reasonable fear of harm or damage to other tenants, persons employed on the property, or the property. No claim that an individual's tenancy would constitute a direct threat to the safety of other persons or would result in substantial damage to property may be based on the tenant's status as a victim of domestic abuse, sexual assault, or stalking.
- (e) It is not discrimination based on status as a victim of domestic abuse, sexual assault, or stalking for a landlord to bring an action for eviction of a tenant based on a violation of the rental agreement or of a statute that entitles the landlord to possession of the premises, unless paragraphs (1) or (2) applies. A tenant has a defense to an action for eviction brought by a landlord if the tenant proves by a preponderance of the evidence that the landlord knew or should have known any of the following:
 - (1) That the tenant is a victim of domestic abuse, sexual assault, or stalking and that the basis for the action for eviction is conduct that related to the commission of domestic abuse, sexual assault, or stalking by a person who was not the invited guest of the tenant.
 - (2) That the tenant is a victim of domestic abuse, sexual assault, or stalking, that the basis for the action for eviction is conduct that related to the commission of domestic abuse, sexual assault, or stalking by a person who was the invited guest of the tenant, and that the tenant has done one of the following:
 - a. Sought an injunction under Wis. Stats. §§ 813.12, 813.122, 813.123, or 813.125 enjoining the person from appearing on the premises.
 - b. Upon receiving notice under Wis. Stats. § 704.17, provided a written statement to the landlord indicating that the person will no longer be an

invited guest of the tenant and has not subsequently invited the person to be a guest of the tenant.

- (f) It is not discrimination based on family status to comply with any reasonable federal, state or local government restrictions relating to the maximum number of occupants permitted to occupy a dwelling unit.
- (g) (1) Subject to paragraph (2), nothing in this chapter applies to a decision by an individual as to the person with whom he or she will, or continues to, share a dwelling unit, as defined in Wis. Stats. § 101.71(2) except that dwelling unit does not include any residence occupied by more than five persons.
 - (2) Any advertisement or written notice published, posted or mailed in connection with the rental or lease of a dwelling unit under paragraph (1) may not violate subsection (2)(d), 42 USC 3604(c), or any rules or regulations promulgated under this chapter or 42 USC 3601 to 3619, except that such an advertisement or written notice may be for a person of the same sex as the individual who seeks a person to share the dwelling unit for which the advertisement or written notice is placed.
- (h) Nothing in this chapter prohibits an owner or agent from requiring that a person who seeks to buy or rent housing supply information concerning family status, and marital, financial, and business status but not concerning race, color, disability, sexual orientation, gender identity, ancestry, national origin, religion, creed, status as a victim of domestic abuse, sexual assault, or stalking.
- (i) A person may not be held personally liable for monetary damages for a violation of section 46-3 or 46-4 if the person reasonably relied, in good faith, on the application of the exemption under this section relating to housing for older persons. For purposes of this paragraph, a person may show reasonable reliance, in good faith, on the application of the exemption under this section relating to housing for older persons only if the person shows all of the following:
 - (1) That he or she has no actual knowledge that the housing is not or will not be eligible for the exemption.
 - (2) That the owner of the housing has stated formally, in writing, that the housing complies with the requirements for the exemption.

- (j) Nothing in this chapter prohibits any religious or denominational institution or organization, or any charitable or educational organization which is operated, supervised or controlled by or in connection with a religious organization, from limiting admission or giving preference to persons of the same religion or denomination, or from making such selection as is reasonably necessary for such organizations to promote the religious principles for which it is established or maintained.
- (k) Nothing in this chapter shall limit the applicability of any reasonable local, state, or federal restrictions regarding the maximum number of occupants permitted to occupy a dwelling, structure, unit, or property.
- (l) Nothing in this chapter shall apply to a single occupancy room provided that the owner permanently resides in the same structure.

(Ord. No. 50-12-13, § 1, 3-18-13; Ord. No. 25-20-21, § 3, 12-7-20)

Secs. 46-6—46-40. Reserved.

ARTICLE II. POWERS AND DUTIES

Sec. 46-41. Administration—Powers and duties.

- (a) The purposes and provisions of this chapter shall be administered by the plan commission and, where necessary, the city attorney.
- (b) In administering this chapter, the plan commission shall have the power and duty to:
 - (1) Adopt, amend, publish and modify any and all administrative policies and procedures as may, from time to time, be necessary, useful, helpful, or desirable in the administration and/or enforcement of this chapter;
 - (2) Appoint such number and types of employees, agents and staff, subject to a table of organization and budget approval by the common council, as are necessary to promote the purposes of this chapter and/or the administration and/or enforcement of this chapter, and prescribe their duties;
 - (3) Receive, initiate and investigate complaints alleging any discrimination or discriminatory practice prohibited by this chapter if the complaint is filed with

the board not later than one year after the alleged discrimination occurred or terminated;

- (4) Appoint, from time to time, subject to a table of organization and/or budget approval by the common council, one or more investigators to gather facts, evidence and information, and otherwise investigate complaints, and/or one or more mediators who initially shall seek a settlement agreeable to both the complainant and the respondent by means of information conferences or other meetings or means;
- (5) Refer settlement agreements to the city attorney for approval as to form;
- (6) If necessary, hold hearings after efforts at settlement, based on complaints made against any person and a determination of probable cause; administer oaths and take testimony; compel the production of books, papers and any other documents relating to any matters involved in the complaint; and subpoena witnesses and compel their attendance. If a witness either fails or refuses to obey a subpoena issued by the board, the board may order attendance. At any time after it has issued such an order, the board may petition a court of competent jurisdiction for its enforcement;
- (7) Issue, after hearing, such final orders as are necessary to promote the purpose of this chapter;
- (8) Issue temporary orders effective for a maximum of 20 days, absent extraordinary circumstances, restraining the respondent from taking any action that would tend to render ineffective or unenforceable any order which the board might issue;
- (9) Refer orders to the city attorney to be enforced by him in the name of the city;
- (10) Except as provided in Wis. Stats. §§ 19.31, et seq., or 106.50, make available to the public, in writing, copies of:
 - a. Transcripts of all of its proceedings except initial settlement efforts by its mediators;
 - b. All temporary and final orders; and
 - c. All decisions and opinions rendered.

No publicity, however, shall be given a complaint in those cases where the board obtains compliance with this chapter or the board finds that the complaint is without foundation;

- (11) Require a written report of the manner of compliance with any final order it may issue; and
- (12) Recommend to the mayor and common council any legislation necessary to further promote the purposes of this chapter and file annual written reports of its work to the mayor and common council.

(Ord. No. 50-12-13, § 1, 3-18-13; Ord. No. 39-16-17, § 29, 4-5-17)

Secs. 46-42—46-65. Reserved.

ARTICLE III. ENFORCEMENT PROCEDURES

Sec. 46-66. Complaint.

- (a) The board may receive and investigate a complaint charging a violation of section 46-3 or 46-4 if the complaint is filed with the board not later than one year after the alleged discrimination occurred or terminated.
- (b) The complaint shall include a written statement of the essential facts constituting the discrimination that is charged, and shall be signed by the complainant.
- (c) A complaint filed under this chapter may be amended or withdrawn at any time with and subject to the approval of the board or its designated agent and under such terms as the board or agent shall direct.
- (d) Upon the filing of a lawful, timely, and otherwise proper complaint, the board or its designated agent shall serve a copy of the complaint upon the respondent. The copy of the complaint, together with a notice directing the respondent to respond in writing to the allegations in the complaint within 20 days after the date of the notice shall be served upon the respondent by certified mail, return receipt requested. The notice will further state that, if the respondent fails to answer the complaint in writing, the board will make an initial determination as to whether the discrimination has occurred based only on the board's investigation and the information supplied by the complainant.

- (e) The board may dismiss the complaint if the complainant fails to respond to the board within 20 days from the date of mailing of any correspondence from the board concerning the complaint, if the board's correspondence requests a response and if the correspondence is sent by certified mail, return receipt requested, to the last known address of the complainant.

(Ord. No. 50-12-13, § 1, 3-18-13)

Sec. 46-67. Investigation and finding of probable cause.

- (a) The board or its designated agent shall investigate all complaints that allege a violation of this chapter and that are timely filed. The board or its designated agent may subpoena persons or documents for the purpose of investigation.
- (b) At the conclusion of the investigation of the allegations, the board or its designated agent shall make a determination as to whether probable cause exists to believe that discrimination has occurred or is about to occur.
- (c) If a determination is made that there is no probable cause to believe discrimination in violation of this chapter has been or is being committed, the complainant shall be afforded an opportunity to appeal such decision to the full plan commission. If the full board decides there is no probable cause, the complainant may appeal to either:
 - (1) A court of competent jurisdiction for the county in which the alleged discrimination took place; or
 - (2) A court of competent jurisdiction for the county in which the property or property interest in question is located.
- (d) If a determination is made that there is probable cause to believe discrimination in violation of this chapter has been or is being committed, an agent designated by the plan commission shall endeavor, by means of conference, conciliation or persuasion, to eliminate the alleged discrimination or discriminatory practice.

(Ord. No. 50-12-13, § 1, 3-18-13; Ord. No. 39-16-17, § 30, 4-5-17)

Sec. 46-68. Hearing on failure to settle.

When efforts at settlement have failed to eliminate the discrimination or discriminatory practice alleged by the complainant under this chapter, the plan commission shall promptly

cause to be issued a notice of a hearing before a hearing examiner, acting as an agent of the board, to determine the merits of the complaint.

(Ord. No. 50-12-13, § 1, 3-18-13; Ord. No. 39-16-17, § 31, 4-5-17)

Sec. 46-69. Findings of examiner.

- (a) Under this chapter, in all hearings before an examiner, except those for determining probable cause, the burden of proof is on the party alleging discrimination.
- (b) If, after hearing and on the basis of the official record made therein, the examiner finds by a fair preponderance of the evidence that the respondent has engaged in or is engaged in any discrimination prohibited by this chapter, he shall make and recommend to the plan commission written findings of fact and conclusions thereon and shall recommend such action to be taken by the respondent and, where necessary, by the complainant, as will affect the purposes of this chapter by eliminating the discrimination found.
- (c) Damages and penalties.
 - (1) If the hearing examiner finds that a respondent has engaged in or is about to engage in a discriminatory act prohibited under section 46-3 or 46-4, the hearing examiner shall promptly issue an order for such relief as may be appropriate, which may include economic and non-economic damages suffered by the aggrieved person, regardless of whether he or she intervened in the action, and injunctive or other equitable relief. The hearing examiner may not order punitive damages.
 - (2) In addition to any damages ordered under paragraph (1), the hearing examiner may assess a forfeiture against a respondent who is not a natural person in an amount not exceeding \$10,000.00, unless the respondent who is not a natural person has been adjudged to have committed any prior discriminatory act under section 46-3 or 46-4. If a respondent who is not a natural person has been adjudged to have committed one other discriminatory act under section 46-3 or 46-4 during the preceding five-year period, based on the offense date of the prior discriminatory act, the hearing examiner may assess a forfeiture in an amount not exceeding \$25,000.00. If a respondent who is not a natural person has been adjudged to have committed two or more prior discriminatory acts under section 46-3 or 46-4 during the preceding seven-year period, based on the

offense date of the prior discriminatory act, the hearing examiner may assess a forfeiture in an amount not exceeding \$50,000.00.

- (3) In addition to any damages ordered under paragraph (1), the hearing examiner may assess a forfeiture against a respondent who is a natural person in an amount not exceeding \$10,000.00, unless the respondent who is a natural person has been adjudged to have committed any prior discriminatory act under section 46-3 or 46-4. If a respondent who is a natural person has been adjudged to have committed one other prior discriminatory act under section 46-3 or 56-4 based on an offense date that is before September 1, 1992, the hearing examiner may assess a forfeiture in an amount not exceeding \$25,000.00. If a respondent who is a natural person has been adjudged to have committed two or more prior discriminatory acts under section 46-3 or 46-4 based on an offense date that is before September 1, 1992, the hearing examiner may assess a forfeiture in an amount not exceeding \$50,000.00.
- (d) Attorney fees and costs. The hearing examiner may allow a prevailing complainant reasonable attorney fees and costs.
- (e) A certified copy of such recommended findings, conclusions and orders, together with a summary of the findings of fact, shall be sent to the last known addresses of the complainant and the respondent by certified mail with return receipts requested.
- (f) If, within 30 days following the mailing of the hearing examiner's decision, the board does not receive notice of appeal, the findings, conclusions and orders of the examiner shall be the findings, conclusions and orders of the board.

(Ord. No. 50-12-13, § 1, 3-18-13; Ord. No. 39-16-17, § 32, 4-5-17)

Sec. 46-70. Appeal from examiner's findings.

Under this chapter, if within 30 days following the mailing of the examiner's decision, the complainant or respondent serves notice of appeal, such appeal may be had to the full plan commission. The board shall have the power to affirm, reverse or modify the determination of the hearing examiner. After final determination by the board, either party may appeal by certiorari to a court of competent jurisdiction. In the alternative, either party may receive a trial de novo on all issues relating to any alleged discrimination and a further right to a trial by jury.

(Ord. No. 50-12-13, § 1, 3-18-13; Ord. No. 39-16-17, § 33, 4-5-17)

Sec. 46-71. Transfer of proceedings.

At any time after a finding of probable cause under this chapter, the plan commission, with appropriate notice to the complainant and respondent, may transfer the proceedings to itself.

(Ord. No. 50-12-13, § 1, 3-18-13; Ord. No. 39-16-17, § 34, 4-5-17)

Sec. 46-72. Judicial enforcement.

Whenever, in the judgment of the plan commission, judicial enforcement of a board order is necessary to enforce this chapter, the board shall in writing request the city attorney to commence proceedings in a court of competent jurisdiction to enforce such orders in the name of the city. Upon receipt of any such request, the city attorney shall have the duty to seek enforcement of such orders in a court of competent jurisdiction.

(Ord. No. 50-12-13, § 1, 3-18-13; Ord. No. 39-16-17, § 35, 4-5-17)

Sec. 46-73. Remedies.

(a) The plan commission shall have the power and duty, after investigation and hearing, to issue and implement such orders as may be necessary to effect the purposes of this chapter. Such orders may include the following:

- (1) Cease and desist orders;
- (2) Affirmative action by the respondent and, where necessary, by the complainant; and
- (3) Any other orders which may be necessary to effect the purpose of this chapter.

(b) Any of the orders of the board shall be stayed during the period in which any appeal may be taken and during the pendency of any appeal.

(Ord. No. 50-12-13, § 1, 3-18-13; Ord. No. 39-16-17, § 36, 4-5-17)

Appendix B

**MINUTES
SHEBOYGAN COMMISSION ON FAIR HOUSING PRACTICES
Wednesday April 12, 2006 @ 7:00 p.m.**

Members Present: Alderperson Marilyn Montemayor, Vue Yang, Dan Castro, Mary Keittel, Cory Salchert

Others: Susan Hart, Steve McLean

- ☐ Alderperson Montemayor called the meeting to order at 7:00 p.m.
- ☐ Minutes of March 21 reviewed by Committee. Motion by Yang, second by Keittel to approve. Motion carries.
- ☐ Discussion on the Makini Johnson issue. Susan Hart explained that she had talked to Dean Bogenschuetz, a member of the Housing Authority Board of Directors, and that they had decided to invite members of this committee to their next meeting; but he did not know when it was. Motion by Castro, second by Yang to hold until further information is gathered. Motion carries.
- ☐ Discussion on Erica Rodriguez's concerns with landlord Gary Kaker. Attorney McLean reported that he had called St. Vincent de Paul, but they were unable to provide information about the money distributed to Mr. Kaker such as which church wrote the check, or even if a check had been written. Also, St. Vincent had not been able to reach Ms. Rodriguez. Motion by Castro, second by Yang to held until more information is provided. Motion carries.
- ☐ No new business.
- ☐ It was decided to hold off on scheduling the next meeting until we receive needed information about Makini Johnson & Erica Rodriguez.
- ☐ Motion to Adjourn by Yang, second by Castro, motion carries.

Submitted by Susan Hart

Appendix C

HOUSING DISCRIMINATION INFORMATION

Departamento de Vivienda y Desarrollo Urbano Oficina de Derecho Equitativo a la Vivienda
U.S. Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity

Instructions: (Please type or print) Read this form carefully. Try to answer all questions. If you do not know the answer or a question does not apply to you, leave the space blank. You have one year from the date of the alleged discrimination to file a complaint. Your form should be signed and dated.

Your Name

Your Address

City

State

Zip Code

Best time to call

Your Daytime Phone No

Evening Phone No

Who else can we call if we cannot reach you?

Contact's Name

Best Time to call

Daytime Phone No

Evening Phone No

Contact's Name

Best Time to call

Daytime Phone No

Evening Phone No

What happened to you?

How were you discriminated against?

For example: were you refused an opportunity to rent or buy housing? Denied a loan? Told that housing was not available when in fact it was? Treated differently from others seeking housing?

State briefly what happened.

HOUSING DISCRIMINATION INFORMATION

Departamento de Vivienda y Desarrollo Urbano Oficina de Derecho Equitativo a la Vivienda
U.S. Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity

2 Why do you think you are a victim of housing discrimination?

Is it because of your:

• race • color • religion • sex • national origin • familial status (families with children under 18) • disability?

For example: were you denied housing because of your race? Were you denied a mortgage loan because of your religion? Or turned down for an apartment because you have children?

Briefly explain why you think your housing rights were denied and circle the factor(s) listed above that you believe apply.

Who do you believe discriminated against you?

For example: was it a landlord, owner, bank, real estate agent, broker, company, or organization?

Identify who you believe discriminated against you.

Name

Address

4 Where did the alleged act of discrimination occur?

For example: Was it at a rental unit? Single family home? Public or Assisted Housing? A Mobile Home?

Did it occur at a bank or other lending institution?

Provide the address.

Address

City

State

Zip Code

5 When did the last act of discrimination occur?

Enter the date

____/____/____

Is the alleged discrimination continuing or ongoing?

Yes No

☐☐

Signature

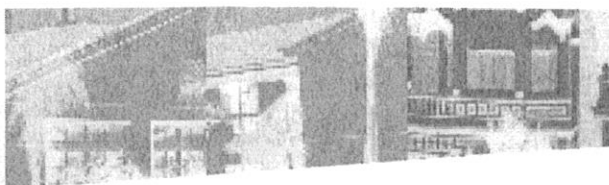
Date

Send this form to HUD or to the fair housing agency nearest you. If you are unable to complete this form, you may call that office directly. See address and telephone listings on back page.

City of Sheboygan: Analysis of Impediments to Fair Housing

2022

Item 6.



It is Unlawful to Discriminate in Housing Based on These Factors...

- Race
- Color
- National origin
- Religion
- Sex
- Familial status (families with children under the age of 18, or who are expecting a child)
- Handicap (if you or someone close to you has a disability)

If You Believe Your Rights Have Been Violated...

- HUD or a State or local fair housing agency is ready to help you file a complaint.
- After your information is received, HUD or a State or local fair housing agency will contact you to discuss the concerns you raise.

Detach here. Fold and close with glue or tape (no staples)

Keep this information for your records.

Date you mailed your information to HUD:

____/____/____

Address to which you sent the information:

Office

Telephone

Street

City

State

Zip Code

If you have not heard from HUD or a State or local fair housing agency within three weeks from the date you mailed this form, you may call to inquire about the status of your complaint. See address and telephone listings on back page.

Appendix D

It is Illegal To:

- Refuse to sell or rent to someone because of his or her status in a group protected by fair housing law.
- Advertise or state a preference that discriminates against protected individuals or families.
- Impose unreasonable limits when or where children can play.
- Unfairly restrict or charge fees to someone who uses a wheelchair or support animal for his or her disability.
- Fail to enforce rules against discrimination-based harassment among residents in an apartment or multi-family building.
- Threaten or interfere with anyone taking action to protect his or her housing rights or anyone who helps them do so.
- Refuse to make reasonable accommodations or refuse to allow reasonable modifications for a person with a disability.



If You Feel You are Being Treated Unfairly, Take the Following Steps:

- Contact the Department of City Development, 828 Center Ave. Sheboygan, WI 53081, 920-459-3377.
- Document the problem by writing down what was said during meetings and phone calls with the landlord, property manager, real estate agent, loan officer or insurance agent. Keep detailed records of what happens afterwards.
- Save copies of any documents involving your home, such as receipts, lease agreements, applications forms, business cards, or correspondence between you and your landlord or bank.
- If you are considering filing a complaint, don't delay. A complaint must be filed with HUD, the State of Wisconsin, Department of Workforce, Equal Rights Division, or the City of Sheboygan within a year of the most recent discriminatory act. You also have the right under the Fair Housing Act to file a private lawsuit in Federal District Court within two years of the incident for violations of federal protections.



Fair Housing Guide



Department of City Development
828 Center Ave, Suite 208
Sheboygan, WI 53081



City of Sheboygan: Analysis of Impediments to Fair Housing 2022

A home is more than a house or an apartment; it is a valuable asset you want to protect. It is where you spend your life, become part of the community, and plant your roots.

Some people are treated differently because of individual factors that should not count, such as race, disability, or religion. Fair Housing Laws help protect your rights to access housing and live where you choose, free from discrimination.

The Federal Fair Housing Act of 1968, its amendments in 1988, and all related federal, state, and local laws are designed to guarantee open housing opportunities for all. As well as protect people from discrimination in housing transactions such as rental, sales, lending, and insurance.

Fair Housing is the right to choose a home free from unlawful discrimination. It means you have the right to select the housing that is best for your needs, with no outside preferences or stereotypes being imposed.



In Sheboygan it is illegal to discriminate against someone due to their:

Protected Classes	Federal	State	Local
Race	X	X	X
Color	X	X	X
Religion	X	X	X
Sex	X	X	X
National Origin	X	X	X
Disability/ Handicap	X	X	X
Familial Status	X	X	X
Sexual Orientation		X	X
Marital Status		X	X
Ancestry		X	X
Public Assistance/ Lawful Source of Income/Economic Status		X	X
Age		X	X
Status of a Victim of Domestic Abuse, sexual abuse, or stalking		X	X
Veteran's Status			X
Disabled Veteran's Status			
Gender Identity			X

The Fair Housing Act requires all "covered multifamily dwellings" designed and constructed for first occupancy after March 13, 1991, to be readily accessible to and usable by persons with disabilities.

HOW TO Recognize Housing Discrimination:

Housing discrimination today is rarely blatant but it still exists. Listen for the phrases below – they could be warning signs of discrimination:

- "We don't rent to more than two people for a two-bedroom apartment."
- "We don't rent to people who don't have a job, even if you get disability benefits."
- "I'm sorry, but I can't work with your translator."
- "You can't build a ramp for access to the building, it will violate building codes."
- "This is a Christian community. You might not feel comfortable wearing those clothes here."
- "We just rented the apartment." But the unit still is available the next day.
- "Your son and daughter can't share a bedroom."
- "Children can only live on the first floor, this is an old building and their little feet make lots of noise."
- "Do you think you can afford this neighborhood?" or "You would not be happy in this neighborhood."

Es ilegal:

- Negarse a vender o alquilar a alguien debido a su estado en un grupo protegido por la ley de vivienda justa.
- Anunciar o expresar una preferencia que discrimina a las personas o familias protegidas.
- Imponer límites irrazonables cuando o donde los niños pueden jugar.
- Restringir o cobrar tarifas injustamente a alguien que use una silla de ruedas o un animal de apoyo por su discapacidad.
- No hacer cumplir las reglas contra el acoso por discriminación entre los residentes de un apartamento o edificio multifamiliar.
- Amenazar o interferir con cualquier persona que tome medidas para proteger sus derechos de vivienda o con cualquier persona que le ayude a hacerlo.
- Negarse a hacer adaptaciones razonables o negarse a permitir modificaciones razonables para una persona con discapacidad.



Si Usted siente que lo están tratando injustamente, siga los siguientes pasos:

- Comuníquese con la Ciudad de Sheboygan, 828 Center Ave. Sheboygan, WI 53081, 920-459-3377.
- Documente el problema escribiendo lo que se dijo durante las reuniones y llamadas telefónicas con el propietario, administrador de la propiedad, agente de bienes raíces, oficial de préstamos o agente de seguros. Mantenga registros detallados de lo que sucede después.
- Guarde copias de cualquier documento relacionado con su hogar, como recibos, contratos de arrendamiento, formularios de solicitud, tarjetas de presentación o correspondencia entre usted y el propietario o el banco.
- Si está considerando presentar una queja, no se demore. Se debe presentar una queja ante HUD, el estado de Wisconsin, el Departamento de Fuerza Laboral, la División de Igualdad de Derechos o la Ciudad de Sheboygan dentro de un año del acto discriminatorio más reciente.
- También tiene derecho en virtud de la Ley de Vivienda Justa a presentar una demanda privada en el Tribunal de Distrito Federal (Corte del Distrito) dentro de los dos años posteriores al incidente por violaciones de las protecciones federales.

Guía de Vivienda Justa



**Departamento de Desarrollo
de la Ciudad**
828 Center Ave, Suite 208
Sheboygan, WI 53081



City of Sheboygan: Analysis of Impediments to Fair Housing 2022

Un hogar es más que sola una casa o un apartamento; es un activo valioso que se desea proteger. Es donde pasas tu vida, te vuelves parte de la comunidad y siembras tus raíces.

Algunas personas son tratadas de manera diferente debido a factores individuales que no deberían ser tomados en cuenta, como la raza, la discapacidad o la religión. Las Leyes de Vivienda Justa le ayudan a proteger sus derechos de acceso a una vivienda y de vivir donde usted elija, libre de discriminación.

La Ley Federal de Vivienda Justa de 1968, sus enmiendas en 1988 y todas las leyes federales, estatales y locales relacionadas, están diseñadas para garantizar oportunidades de vivienda abiertas para todos. Además de proteger a las personas de la discriminación en transacciones de vivienda como alquiler, ventas, préstamos y seguros.

Vivienda Justa es el derecho a elegir un hogar libre de discriminación ilegal. Significa que tiene derecho a seleccionar la vivienda que mejor se adapte a sus necesidades, sin que se impongan preferencias ni estereotipos externos.



En Sheboygan es ilegal discriminar a alguien debido a su:

Clases Protegidas	Federal	Estatal	Local
Raza	X	X	X
Color	X	X	X
Religión	X	X	X
Sexo	X	X	X
Nacionalidad de Origen	X	X	X
Discapacidad/ Handicap	X	X	X
Condición Civil (Situación Familiar)	X	X	X
Orientación Sexual		X	X
Situación Marital		X	X
Ascendencia (Antepasados)		X	X
Asistencia Pública/ Legalidad/Fuente de Ingresos/ Situación Económica		X	X
Edad		X	X
Situación de Víctima de Abuso Doméstico/Abuso Sexual/Acoso		X	X
Situación de Veterano			X
Situación de Veterano Incapacitado			
Identidad de género			X

La Ley de Equidad de Vivienda requiere la "cobertura de viviendas multifamiliares" sean diseñadas y construidas para su primera ocupación después del 13 de marzo de 1991, sean fácilmente accesibles y utilizables por personas con discapacidades.

Cómo Reconocer Discriminación en la Vivienda: La discriminación en la vivienda hoy en día rara vez flagrante (obvia), pero aún existe. Escuche las frases a continuación: podrían ser señales de advertencia de discriminación:

- "No alquilamos a más de dos personas por un apartamento de dos habitaciones".
- "No alquilamos a personas que no tienen trabajo, incluso si usted recibe beneficios por discapacidad".
- "Lo siento, pero no puedo trabajar con su traductor".
- "No se puede construir una rampa para acceder al edificio, violará los códigos de construcción".
- "Esta es una comunidad cristiana. Puede que no te sientas cómodo vistiendo esa ropa aquí".
- "Acabamos de alquilar el apartamento". Pero la unidad todavía está disponible al día siguiente.
- "Su hijo y su hija no pueden compartir una habitación".
- "Los niños solo pueden vivir en el primer piso, este es un edificio antiguo y sus pequeños pies hacen mucho ruido".
- "¿Crees que puedes pagar este vecindario?" o "No serías feliz en este vecindario".

Appendix E

Title VI Notice of Rights City of Sheboygan

The City of Sheboygan operates its programs and services without regard to race, color, national origin, sex, disability, or age in accordance with Title VI of the Civil Rights Act of 1964 and other state and federal laws. If you believe you have been subjected to discrimination in violation of state or federal law, you may file a written complaint with the City. Depending on the nature of your claim, you may also be able to file a complaint with a state or federal agency or with a state or federal court. For more information or to obtain a copy of the City's Title VI complaint procedures, contact:

City of Sheboygan
Attn: Title VI Coordinator
828 Center Avenue, Suite 103
Sheboygan, WI 53081
920-459-3361
TitleVIComplaint@sheboyganwi.gov

► Click [HERE](#) to download the complaint form.

If the complainant is unable to write a complaint, a representative of the complainant may file the complaint on the complainant's behalf. Complaints must be filed within 180 calendar days of the alleged incident.

Appendix F

Fair Housing Notice of Rights

The Federal Fair Housing Act of 1968, its amendments in 1988, and all related federal, state, and local laws are designed to guarantee open housing opportunities for all. As well as protect people from discrimination in housing transactions such as rental, sales, lending, and insurance. Fair housing is the right to choose a home free from unlawful discrimination. It means you have the right to select housing that is best for your needs, with no outside preferences or stereotypes being imposed.

To file a fair housing complaint, please use the Title VI complaint form by clicking [here](#) and send to TitleVIComplaint@sheboyganwi.gov

To view the Fair Housing Guide in English ([click here](#)), in Spanish ([click here](#)).

If information is needed in another language or an alternative format, please call 920-459-3361.

CITY OF SHEBOYGAN

REQUEST FOR FINANCE AND PERSONNEL COMMITTEE CONSIDERATION

ITEM DESCRIPTION: Res. No. 127-22-23 and Res. No. 128-22-23 by Alderpersons Mitchell and Filicky-Peneski.

REPORT PREPARED BY: Carrie Arenz, Management Analyst

REPORT DATE: January 18, 2023

MEETING DATE: January 23, 2023

FISCAL SUMMARY:

Budget Line Item: N/A
 Budget Summary: N/A
 Budgeted Expenditure: N/A

STATUTORY REFERENCE:

Wisconsin Statutes: N/A
 Municipal Code: N/A

BACKGROUND / ANALYSIS:

In an effort to better support our employees, the city strives to offer a variety of options employees may choose to use while planning for their financial future. All regular employees are given an option to participate in a 457(b) plan to save for retirement. Contributions are made by the employee at no cost to the city. One of the 457(b) plan providers city employees can choose to use is Nationwide.

STAFF COMMENTS:

Res. 127-22-23 amends the existing plan to reflect the changes contained within the Federal CARES Act.

Res. 128-22-23 provides city employees with access to all of Nationwide's 457(b) plan options. Nationwide offers several different options for plans and/or deduction to customize the employee's retirement savings to suit their personal needs. Several of these plan options are not currently offered, including percentage-based contribution, Roth 457(b), Non-ERISA Loan Program, and Pro-Account – Professional Managed Account. The above-mentioned plan options expand city employees' choices for their retirement savings.

Res. No. 111-22-23 authorized the Group Flexible Purchase Payment Deferred Fixed Index Annuity Contract option for employees, should they choose to elect it. These additional 457(b) plan options from Nationwide were inadvertently omitted from Res. No. 111-22-23

ACTION REQUESTED:

Motion to recommend the Common Council adopt of Res. No. 127-22-23 and Res. No. 128-22-23.

ATTACHMENTS:

- I. Res. No. 127-22-23 and Res. No. 128-22-23.

III

Res. No. 127 - 22 - 23. By Alderpersons Mitchell and Filicky-Peneski.
January 16, 2023.

A RESOLUTION approving and adopting the Amendment to the City of Sheboygan 457(b) Deferred Compensation Plan for the CARES Act.

WHEREAS, the City of Sheboygan has previously provided for provision of a Deferred Compensation Plan for its employees pursuant to Section 457(b) of the Internal Revenue Code; and

WHEREAS, there is a need to amend said Plan in light of changes to such plans contained in the Federal CARES Act.

NOW, THEREFORE, BE IT RESOLVED: That the attached Amendment to the City of Sheboygan 457(b) Deferred Compensation Plan is hereby approved and adopted.

BE IT FURTHER RESOLVED: That the Finance Director is hereby authorized and directed to execute and deliver the Amendment to the Plan Administrator and to take any and all actions as it may deem necessary to effectuate this resolution.

F&P

I HEREBY CERTIFY that the foregoing Resolution was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the _____ day of _____, 20____.

Dated _____ 20____. _____, City Clerk

Approved _____ 20____. _____, Mayor

AMENDMENT FOR CARES ACT

ARTICLE 1 PREAMBLE; DEFINITIONS

- 1.1 **Adoption of Amendment.** The Employer adopts this Amendment to implement provisions of the Act which affect the Plan. All references to the Plan include the Plan's loan program, policy, or procedure to the extent applicable.
- 1.2 **Superseding of inconsistent provisions.** This Amendment supersedes the provisions of the Plan to the extent those provisions are inconsistent with the provisions of this Amendment.
- 1.3 **Construction.** Except as otherwise provided in this Amendment, any Article or Section reference in this Amendment refers only to this Amendment and is not a reference to the Plan. The Article and Section numbering in this Amendment is solely for purposes of this Amendment and does not relate to the Plan article, section, or other numbering designations.
- 1.4 **Effect of restatement of Plan.** If the Employer restates the Plan then this Amendment shall remain in effect after such restatement unless the provisions in this Amendment are restated or otherwise become obsolete (e.g., if the Plan is restated onto a plan document which incorporates these provisions).
- 1.5 **Definitions.** Except as otherwise provided in this Amendment, terms defined in the Plan will have the same meaning in this Amendment. The following definitions apply specifically to this Amendment:
 - A. The "Act" is the Coronavirus Aid, Relief, and Economic Security Act, also known as the CARES Act. This Amendment shall be interpreted and applied to comply with the Act.
 - B. A "Qualified Individual" means any individual who meets one or more of the criteria described in paragraphs (1), (2), (3), or (4). Participants, alternate payees and beneficiaries of deceased participants can be treated as Qualified Individuals. The Plan Administrator may rely on an individual's certification that the individual satisfies a condition to be a Qualified Individual unless the Plan Administrator has actual knowledge to the contrary. In applying the criteria, "COVID-19" means either the virus SARS-CoV-2 or coronavirus disease 2019; "an approved test" means a test approved by the Centers for Disease Control and Prevention (including a test authorized under the Federal Food, Drug, and Cosmetic Act); and a "member of the individual's household" means someone who shares the individual's principal residence. The criteria are as follows:
 - (1) The individual was diagnosed with COVID-19 by an approved test;
 - (2) The individual's spouse or dependent (as defined in Code §152) was diagnosed with COVID-19 by an approved test;
 - (3) The individual has experienced adverse financial consequences because: (a) the individual or the individual's spouse, or a member of the individual's household was quarantined, furloughed or laid off, or had work hours reduced due to COVID-19; (b) the individual, the individual's spouse, or a member of the individual's household was unable to work due to lack of childcare due to COVID-19; (c) A business owned or operated by the individual, the individual's spouse, or a member of the individual's household closed or reduced hours due to COVID-19; or (d) the individual, the individual's spouse, or a member of the individual's household had a reduction in pay (or self-employment income) due to COVID-19 or had a job offer rescinded or start date for a job delayed due to COVID-19; or
 - (4) The individual satisfies any other criteria determined by the Treasury or the IRS.

ARTICLE 2

IDENTIFYING INFORMATION; EMPLOYER ELECTIONS

2.1 Reserved.

2.2 Employer identifying information.

A. Name of Employer: City of Sheboygan, WIB. Name of Plan: City of Sheboygan 457(b) Deferred Compensation Plan

C. Type of Plan (check one)

- (1) ☐ 401(k) Plan
 (2) ☐ Profit-Sharing Plan (other than a 401(k) plan)
 (3) ☐ Money Purchase Pension Plan
 (4) ☐ Defined Benefit Plan (including a cash balance plan)
 (5) ☐ 403(b) Plan
 (6) ☒ 457(b) Plan sponsored by a governmental employer

2.3 **Relief for Qualified Individuals.** Will the Plan provide any or all of the following relief for Qualified Individuals: (1) Coronavirus-Related Distributions described in Article 3, (2) increased loan limits described in Section 4.2, (3) the loan repayment extension described in Section 4.3. (Select one of (a), (b), or (c). If (c) is selected, then select one or more of (d), (e), and/or (f))

- (a) ☐ **No.** The Plan will not provide any of these relief provisions.
 (b) ☐ **Yes.** The Plan will provide all of these relief provisions. The limitations on distributions described in Sections 2.3(d)(1) – (4) and the limitations on loans in Section 2.3(e)(1) – (3) and 2.3(f)(1)–(3) do not apply.
 (c) ☒ **Some.** The Plan will provide those relief provisions selected in (d), (e), or (f) below.

(d) ☒ **The Coronavirus-Related Distribution provisions described in Article 3** (If (d) is selected, the Employer may optionally select one or more of (1), (2), (3), (4), or (5).)

- (1) ☐ Coronavirus-Related Distributions are not available from an account in which the Participant is not 100% vested.
 (2) ☐ Coronavirus-Related Distributions may be made only from the following accounts:
 (3) ☐ The maximum amount of Coronavirus-Related Distributions from the Plan to a Qualified Individual will not exceed: \$_____. (Enter amount less than \$100,000.)
 (4) ☐ The following additional provisions apply to Coronavirus-Related Distributions:

 (Enter limitations or restrictions which are nondiscriminatory and not subject to Employer discretion.)

(e) ☐ **The increased loan limit described in Section 4.2** (If (e) is selected, the Employer may optionally select any one or more of (1), (2), or (3).)

- (1) ☐ The maximum dollar amount of loans pursuant to Section 4.2 will not exceed: \$_____. (Enter amount less than \$100,000.)
 (2) ☐ The maximum percentage of the present value of the nonforfeitable accrued benefit that may be loaned pursuant to Section 4.2 will not exceed: _____%. (Enter percentage less than 100%.)
 (3) ☐ The following additional provisions apply to the increased loan limit:

 (Enter limitations or restrictions which are nondiscriminatory.)

(f) ☐ **The loan repayment extension described in Section 4.3** (If (f) is selected, the Employer may optionally select and one or more of (1), (2), or (3).)

- (1) ☐ The Suspension Period will begin _____ (Enter date not before March 27, 2020) and end _____. (Enter date not later than December 31, 2020.)
 (2) ☐ The Extension Period will be _____. (Enter period, up to one year, the due date of the loan will be extended, such as "six months.")

- (3) ☐ The following additional provisions apply to the loan repayment extension:

(Enter limitations or restrictions which are nondiscriminatory.)

- 2.4 **RMD waivers for 2020.** Unless the Employer elects otherwise below, the provisions of Section 5.2 apply and a Participant or Beneficiary who would have been required to receive a 2020 RMD or Extended 2020 RMD will receive the distribution unless the Participant or Beneficiary chooses not to receive the distribution.
- (a) ☒ The provisions of Section 5.2 apply and a Participant or Beneficiary who would have been required to receive a 2020 RMD or Extended 2020 RMD will not receive the distribution unless the Participant or Beneficiary chooses to receive the distribution.
- (b) ☐ Payment of RMDs or Extended 2020 RMDs will be governed by the terms of the Plan without regard to this Amendment (i.e., no election is available to Participants or Beneficiaries).
- (c) ☐ Other: _____

For purposes of Section 5.3, the Plan will also treat the following as eligible rollover distributions in 2020: *(Choose one or none of (d), (e), or (f)): If no election is made, then a direct rollover will be offered only for distributions that would be eligible rollover distributions without regard to Code §401(a)(9)(I):*

- (d) ☐ 2020 RMDs.
- (e) ☐ 2020 RMDs and Extended 2020 RMDs.
- (f) ☒ 2020 RMDs but only if paid with an additional amount that is an eligible rollover distribution without regard to Code §401(a)(9)(I).

The provisions of Article 5, and the election in this Section 2.4, will be effective on the date specified in Section 2.5, unless a different date is entered here: _____ *(Optional. Enter a date between March 27, 2020 and December 31, 2020. RMD distributions before the selected effective date should have followed plan terms in effect before this amendment.)*

- 2.5 **Effective Date.** This Amendment is effective March 27, 2020, or as soon as practical thereafter, or, if later, the following date: _____. *(Optional. Enter a date not later than December 31, 2020.)*

ARTICLE 3 CORONAVIRUS-RELATED DISTRIBUTIONS

- 3.1 **Application.** This Article 3 will apply if Section 2.3(b) or Section 2.3(d) is selected.
- 3.2 **Coronavirus-Related Distribution(s).** Subject to the provisions described in Section 2.3(d)(4), if any, a Qualified Individual may take one or more Coronavirus-Related Distributions. The accounts from which the amount may be distributed shall be limited if selected in Sections 2.3(d)(1) and (2). However, if the Plan is a Money Purchase Pension Plan or a Defined Benefit Plan, and the Qualified Individual has not separated from service, the Qualified Individual may not take a Coronavirus-Related Distribution prior to attaining the earlier of Normal Retirement Age or age 59½. The provisions of this Section will apply notwithstanding any limitation in the Plan on partial distributions or any otherwise applicable plan or administrative limits on the number of allowable distributions.
- 3.3 **Repayment of distribution.** If the Plan permits rollover contributions, then a Participant who receives a Coronavirus-Related Distribution (from this Plan and/or another eligible retirement plan as defined in Code §402(c)(8)(B)), at any time during the 3-year period beginning on the day after receipt of the distribution, may make one or more contributions to the Plan, as rollover contributions, in an aggregate amount not to exceed the amount of such distribution.
- 3.4 **Definition of Coronavirus-Related Distribution.** A "Coronavirus-Related Distribution" means a distribution to a Qualified Individual during the period beginning January 1, 2020 and ending December 30, 2020. The total amount of Coronavirus-Related Distributions to a Qualified Individual pursuant to this Amendment from all plans maintained by the Employer, or any related employer described in Code §414(b), (c), (m), or (o), shall not exceed \$100,000, (or such lesser amount specified in Section 2.3(d)(3)). The

Coronavirus-Related Distributions from the Plan to a Qualified Individual will not exceed the amount of the individual's vested account balance or the present value of the individual's vested accrued benefit.

ARTICLE 4 PARTICIPANT LOAN RELIEF

- 4.1 **Application.** This Article 4 will apply only if the Plan permits participant loans. Section 4.2 will apply if Section 2.3(b) or Section 2.3(e) is selected. Section 4.3 will apply if Section 2.3(b) or Section 2.3(f) is selected.
- 4.2 **Increased loan limit.** Notwithstanding the loan limitation that otherwise would apply, the Plan will determine the loan limit under Code §72(p)(2)(A) for a loan to a Qualified Individual, made during the period beginning March 27, 2020 and ending September 22, 2020, by substituting "\$100,000" (or such lesser amount specified in Section 2.3(e)(1)) for "\$50,000," and by substituting "100% (or such lesser percentage specified in Section 2.3(e)(2)) of the present value of the nonforfeitable accrued benefit of the employee under the Plan" for "one-half of the present value of the nonforfeitable accrued benefit of the employee under the Plan" (or its equivalent). The provisions described in Section 2.3(e)(3), if any, will apply in connection with loans to Qualified Individuals.
- 4.3 **Extension of certain repayments.** If a Qualified Individual has an outstanding loan from the Plan on or after March 27, 2020, then: (1) if the date for any repayment of such loan occurs during the Suspension Period, the due date is extended for the Extension Period; (2) the due date of the loan will be extended by the Extension Period; (3) the Plan will adjust any subsequent repayments to reflect the extension of the due date and any interest accrued during the Suspension Period; and (4) the Plan will disregard the Extension Period in determining the 5-year period and the loan term under Code §72(p)(2)(B) or (C). The provisions described in Section 2.3(f)(3), if any, will apply in connection with the suspension and extension described in this Section. The Suspension Period, unless otherwise specified in Section 2.3(f)(1), will begin March 27, 2020 and end December 31, 2020. The Extension Period, unless otherwise specified in Section 2.3(f)(2) will be one year. The provisions of this Section 4.3 will be applied in accordance with Section 5.B. of Notice 2050-50, or any subsequent applicable guidance, and the adjustment described in (3) may reflect the "safe harbor" described therein.

ARTICLE 5 WAIVER OF 2020 REQUIRED MINIMUM DISTRIBUTIONS (RMDs)

- 5.1 **Application.** This Article 5 will apply only to defined contribution plans, including 401(k) Plans, Profit-Sharing Plans, Money Purchase Pension Plans, 403(b) Plans, and 457(b) Plans sponsored by governmental employers. The definitions in Section 5.4 will apply in interpreting Section 2.4.
- 5.2 **Waiver; default provision.** This Section 5.2 will apply unless the Employer has selected Section 2.4(b) or (c). Notwithstanding the provisions of the Plan relating to RMDs, whether a Participant or Beneficiary who would have been required to receive 2020 RMDs, and who would have satisfied that requirement by receiving distributions that are (1) equal to the 2020 RMDs, or (2) Extended 2020 RMDs will receive those distributions is determined in accordance with the option chosen by the Employer in Section 2.4. Notwithstanding the option chosen by the employer in Section 2.4, a Participant or Beneficiary will be given an opportunity to make an election as to whether or not to receive those distributions. If the Plan permits a Beneficiary of a deceased Participant to make the election to use the 5-year rule or the life expectancy rule, the deadline to make the election shall be extended to reflect the adoption of Code §401(a)(9)(I).
- 5.3 **Direct rollovers.** Notwithstanding the provisions of the Plan relating to required minimum distributions under Code §401(a)(9), and solely for purposes of applying the direct rollover provisions of the Plan, certain additional distributions in 2020, as elected by the Employer in Section 2.4, will be treated as eligible rollover distributions. If no election is made by the Employer in Section 2.4, then a direct rollover will be

offered only for distributions that would be eligible rollover distributions without regard to Code §401(a)(9)(I).

- 5.4 **Definitions. "RMDs"** means required minimum distributions described in Code §401(a)(9). **"2020 RMDs"** means required minimum distributions the Plan would have been required to distribute in 2020 (or permitted to pay in 2021 for the 2020 calendar year for a Participant with a required beginning date of April 1, 2021) but for the enactment of Code §401(a)(9)(I). **"Extended 2020 RMDs"** means one or more payments in a series of substantially equal distributions (that include the 2020 RMDs) made at least annually and expected to last for the life (or life expectancy) of the Participant, the joint lives (or joint life expectancy) of the Participant and the Participant's designated Beneficiary, or for a period of at least 10 years.
- 5.5 **Installment payments.** A Participant or Beneficiary receiving payment of 2020 RMDs or 2020 Extended RMDs pursuant to this Article 5 may receive them in any method (including installments or partial distributions) which would have been permitted under the terms of the Plan if the amounts would have been RMDs but for the enactment of Code §401(a)(9)(I).

* * * * *

This Amendment has been executed this _____ day of _____,

Name of Plan: City of Sheboygan 457(b) Deferred Compensation Plan

Name of Employer: City of Sheboygan, WI

By: _____
EMPLOYER

CITY OF SHEBOYGAN

REQUEST FOR FINANCE AND PERSONNEL COMMITTEE CONSIDERATION

ITEM DESCRIPTION: Res. No. 127-22-23 and Res. No. 128-22-23 by Alderpersons Mitchell and Filicky-Peneski.

REPORT PREPARED BY: Carrie Arenz, Management Analyst

REPORT DATE: January 18, 2023

MEETING DATE: January 23, 2023

FISCAL SUMMARY:

Budget Line Item: N/A
 Budget Summary: N/A
 Budgeted Expenditure: N/A

STATUTORY REFERENCE:

Wisconsin Statutes: N/A
 Municipal Code: N/A

BACKGROUND / ANALYSIS:

In an effort to better support our employees, the city strives to offer a variety of options employees may choose to use while planning for their financial future. All regular employees are given an option to participate in a 457(b) plan to save for retirement. Contributions are made by the employee at no cost to the city. One of the 457(b) plan providers city employees can choose to use is Nationwide.

STAFF COMMENTS:

Res. 127-22-23 amends the existing plan to reflect the changes contained within the Federal CARES Act.

Res. 128-22-23 provides city employees with access to all of Nationwide's 457(b) plan options. Nationwide offers several different options for plans and/or deduction to customize the employee's retirement savings to suit their personal needs. Several of these plan options are not currently offered, including percentage-based contribution, Roth 457(b), Non-ERISA Loan Program, and Pro-Account – Professional Managed Account. The above-mentioned plan options expand city employees' choices for their retirement savings.

Res. No. 111-22-23 authorized the Group Flexible Purchase Payment Deferred Fixed Index Annuity Contract option for employees, should they choose to elect it. These additional 457(b) plan options from Nationwide were inadvertently omitted from Res. No. 111-22-23

ACTION REQUESTED:

Motion to recommend the Common Council adopt of Res. No. 127-22-23 and Res. No. 128-22-23.

ATTACHMENTS:

- I. Res. No. 127-22-23 and Res. No. 128-22-23.

III

Res. No. 128 - 22 - 23. By Alderpersons Mitchell and Filicky-Peneski.
January 16, 2023.

A RESOLUTION authorizing the appropriate City officials to execute an Adoption Agreement for the extension and offering of additional investment options with Nationwide.

WHEREAS, the City offers employees the benefit of contributing to 457(b) retirement plans through payroll deductions; and

WHEREAS, one of the plan providers the City currently offers the retirement plans through is Nationwide; and

WHEREAS, the City strives to provide varying and flexible investment and plan options to employees; and

WHEREAS, Nationwide has various products available through their plan including the Percentage-Based Contribution Option, Roth Option, Non-ERISA Loan Program Option, ProAccount - Professional Managed Account Option; and

WHEREAS, Res. No. 111-22-23 authorized the Group Flexible Purchase Payment Deferred Fixed Indexed Annuity Contract.

NOW, THEREFORE, BE IT RESOLVED: That the Finance Director is hereby authorized to execute the attached Adoption Agreement for Eligible Governmental 457 Plan.

BE IT FURTHER RESOLVED: That following Amendments and Documents are hereby approved and adopted and that the Finance Director is hereby authorized and directed to execute and deliver to the Plan Administrator such Amendments and Documents and to take any and all lawful actions as they deem necessary to effectuate this Resolution, all in furtherance of said Adoption Agreement:

- Amendment to Implement Secure Act and Other Law Changes;
 - Letter instructing Nationwide Retirement Solutions to add percent-based contributions as an option available in the plan;
 - Nationwide Retirement Solutions Non-ERISA Plan Loan Program document with Addendum A;
 - Nationwide Investment Advisors, LLC ProAccount Plan Sponsor Agreement, including Fee Disclosure and Description Guide.
- FJP

BE IT FURTHER RESOLVED: That the Finance Department is hereby authorized to make necessary deduction adjustments within the payroll system to administer the new plan types that are being offered.

I HEREBY CERTIFY that the foregoing Resolution was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the _____ day of _____, 20____.

Dated _____ 20____. _____, City Clerk

Approved _____ 20____. _____, Mayor

AMENDMENT FOR CARES ACT

ARTICLE 1 PREAMBLE; DEFINITIONS

- 1.1 **Adoption of Amendment.** The Employer adopts this Amendment to implement provisions of the Act which affect the Plan. All references to the Plan include the Plan's loan program, policy, or procedure to the extent applicable.
- 1.2 **Superseding of inconsistent provisions.** This Amendment supersedes the provisions of the Plan to the extent those provisions are inconsistent with the provisions of this Amendment.
- 1.3 **Construction.** Except as otherwise provided in this Amendment, any Article or Section reference in this Amendment refers only to this Amendment and is not a reference to the Plan. The Article and Section numbering in this Amendment is solely for purposes of this Amendment and does not relate to the Plan article, section, or other numbering designations.
- 1.4 **Effect of restatement of Plan.** If the Employer restates the Plan then this Amendment shall remain in effect after such restatement unless the provisions in this Amendment are restated or otherwise become obsolete (e.g., if the Plan is restated onto a plan document which incorporates these provisions).
- 1.5 **Definitions.** Except as otherwise provided in this Amendment, terms defined in the Plan will have the same meaning in this Amendment. The following definitions apply specifically to this Amendment:
 - A. The "Act" is the Coronavirus Aid, Relief, and Economic Security Act, also known as the CARES Act. This Amendment shall be interpreted and applied to comply with the Act.
 - B. A "Qualified Individual" means any individual who meets one or more of the criteria described in paragraphs (1), (2), (3), or (4). Participants, alternate payees and beneficiaries of deceased participants can be treated as Qualified Individuals. The Plan Administrator may rely on an individual's certification that the individual satisfies a condition to be a Qualified Individual unless the Plan Administrator has actual knowledge to the contrary. In applying the criteria, "COVID-19" means either the virus SARS-CoV-2 or coronavirus disease 2019; "an approved test" means a test approved by the Centers for Disease Control and Prevention (including a test authorized under the Federal Food, Drug, and Cosmetic Act); and a "member of the individual's household" means someone who shares the individual's principal residence. The criteria are as follows:
 - (1) The individual was diagnosed with COVID-19 by an approved test;
 - (2) The individual's spouse or dependent (as defined in Code §152) was diagnosed with COVID-19 by an approved test;
 - (3) The individual has experienced adverse financial consequences because: (a) the individual or the individual's spouse, or a member of the individual's household was quarantined, furloughed or laid off, or had work hours reduced due to COVID-19; (b) the individual, the individual's spouse, or a member of the individual's household was unable to work due to lack of childcare due to COVID-19; (c) A business owned or operated by the individual, the individual's spouse, or a member of the individual's household closed or reduced hours due to COVID-19; or (d) the individual, the individual's spouse, or a member of the individual's household had a reduction in pay (or self-employment income) due to COVID-19 or had a job offer rescinded or start date for a job delayed due to COVID-19; or
 - (4) The individual satisfies any other criteria determined by the Treasury or the IRS.

ARTICLE 2

IDENTIFYING INFORMATION; EMPLOYER ELECTIONS

2.1 Reserved.

2.2 Employer identifying information.

A. Name of Employer: City of Sheboygan, WIB. Name of Plan: City of Sheboygan 457(b) Deferred Compensation Plan

C. Type of Plan (check one)

- (1) ☐ 401(k) Plan
 (2) ☐ Profit-Sharing Plan (other than a 401(k) plan)
 (3) ☐ Money Purchase Pension Plan
 (4) ☐ Defined Benefit Plan (including a cash balance plan)
 (5) ☐ 403(b) Plan
 (6) ☒ 457(b) Plan sponsored by a governmental employer

2.3 **Relief for Qualified Individuals.** Will the Plan provide any or all of the following relief for Qualified Individuals: (1) Coronavirus-Related Distributions described in Article 3, (2) increased loan limits described in Section 4.2, (3) the loan repayment extension described in Section 4.3. *(Select one of (a), (b), or (c). If (c) is selected, then select one or more of (d), (e), and/or (f))*

- (a) ☐ **No.** The Plan will not provide any of these relief provisions.
- (b) ☐ **Yes.** The Plan will provide all of these relief provisions. The limitations on distributions described in Sections 2.3(d)(1) – (4) and the limitations on loans in Section 2.3(e)(1) – (3) and 2.3(f)(1)–(3) do not apply.
- (c) ☒ **Some.** The Plan will provide those relief provisions selected in (d), (e), or (f) below.
- (d) ☒ **The Coronavirus-Related Distribution provisions described in Article 3** *(If (d) is selected, the Employer may optionally select one or more of (1), (2), (3), (4), or (5).)*
- (1) ☐ Coronavirus-Related Distributions are not available from an account in which the Participant is not 100% vested.
- (2) ☐ Coronavirus-Related Distributions may be made only from the following accounts: _____
- (3) ☐ The maximum amount of Coronavirus-Related Distributions from the Plan to a Qualified Individual will not exceed: \$ _____. *(Enter amount less than \$100,000.)*
- (4) ☐ The following additional provisions apply to Coronavirus-Related Distributions: _____
(Enter limitations or restrictions which are nondiscriminatory and not subject to Employer discretion.)
- (e) ☐ **The increased loan limit described in Section 4.2** *(If (e) is selected, the Employer may optionally select any one or more of (1), (2), or (3).)*
- (1) ☐ The maximum dollar amount of loans pursuant to Section 4.2 will not exceed: \$ _____. *(Enter amount less than \$100,000.)*
- (2) ☐ The maximum percentage of the present value of the nonforfeitable accrued benefit that may be loaned pursuant to Section 4.2 will not exceed: _____. *(Enter percentage less than 100%.)*
- (3) ☐ The following additional provisions apply to the increased loan limit: _____
(Enter limitations or restrictions which are nondiscriminatory.)
- (f) ☐ **The loan repayment extension described in Section 4.3** *(If (f) is selected, the Employer may optionally select and one or more of (1), (2), or (3).)*
- (1) ☐ The Suspension Period will begin _____ *(Enter date not before March 27, 2020)* and end _____. *(Enter date not later than December 31, 2020.)*
- (2) ☐ The Extension Period will be _____. *(Enter period, up to one year, the due date of the loan will be extended, such as "six months.")*

- (3) ☐ The following additional provisions apply to the loan repayment extension:

(Enter limitations or restrictions which are nondiscriminatory.)

- 2.4 **RMD waivers for 2020.** Unless the Employer elects otherwise below, the provisions of Section 5.2 apply and a Participant or Beneficiary who would have been required to receive a 2020 RMD or Extended 2020 RMD will receive the distribution unless the Participant or Beneficiary chooses not to receive the distribution.
- (a) ☒ The provisions of Section 5.2 apply and a Participant or Beneficiary who would have been required to receive a 2020 RMD or Extended 2020 RMD will not receive the distribution unless the Participant or Beneficiary chooses to receive the distribution.
- (b) ☐ Payment of RMDs or Extended 2020 RMDs will be governed by the terms of the Plan without regard to this Amendment (i.e., no election is available to Participants or Beneficiaries).
- (c) ☐ Other: _____

For purposes of Section 5.3, the Plan will also treat the following as eligible rollover distributions in 2020: *(Choose one or none of (d), (e), or (f)): If no election is made, then a direct rollover will be offered only for distributions that would be eligible rollover distributions without regard to Code §401(a)(9)(I):*

- (d) ☐ 2020 RMDs.
- (e) ☐ 2020 RMDs and Extended 2020 RMDs.
- (f) ☒ 2020 RMDs but only if paid with an additional amount that is an eligible rollover distribution without regard to Code §401(a)(9)(I).

The provisions of Article 5, and the election in this Section 2.4, will be effective on the date specified in Section 2.5, unless a different date is entered here: _____ *(Optional. Enter a date between March 27, 2020 and December 31, 2020. RMD distributions before the selected effective date should have followed plan terms in effect before this amendment.)*

- 2.5 **Effective Date.** This Amendment is effective March 27, 2020, or as soon as practical thereafter, or, if later, the following date: _____. *(Optional. Enter a date not later than December 31, 2020.)*

ARTICLE 3 CORONAVIRUS-RELATED DISTRIBUTIONS

- 3.1 **Application.** This Article 3 will apply if Section 2.3(b) or Section 2.3(d) is selected.
- 3.2 **Coronavirus-Related Distribution(s).** Subject to the provisions described in Section 2.3(d)(4), if any, a Qualified Individual may take one or more Coronavirus-Related Distributions. The accounts from which the amount may be distributed shall be limited if selected in Sections 2.3(d)(1) and (2). However, if the Plan is a Money Purchase Pension Plan or a Defined Benefit Plan, and the Qualified Individual has not separated from service, the Qualified Individual may not take a Coronavirus-Related Distribution prior to attaining the earlier of Normal Retirement Age or age 59½. The provisions of this Section will apply notwithstanding any limitation in the Plan on partial distributions or any otherwise applicable plan or administrative limits on the number of allowable distributions.
- 3.3 **Repayment of distribution.** If the Plan permits rollover contributions, then a Participant who receives a Coronavirus-Related Distribution (from this Plan and/or another eligible retirement plan as defined in Code §402(c)(8)(B)), at any time during the 3-year period beginning on the day after receipt of the distribution, may make one or more contributions to the Plan, as rollover contributions, in an aggregate amount not to exceed the amount of such distribution.
- 3.4 **Definition of Coronavirus-Related Distribution.** A "Coronavirus-Related Distribution" means a distribution to a Qualified Individual during the period beginning January 1, 2020 and ending December 30, 2020. The total amount of Coronavirus-Related Distributions to a Qualified Individual pursuant to this Amendment from all plans maintained by the Employer, or any related employer described in Code §414(b), (c), (m), or (o), shall not exceed \$100,000, (or such lesser amount specified in Section 2.3(d)(3)). The

Coronavirus-Related Distributions from the Plan to a Qualified Individual will not exceed the amount of the individual's vested account balance or the present value of the individual's vested accrued benefit.

ARTICLE 4 PARTICIPANT LOAN RELIEF

- 4.1 **Application.** This Article 4 will apply only if the Plan permits participant loans. Section 4.2 will apply if Section 2.3(b) or Section 2.3(e) is selected. Section 4.3 will apply if Section 2.3(b) or Section 2.3(f) is selected.
- 4.2 **Increased loan limit.** Notwithstanding the loan limitation that otherwise would apply, the Plan will determine the loan limit under Code §72(p)(2)(A) for a loan to a Qualified Individual, made during the period beginning March 27, 2020 and ending September 22, 2020, by substituting "\$100,000" (or such lesser amount specified in Section 2.3(e)(1)) for "\$50,000," and by substituting "100% (or such lesser percentage specified in Section 2.3(e)(2)) of the present value of the nonforfeitable accrued benefit of the employee under the Plan" for "one-half of the present value of the nonforfeitable accrued benefit of the employee under the Plan" (or its equivalent). The provisions described in Section 2.3(e)(3), if any, will apply in connection with loans to Qualified Individuals.
- 4.3 **Extension of certain repayments.** If a Qualified Individual has an outstanding loan from the Plan on or after March 27, 2020, then: (1) if the date for any repayment of such loan occurs during the Suspension Period, the due date is extended for the Extension Period; (2) the due date of the loan will be extended by the Extension Period; (3) the Plan will adjust any subsequent repayments to reflect the extension of the due date and any interest accrued during the Suspension Period; and (4) the Plan will disregard the Extension Period in determining the 5-year period and the loan term under Code §72(p)(2)(B) or (C). The provisions described in Section 2.3(f)(3), if any, will apply in connection with the suspension and extension described in this Section. The Suspension Period, unless otherwise specified in Section 2.3(f)(1), will begin March 27, 2020 and end December 31, 2020. The Extension Period, unless otherwise specified in Section 2.3(f)(2) will be one year. The provisions of this Section 4.3 will be applied in accordance with Section 5.B. of Notice 2050-50, or any subsequent applicable guidance, and the adjustment described in (3) may reflect the "safe harbor" described therein.

ARTICLE 5 WAIVER OF 2020 REQUIRED MINIMUM DISTRIBUTIONS (RMDs)

- 5.1 **Application.** This Article 5 will apply only to defined contribution plans, including 401(k) Plans, Profit-Sharing Plans, Money Purchase Pension Plans, 403(b) Plans, and 457(b) Plans sponsored by governmental employers. The definitions in Section 5.4 will apply in interpreting Section 2.4.
- 5.2 **Waiver; default provision.** This Section 5.2 will apply unless the Employer has selected Section 2.4(b) or (c). Notwithstanding the provisions of the Plan relating to RMDs, whether a Participant or Beneficiary who would have been required to receive 2020 RMDs, and who would have satisfied that requirement by receiving distributions that are (1) equal to the 2020 RMDs, or (2) Extended 2020 RMDs will receive those distributions is determined in accordance with the option chosen by the Employer in Section 2.4. Notwithstanding the option chosen by the employer in Section 2.4, a Participant or Beneficiary will be given an opportunity to make an election as to whether or not to receive those distributions. If the Plan permits a Beneficiary of a deceased Participant to make the election to use the 5-year rule or the life expectancy rule, the deadline to make the election shall be extended to reflect the adoption of Code §401(a)(9)(I).
- 5.3 **Direct rollovers.** Notwithstanding the provisions of the Plan relating to required minimum distributions under Code §401(a)(9), and solely for purposes of applying the direct rollover provisions of the Plan, certain additional distributions in 2020, as elected by the Employer in Section 2.4, will be treated as eligible rollover distributions. If no election is made by the Employer in Section 2.4, then a direct rollover will be

offered only for distributions that would be eligible rollover distributions without regard to Code §401(a)(9)(I).

- 5.4 **Definitions. “RMDs”** means required minimum distributions described in Code §401(a)(9). **“2020 RMDs”** means required minimum distributions the Plan would have been required to distribute in 2020 (or permitted to pay in 2021 for the 2020 calendar year for a Participant with a required beginning date of April 1, 2021) but for the enactment of Code §401(a)(9)(I). **“Extended 2020 RMDs”** means one or more payments in a series of substantially equal distributions (that include the 2020 RMDs) made at least annually and expected to last for the life (or life expectancy) of the Participant, the joint lives (or joint life expectancy) of the Participant and the Participant’s designated Beneficiary, or for a period of at least 10 years.
- 5.5 **Installment payments.** A Participant or Beneficiary receiving payment of 2020 RMDs or 2020 Extended RMDs pursuant to this Article 5 may receive them in any method (including installments or partial distributions) which would have been permitted under the terms of the Plan if the amounts would have been RMDs but for the enactment of Code §401(a)(9)(I).

* * * * *

This Amendment has been executed this _____ day of _____, _____.

Name of Plan: City of Sheboygan 457(b) Deferred Compensation Plan

Name of Employer: City of Sheboygan, WI

By: _____
EMPLOYER

DIRECT REFERRAL TO FINANCE AND PERSONNEL COMMITTEE

Gen. Ord. No. 19 - 22 - 23. By Alderpersons Mitchell and Filicky-Peneski.
January 23, 2023.

AN ORDINANCE amending Section 82-33 of the Sheboygan Municipal Code so as to modify the City Table of Organization.

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

Section 1. Section 82-33 of the Sheboygan Municipal Code entitled "List of Classes and Class Specifications" is hereby amended so that Section B of section 82-33 of the supplement to the Code on file in the city clerk's office is amended as follows:

"B. DEPARTMENT OF PUBLIC WORKS

	<u>Class Title</u>	<u>Class Grade</u>	<u>No. of Employees</u>
DELETE:			
5.	Wastewater Treatment Division		
	WWTP Operator	11	1.0
	Maintenance Supervisor	Unclassified	1.0
	Wastewater Lab Technician II	13	1.0
ADD:			
5.	Wastewater Treatment Division		
	WWTP - Lead Operator	14	1.0
	Maintenance Working Foreman	13	1.0
	Network & Process Systems Coordinator	12	1.0"

Section 2. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance and attached revised job descriptions shall be in effect from and after its passage and publication.

I HEREBY CERTIFY that the foregoing Ordinance was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the _____ day of _____, 20____.

Dated _____ 20____. _____, City Clerk

Approved _____ 20____. _____, Mayor



Date: November 4, 2022

To: Todd Wolf, City Administrator
David Biebel, Director of Public Works
Kaitlyn Krueger, Finance Director/Treasurer
Barb Hanson, Human Resources

From: Jordan Skiff, Wastewater Superintendent

Subject: Proposed WWTP Position Changes

In my first year as Wastewater Superintendent for the City, it has become clear that several opportunities exist to structure our staff in a more productive, efficient way. Over the past few years, several vacancies have remained unfilled, including two supervisory positions (Lead Operator and Maintenance Supervisor). I would like to fill a version of these positions again, but by promoting current staff, and retaining their roles in operations and maintenance, not filling the positions again as strictly supervisory. I would also like to modify a third job description as we look to fill a current vacancy.

Lead Operator: Several years ago, we had a full-time Lead Operator supervising four operators. For the past 18 months, Tyler Hoffmann has been performing several Lead Operator roles, while not seeing his job title and pay reflect that. His role expanded further this year when I was hired, as a licensed wastewater operator is required to submit official documents to the DNR on a monthly and annual basis. Tyler took on this role, as well.

Unlike Lead Operators of the past, Tyler will continue to be part of the operator rotation, completing all day-to-day duties. This would remain a non-exempt position. Duties that would be in addition to those of other operators include supervision, scheduling work, project management, parts ordering, involvement in our pretreatment program, and serving as the official Plant representative for DNR reports.

I recommend that the job be placed at Grade 14 on the wage scale, as Tyler's scheduling and oversight duties are on par with the Transit Operations Supervisor, and his technical/certification requirements are likely higher. Since Tyler has been filling this role—professionally and without complaint—since April 2021, I recommend that he receive back-pay for the difference in salary for that time.

Maintenance Working Foreman: Until last year, a Maintenance Supervisor managed a section with three mechanics and many duties related to ordering materials, tracking equipment performance, safety and facility projects. With that position vacant, most of these duties have been completed by the Superintendent, but with a decreased ability to provide the essential time and expertise. Assigning of work orders, staying on top of ordering parts, updating our asset management system, and the daily oversight of our mechanics' performance have all been limited

SHEBOYGAN REGIONAL
WASTEWATER
TREATMENT PLANT

3333 LAKESHORE DRIVE
SHEBOYGAN, WI 53081

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WWW.SHEBOYGANWWTP.COM

by this vacancy. Rather than filling the position as it was—with a full-time supervisor—I propose to promote one of our current mechanics to be a Working Foreman. He would retain his responsibilities for completing work orders and being part of the on-call rotation, but would also direct the work of other mechanics, schedule work, provide advice on personnel actions, and play a larger role in ordering parts and updating our work order system.

I recommend that this position be placed at Grade 13 on our wage scale, as it would have similar requirements of technical expertise and supervisory duties as our former Process Systems position. This position would be non-exempt.

On a related note, two of our current three mechanics have indicated that they may be retiring over the next year or two. I would like to explore the possibility of hiring a fourth mechanic in early 2023 to learn the job while we have experienced veterans to teach him or her. When there's a retirement, we would go back to having three mechanics (one of them being the Working Foreman) instead of four.

Network & Process Systems Coordinator: Our long-time network and instrumentation guru, Steve Meifert, recently retired. His position had evolved over the years, including promoting him to an exempt position that supervised our electrician. Since it is unlikely—and unnecessary—to find someone with Steve's deep and unique skills and background, I recommend removing the supervisory role from this position as well as requirements to be a licensed wastewater operator and have a four-year degree. I would also like to change the title to reflect the work Steve did on our computer network, as that will be an essential skill for his successor.

Due to the unique and highly technical nature of this work, I recommend leaving the placement on the wage scale at Grade 13, but this would be a non-exempt position.

I understand that there may be questions about the budget impact of these proposed changes. Please remember that the two promotions I'm proposing would simply fill positions that have been vacant for several years, add some of those management duties to current staff instead of hiring "additional" staff, and will be very practical by keeping them in the operations and maintenance rotations.

With this in mind, and to make it worthwhile for two of our staff to accept these new positions, I propose that these promotions would result in the employee being placed in the new grade at a step that represents at least a 3% increase in salary. While it may be tempting to place them in the new grade but at a step that is very close to their current salary, this promise of having a higher wage ceiling in their new grade for some point down the road won't be enough of an incentive to take on these extra responsibilities now.

Please feel free to contact me at 920-459-0220 or jordan.skiff@sheboyganwi.gov to discuss this proposal further.

WWTP – Lead Operator

Item 9.

Direct Supervisor: Superintendent - WWTP
Department: Department of Public Works - WWTP
Version Date: December 1, 2022
Salary Grade: 14 (proposed)
FLSA Status: Non-Exempt



Position Summary:

Under general supervision of the Wastewater Superintendent, is responsible for the efficient operation, regulation, and maintenance of equipment and facilities located at the Wastewater Treatment Plant and WW Pump/Lift Stations involving the performance of skilled work normally done independently.

Essential Responsibilities:

1. Supervise a team of operators—while also participating fully in the operator rotation—in the following duties.
2. Regulate wastewater flow through the treatment plant and make adjustments in the process in accordance with prescribed standards.
3. Inspect motors, bearings, and gear boxes for overheating and maintain proper lubrication.
4. Collect samples of sewage and effluent at various stages of processing and perform routine physical and chemical analysis, including but not limited to chlorine residual, sulfite residual, ammonia nitrogen concentration, phosphorus concentration, pH, etc.
5. Analyze and interpret operational data to determine proper process control.
6. Performs start-stop functions on a variety of mechanical and electrical equipment and more complex process equipment systems including but not limited to, pumping systems, chemical feed systems, air supply systems, methane gas systems sludge dewatering systems, etc.
7. Skim and/or clean process basin walls and water surfaces.
8. Make and record meter and gauge readings as required. Maintain and interpret logs and prepare written reports pertaining thereto.
9. Make normal repairs to equipment and assist in extensive repairs.
10. Teach other employees related skills and procedures necessary in the operation of the wastewater plant and associated equipment.
11. Required to fill-in and perform wastewater laboratory analysis when necessary.
12. Maintain equipment, buildings, and grounds in a clean and orderly manner.
13. Will be required to fill in as relief for vacations, sick leave, etc.
14. Perform all functions/tasks defined in Operator Trainee, Operator I and Operator II job descriptions.
15. Perform related duties as required.
16. Schedule work for all operators, and assign work orders via FIIX.
17. Manage certain capital projects, including planning, bidding out, tracking budgets, documenting, coordinating supporting work, and overseeing the contractor's efforts.
18. In collaboration with the operators, make operational decisions for the Plant.
19. Order parts and supplies as needed.
20. As the designated Operator in Charge for DNR submittals, sign and complete all regulatory/mandatory information that is sent to the DNR (eDMRs, CMARs, etc.).
21. Accompany pretreatment coordinator on annual site inspections.

Education & Experience:

1. Bachelor's degree in environmental science, chemistry, biology, or a related field. High School diploma or GED certificate recognized by the Wisconsin Department of Public Instruction.
2. Five Ten (10) years of on-the-job experience in the operation of/and principles of wastewater treatment and associated equipment.
3. Five Ten (10) years of on-the-job experience in the operation and maintenance of motors, compressors, pumps, mechanical equipment, and similar mechanical systems.
4. Certification as a Wisconsin Department of Natural Resources Grade IV Wastewater Operator in ALL sub-classes appropriate to the Sheboygan WWTP. The Wastewater Operators certification may be increased depending on requirements mandated by the WDNR.

Qualifications & Skills:

1. Ability to work under general instructions and make independent judgments.
2. Knowledge of the methods and principles of the operation of large capacity pumps and related wastewater treatment plant equipment.
3. Knowledge of standard practices, techniques, and principles of water pollution control.
4. Knowledge of and ability to perform laboratory analysis as required by the WDNR and our WPDES wastewater discharge permit; including but not limited to, BOD5, TSS, Total Phosphorus, Ammonia Nitrogen, Fecal Coliform, pH, etc.
5. Ability to maintain and evaluate records.
6. Ability to inspect sewage plant machinery and mechanical equipment in operation and to detect flaws and defects in operation.
7. Ability to react promptly and effectively in emergencies.
8. Ability to perform manual work involving lifting, climbing, crouching, etc.
9. Ability to establish and maintain effective working relationships.
10. Will be required to work shifts, holidays, and week-ends.
11. Must possess a valid Wisconsin Motor Vehicle Operator's license in good standing.
12. Basic knowledge of mathematical principles.

Post Job Offer Requirements:

Job offers for this position are contingent on the individual passing a pre-employment drug screen and background check.

Work Environment:

The work environment and physical demands characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable qualified individuals with disabilities to perform the essential functions.

Department Summary:

At the Department of Public Works, we strive to provide a professional Public Works organization that will offer quality infrastructure and services in a sustainable way that will contribute to making Sheboygan a desirable place to work, live, and play. Our mission is to improve the quality of life by effectively developing, maintaining, and improving the infrastructure, natural resources, and community services.

Department of Public Works Goals

- Provide quality infrastructure that conveys safe, efficient delivery of essential goods and services.
- Provide clean and beautiful public spaces that maximize the natural environment to enhance the overall quality of life.
- Deliver professional-quality public service with a friendly and welcoming atmosphere.

Acknowledgement:

The job description includes the essential responsibilities of the position and is not to be construed as all-inclusive. The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific essential responsibilities does not exclude them from the position if the work is similar, related, or is a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

My signature below is both an acknowledgement of my understanding of the job description for this position, as well as my commitment to uphold and promote the mission, vision, and core values of the City of Sheboygan, and work to fulfill the six values of the City's Strategic Plan.

Employee Name: _____ Employee Number: _____

Employee Signature: _____ Date: _____

JOB DESCRIPTION QUESTIONNAIRE

The purpose of the Job Description Questionnaire (JDQ) is to provide the information necessary to evaluate jobs for salary placement, classify jobs for various legal requirements, and to compile appropriate job descriptions.

Please read this JDQ carefully before answering any of the questions and then complete it as accurately, completely, and briefly as possible. While it is not necessary to describe each duty in great detail, it is important to provide sufficient information so the job can be accurately evaluated and classified. Keep in mind that *the purpose of the JDQ is to collect information about the job and is not designed to evaluate employee performance.*

Consider the typical responsibilities of the job; even those that might only occur cyclically (e.g. annually, quarterly, etc.). The responses should be based on duties and responsibilities that are a regular and ongoing part of the job, under typical conditions, and not special projects or temporary assignments. Further, unless specifically directed by management, describe the job as it is today, not as you believe it should be or what it might be in the future.

SECTION 1				DEMOGRAPHIC INFORMATION	
Employee Name	Tyler Hoffmann	Employer Name		City of Sheboygan	
Job Title	Lead Operator	Work Location		3333 Lakeshore Drive	
Department	Department of Public Works	Division		Wastewater	
Full-Time / Part-Time	Full-time	Part-Time (Hrs per Wk)		N/A	
Supervisor Name	Jordan Skiff	Supervisor Title		Superintendent	

SECTION 2		JOB SUMMARY/PURPOSE
What is the primary purpose of your job? Briefly state what your job is—including why your job exists—in such a manner that could easily be explained to another person. In other words, if someone came up to you on the street and asked what your job entailed, how would you describe it?		
Lead a team of operators whose primary mission is to send clean water to Lake Michigan from sanitary sewers		

SECTION 3

DESCRIPTION OF ESSENTIAL DUTIES & RESPONSIBILITIES

Positions are made up of various duties that generally fall into a handful of categories/responsibilities. For example, a Street Operator's categories may include Streets Maintenance, Snow Plowing, Equipment Operation, Refuse Collection, etc. An Administrative Assistant's categories may include Document Preparation, Meeting Coordination, Records Management, etc.

Identifying the main functions and the percent of time spent on each category provides the best information to correctly classify your position. Adding the significant duties within each category allows us to better understand your work in each area. As you list the specific duties, please focus on WHAT is done, rather than HOW it is done. This provides adequate detail without requiring your responses to be more labor-intensive than needed. Please try to avoid terminology and acronyms that are not widely known outside of your line of work.

Category (Area of Responsibility):	6-2 Shift	% of Annual Total Time Spent on Category:	35%
Duties within Category:	Collecting samples for analysis, daily lab tests (chlorine, pH, phosphorus, and ammonia), process control (checking sludge blanket depths and dissolved oxygen concentration), checking pumps, dryer and screw press operations (polymer and sludge concentrations, flow rates), monitor equipment for wear and other breakdowns, making process changes based on the information from the lab testing and monitoring and daily observation, checking drip traps, receiving and ordering chemicals for process control, ordering polymer for screw presses, filling out spreadsheets for data collection, troubleshooting equipment that is malfunctioning, checking for proper sampler operation, starting redundant equipment that may only be used intermittently, using SCADA. Perform cleaning of the DO probes and ORP probes.		
Category (Area of Responsibility):	Non-Operating Shift	% of Annual Total Time Spent on Category:	30%
Duties within Category:	Assisting and performing with the maintenance staff or doing light maintenance. Adhere to the confined space protocols. Cut grass, remove snow, clean weirs and other basins. Clean dryer building. Draft and perform Lock out/Tag out procedures and implement them with the staff. Perform pump checks on Raw pumps and ferric pumps. Take care of online analyzers for phosphorus in the final effluent, aeration basins, and the bisulfite analyzer. Calibrate the ORP probes to a standard solution. Perform lift station inspections, perform lab tests (see Laboratory section below). Complete work orders from the FLIX program as well as any other assigned projects (painting, etc.).		
Category (Area of Responsibility):	9 to 5 Shift	% of Annual Total Time Spent on Category:	20%
Duties within Category:	Clean building floors (dry and wet mopping), bathrooms, vacuuming, cleaning windows and doors, dusting, and collecting garbage around the facility. Assist mechanics with maintenance and perform various light maintenance from the work order list or other assigned projects. Monitor the plant through the SCADA system. Perform chlorine and bisulfite residual tests. Use daily observations and data to make process control decisions. Bring online any additional equipment that may be required overnight. Secure the premises.		
Category (Area of Responsibility):	Laboratory	% of Annual Total Time Spent on Category:	2%
Duties within Category:	Perform lab tests that has the data sent to the Department of Natural Resources. Analyze cBOD, TSS, phosphorus, ammonia, fecal coliform, and e. coli samples. Make own glucose-glutamic acid standards for BODs. Maintain records of chemicals being used and providing traceable information for the DNR. Perform monthly		

checks on BOD equipment for barometric pressure and monthly checks on balances used for TSS, percent solids and volatile solids.			
Category (Area of Responsibility):	Lead Operator	% of Annual Total Time Spent on Category:	10 %
Duties within Category:	Schedule work for the operators during the week. Project management, including planning, presenting to Council for approval, going out for bids, tracking budgets, and giving operational input into projects. Assist in preparing the rate tool to set rates and budget for capital projects in the future. Assigning tasks via FIIX and using Smartsheet to make operator work schedules. Making sure work orders are being completed and filled out correctly, and inventory tracked. Make operational decisions based on evidence that the plant and monitoring via SCADA and operators to better improve effluent quality. Ordering parts and supplies as needed, Adding new scheduled maintenance as new operational equipment is brought online. Help fill out permit applications, CMOM, CMAR, pretreatment data for the DNR. As the designated Operator in Charge for DNR submittals, sign and complete all regulatory/mandatory information that is sent to the Wisconsin DNR (eDMRs, CMARs, etc.).		
Category (Area of Responsibility):	Pretreatment Coordinator	% of Annual Total Time Spent on Category:	1 %
Duties within Category:	Accompany the pretreatment coordinator to annual site inspections of the facilities that have significant sewer loadings or have potentially dangerous discharges. Help fill out data from the annual testing performed by an outside lab contractor and submit that data sent to the DNR. Fill management roles when the coordinator and/or superintendent are not available.		
Category (Area of Responsibility):	Project Manager	% of Annual Total Time Spent on Category:	2%
Duties within Category:	Get project approved by Common Council. Get budget approved by Public Works Committee. Obtain quotes or sealed bids from contractors. Establish a timeline, work plan and schedule for project completion. Key decision maker in hiring contractors or completing work in-house. Responsible for communicating with contractors, accounting for delivery and weather delays, and ultimately responsible for the finished product. Weekly status reports and budget updates are submitted to the DPW office. Create purchase orders and ensure invoices are paid. Coordinate supporting efforts by plant staff. Submit a final project summary and closeout paperwork after all parties are paid and the project is complete. Prepare a report to document the scope of work and lessons learned for future.		

SECTION 4

TOOLS, SOFTWARE, & TECHNOLOGY

Identify the software programs that proficiency is required in to successfully perform your duties. Please include standard programs (i.e. MS Word or Excel) in addition to job-specific programs (i.e. accounting software, engineering software). If none are required, please list n/a.

Excel, Word, SCADA, Outlook, FIIX, Smartsheet, Munis,

Identify technical equipment that proficiency is required in to successfully perform your duties. Examples include office equipment (i.e. copier, multi-line phone system) as well as equipment used in the field (i.e. calibration equipment, GPS units, locating devices).

Chlorine analyzers, phosphorus analyzers, bisulfite analyzer. DO and ORP probes, copier/printer, phones. Calibration equipment and standards for DO

and ORP probes. Chemicals to make a bisulfite standard for an analyzer reading, pH meter and handheld phosphorus and ammonia meters. Sample ovens, sludge samplers, sludge blanket reader, microscope.

Identify vehicles and machinery that proficiency is required in to successfully perform your duties. Examples include forklift, squad car, lawn mower, etc. Forklift, man lift, electric cart, lab cart, lawnmower, snowblower, pickup trucks and snowplows. Handheld and other cordless power tools.

SECTION 5 JUDGMENTS / DECISION-MAKING

Identify at least five of the most typical judgments/decisions that you make in performing your job (throughout the course of a year) as well as the possible solutions to these problems. Finally, identify those who may assist in the decision-making process and/or those who may review the decisions made.

Typical Problems/Challenges	Possible Solution(s) to Problem/Challenge	Job Title(s) of Collaborators and/or Who Reviews
Process changes	Bring additional equipment online, switch to other equipment, adjust settings.	Operator/Mechanic/Superintendent/Lab Tech
Dryer	Changing throughput to dryer, sludge feed numbers, polymer feeds and concentrations	Operator/Superintendent
Analyzer Issues	Changing reagents or MPV valves on equipment, Tubing changes and cleanings. Filters changes	Operator/Superintendent
Clarifier pumping issues	Change pumping rates on primary clarifiers, install new check balls, check pumping rates	Operator/Mechanic/Superintendent/Electrician
Assign operator duties	Account for skills & training in each operator. Juggle calendars to ensure that planned—and unexpected—work needs are accomplished.	Superintendent

SECTION 6 WORKING RELATIONSHIPS / INTERACTIONS / CONTACTS

Please identify your typical work relationships with other persons inside or outside of your own organization.

Title of Individuals With Whom You Typically Interact	Describe the Interaction (What Was Going On?)	Why Was It Necessary?
Superintendent	Planning, meetings, conversations	Discuss daily observations or outliers in the data. Work together to determine a solution to potential problems or do further research if it required. Involved in process discussions, potential project planning.
Vendors	Ordering, coordinating	Ordering product for screw presses or gravity belt. Ordering chemicals for the process control equipment.
Electrician	Project coordination	Any potential electrical issues or loss of power to areas of the plant or specific equipment being worked on. Completed

		work orders with analyzers.
Mechanics	Project coordination, joint efforts	Discuss concerns caught by daily observations. Work with mechanic to perform maintenance.
Operators	Project planning, prioritization, delegation.	Discuss plant issues or concerns. Work together to find solutions to process control issues and problems.

SECTION 7

SUPERVISION / MANAGEMENT

Please indicate the type of responsibility you have as it pertains to leading or managing others. Understanding that some areas (e.g. terminating employees) may require approval at a higher level (e.g. Human Resources), give a "yes" response if the primary recommendation comes from this position and give a "provides input" response if the recommendation is handled through the "chain of command" in a department.

Area of Action / Responsibility		Yes	No	Provides Input
Screen / Interview Applicants		X		
Hire / Promote Employees				X
Evaluate Performance Of Others				X
Provide Written / Verbal Warnings			X	
Suspend Employees			X	
Terminate Employees			X	
Prepare Work Schedules For Others		X		
Formal Project Management		X		
Provide Work Direction For Others		X		
Counsel Employees (e.g. Guiding/Coaching/Mentoring)				X
Developing Training/Development Plans for Employees				X
Train Employees (As Part Of The Normal Duties Of The Job)		X		
Approving/Assigning Overtime			X	
Approve Time Off Request For Others			X	
Develop / Implement Policies		X		
Do you <u>directly</u> supervise any employees? <i>If yes, please list the number of FTEs and job titles of those employees below:</i>			X	

Job Title	# of FTEs
	N/A

SECTION 8

PHYSICAL REQUIREMENTS / WORK ENVIRONMENT

Please indicate the amount of time typically spent in the following categories throughout the course of a year. Although an explanation is invited for each element, we ask that you provide a brief explanation of those elements marked with an * in the space provided.

Physical Requirements	[Place an "X" in the appropriate cells]			
	N/A	Low Frequency	Moderate Frequency	High Frequency
Carrying / Lifting 10 - 25 Pounds			X	
Carrying / Lifting 25 - 50 Pounds		X		
Carrying / Lifting > 50 Pounds *		X		
Sitting			X	
Standing / Walking / Climbing				X
Specific Vision, Hearing, Taste, or Smell Requirements *				X
Squatting / Crouching / Kneeling / Bending				X
Repetitive Hand/Foot Movement *	X			
Pushing / Pulling / Reaching Above Shoulder		X		
Work Environment	N/A	Low Frequency	Moderate Frequency	High Frequency
Indoor/Office Work Environment			X	
Outdoor Weather Conditions			X	
Noise >85dB (e.g. mower, heavy traffic, milling machine, etc.) *			X	
Extreme Hot/Cold Temperatures (>90 degrees / <40 degrees) *			X	
Irritated or Agitated Individuals *		X		
Hostile or Violent Individuals *		X		
Hazardous Fumes / Odors / Toxic Chemicals *				X
Electrical Hazards *		X		
Confined Spaces (as identified by OSHA) *			X	

	Associate's Degree (or Equivalent)	
X	Bachelor's Degree	Environmental Science, Chemistry, Biology, or related field
	Master's Degree	
	Professional Degree (<i>Juris Doctor, Medicine, etc.</i>)	
	PhD w/ Dissertation	
	Other:	
Provide Any Additional Information Regarding the Required Education (e.g. preferred vs. required, specific coursework, etc.):		

SECTION 12							
TOTAL EXPERIENCE REQUIRED UPON HIRE							
[Place an "X" in the appropriate cells]							
No Experience	< 2 yr.	2 to 3 yrs.	4 to 5 yrs.	6 to 7 yrs.	8 to 9 yrs.	10 to 11 yrs.	≥ 12 yrs.
			X				
Describe Specific Experience Required for Hiring (e.g. 5 total years of customer service experience 2 of which were in a supervisory capacity):							

SECTION 13			
CERTIFICATION / LICENSURE / TRAINING TO PERFORM JOB			
List Required Certification/Licensure/Training	How Attained/Provided	Required Upon Hire?	May Obtain After Hire?
Wisconsin DNR Advanced Wastewater Operator	Examination and years of formal education/experience.	X	
Comments - Describe any time requirement for certification, recertification requirements, and any current practices as it relates to licensure or certification (e.g. extra pay for certification, employer payment for obtaining or renewing, etc.):			

SECTION 14		SUPERVISOR'S CORRECTIONS / ADDITIONS	
In lieu of altering an employee's JDQ, please provide any corrections, clarifications, or additional information in the space provided below.			
JDQ Section		Correction / Addition	

SECTION 15		ADDITIONAL SUPERVISOR COMMENTS	
Please identify any other job-related information that is not otherwise addressed in the JDQ, or would help someone else understand this job more clearly:			

To BE COMPLETED BY ADMINISTRATIVE DESIGNEE (AS NEEDED)

SECTION 16		SUPERVISOR INFORMATION	
Administrative Designee Name		Administrative Designee Title	

SECTION 17		ADMINISTRATIVE COMMENTS / CORRECTIONS / ADDITIONS	
In lieu of altering an employee's JDQ, please provide any corrections, clarifications, or additional information in the space provided below.			
JDQ Section		Comment / Clarification / Addition	

Maintenance Working Foreman

Item 9.

Direct Supervisor: Superintendent - WWTP
Department: Department of Public Works
Version Date: December 1, 2022
Salary Grade: 13 (proposed)
FLSA Status: Non-Exempt



Position Summary:

The purpose of this position is to organize, plan, direct and schedule the Maintenance Mechanics, the Electronics Technician, the Electrician, the Janitor and non-operating operators working at the wastewater treatment plant and pump stations.

Essential Responsibilities:

1. Supervise and Direct the work of the maintenance technicians, the electronics technician, the electrician and the operators not assigned to Operations.
2. Provide inventory control of parts and supplies needed in maintaining the wastewater plant and pump/lift stations.
3. Develop and implement work schedules that result in an efficient and effective maintenance program.
4. Process work orders and maintain records (maintenance management database) and files used to track equipment repair cost and equipment downtime.
5. Investigate and evaluate wastewater treatment plant and pump/lift station equipment for proper operation.
6. Plan, organize, order parts and schedule corrective actions required to correct equipment problems detected during the investigation and evaluation process.
7. Train, assign, and schedule and evaluate employees.
8. Recommend hiring, promotion, demotion and discipline.
9. Perform other work as assigned.
10. Participate in on-call rotation with other maintenance staff.

Education & Experience:

1. Associates Degree from a college or university, with four to five to seven years of maintenance experience, or any combination of education and experience that provides equivalent knowledge, skills, and abilities.
2. Possession of or ability to obtain within one (1) year of employment, a Class IV Wastewater Operators Certificate with certification in all subclasses pertinent to the Sheboygan Regional Wastewater Treatment Facility (a, c, e, f, g, i and j) as issued by the Wisconsin Department of Natural Resources.

Qualifications & Skills:

1. Working knowledge of the laws, codes, principles, practices, modern methods and techniques applied to and pertaining to work at a wastewater treatment facility.
2. Working knowledge of office and maintenance work related to the interpretation of plans, specifications, charts, reports, and maintenance manuals as applied to the operation and maintenance of a wastewater treatment plant.
3. Ability to effectively supervise, coordinate and schedule work for employees.

Maintenance Working Foreman

Item 9.

4. Ability to communicate effectively in both written and verbal form.
5. Ability to initiate and complete project assignments from oral and written instructions.
6. Ability to work effectively with co-workers, contractors, and the public.
7. Ability to analyze, interpret, and utilize design data and information from technical studies, reports, engineering diagrams and specifications, state administrative code, computer software manuals, equipment maintenance manuals and other publications.
8. Ability to use various office and maintenance equipment while completing assigned tasks.
9. Ability to work independently and productively with limited supervision.
10. Thorough knowledge of the methods and principles of the operation of pumps, motors, and related wastewater treatment plant equipment.
11. Possess a valid Wisconsin Motor Vehicle Operators license.
12. Basic knowledge of mathematical principles.

Post Job Offer Requirements:

Job offers for this position are contingent on the individual passing a pre-employment drug screen and background check.

Work Environment:

The work environment and physical demands characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable qualified individuals with disabilities to perform the essential functions.

Department Summary:

At the Department of Public Works, we strive to provide a professional Public Works organization that will offer quality infrastructure and services in a sustainable way that will contribute to making Sheboygan a desirable place to work, live, and play. Our mission is to improve the quality of life by effectively developing, maintaining, and improving the infrastructure, natural resources, and community services.

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My signature below is both an acknowledgement of my understanding of the job description for this position, as well as my commitment to uphold and promote the mission, vision, and core values of the City of Sheboygan, and work to fulfill the six values of the City's Strategic Plan.

Employee Name: _____ Employee Number: _____

Employee Signature: _____ Date: _____

JOB DESCRIPTION QUESTIONNAIRE

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SECTION 1			DEMOGRAPHIC INFORMATION		
Employee Name			Employer Name	City of Sheboygan	
Job Title	Maintenance	Working Foreman	Work Location	3333 Lakeshore Drive	
Department	Department of Public Works		Division	Wastewater	
Full-Time / Part-Time	Full-Time		Part-Time (Hrs per Wk)	N/A	
Supervisor Name	Jordan Skiff		Supervisor Title	Wastewater Treatment Plant Superintendent	

SECTION 2		JOB SUMMARY/PURPOSE
What is the primary purpose of your job? Briefly state what your job is—including why your job exists—in such a manner that could easily be explained to another person. In other words, if someone came up to you on the street and asked what your job entailed, how would you describe it?		
Maintain and repair mechanical, hydraulic, pneumatic and electrical equipment at the wastewater plant and lift stations. Weld, fabricate and machine components to maintain these systems. Prioritize and direct the efforts of maintenance mechanics in these same duties.		

SECTION 3

DESCRIPTION OF ESSENTIAL DUTIES & RESPONSIBILITIES

Positions are made up of various duties that generally fall into a handful of categories/responsibilities. For example, a Street Operator's categories may include Streets Maintenance, Snow Plowing, Equipment Operation, Refuse Collection, etc. An Administrative Assistant's categories may include Document Preparation, Meeting Coordination, Records Management, etc.

Identifying the main functions and the percent of time spent on each category provides the best information to correctly classify your position. Adding the significant duties within each category allows us to better understand your work in each area. As you list the specific duties, please focus on WHAT is done, rather than HOW it is done. This provides adequate detail without requiring your responses to be more labor-intensive than needed. Please try to avoid terminology and acronyms that are not widely known outside of your line of work.

Category (Area of Responsibility):	Lubrication and Equipment PM's	% of Annual Total Time Spent on Category:	10%
Duties within Category:	Complete oil changes and PM's on Turblex Blowers, isolation gates, inspect clarifiers, digesters, screens, aeration basins, wet wells etc. Many of these PM's require entry into a confined space. Inspect lift stations and equipment. Troubleshooting and solving process and equipment problems.		
Category (Area of Responsibility):	Maintenance Projects	% of Annual Total Time Spent on Category:	15%
Duties within Category:	Repair concrete floors and structures, repair Clarifier baffles and skimmers, pump replacements at plant and lift stations, and overall general equipment repairs, including fabrication of components and guarding.		
Category (Area of Responsibility):	Working with Contractors	% of Annual Total Time Spent on Category:	25%
Duties within Category:	Cutting concrete bases, clarifier drive installations, cleaning tanks and wet wells, air compressor and boiler troubleshooting etc.		
Category (Area of Responsibility):	On-Call	% of Annual Total Time Spent on Category:	10%
Duties within Category:	Responsible for coming in and correcting critical issues to maintain the operation of the WWTP and lift stations when the plant is unmanned during non-work hours.		
Category (Area of Responsibility):	Work Order System	% of Annual Total Time Spent on Category:	20%
Duties within Category:	Assign work orders, update FLIX (work order software). Complete assigned work and close out work orders when completed. Order necessary parts for project.		
Category (Area of Responsibility):	Prioritize/Dispatch Mechanics' Work	% of Annual Total Time Spent on Category:	20%
Duties within Category:	Establish work priorities with Superintendent; delegate those duties to the mechanics. Oversee safety programs such as confined space inventory, ordering PPE, etc.		
Category (Area of Responsibility):		% of Annual Total Time Spent on Category:	%
Duties within Category:			

SECTION 4

TOOLS, SOFTWARE, & TECHNOLOGY

Identify the software programs that proficiency is required in to successfully perform your duties. Please include standard programs (i.e. MS Word or Excel) in addition to job-specific programs (i.e. accounting software, engineering software). If none are required, please list n/a.

MS Word, FIXX, SCADA, MUNIS, Outlook

Identify technical equipment that proficiency is required in to successfully perform your duties. Examples include office equipment (i.e. copier, multi-line phone system) as well as equipment used in the field (i.e. calibration equipment, GPS units, locating devices).

Ultrasonic thickness tester, safety retrieval system, belt alignment laser, gas quality samplers, laser level, tachometer etc.

Identify vehicles and machinery that proficiency is required in to successfully perform your duties. Examples include forklift, squad car, lawn mower, etc.

Forklift, manlift, electric cart, lawn mower, plow truck, snowblower, electric crane, hand and power tools etc.

SECTION 5

JUDGMENTS / DECISION-MAKING

Identify at least five of the most typical judgments/decisions that you make in performing your job (throughout the course of a year) as well as the possible solutions to these problems. Finally, identify those who may assist in the decision-making process and/or those who may review the decisions made.

Typical Problems/Challenges	Possible Solution(s) to Problem/Challenge	Job Title(s) of Collaborators and/or Who Reviews
Prioritize & delegate work orders to maintenance mechanics	Track calendars, align skills with duties, implement vision for workflow, communicate	Superintendent, mechanics, staff "customers"
Advise on personnel matters related to maintenance mechanics	Assist with hiring, evaluating, delegating	Superintendent, mechanics
Repairs to Clarifier Skimmers	Re-level and secure baffle, replace wipers and springs, complete final adjustment.	Maintenance, Operators.
Turblex Blower Maintenance and Operation	Complete PM's, train operators to run,	Maintenance, Operators.
Low flow from lift pump	Open pump and inspect the impeller for debris. Clean out, reassemble and put back in service.	Maintenance/Operators/Supervisor

SECTION 6

WORKING RELATIONSHIPS / INTERACTIONS / CONTACTS

Please identify your typical work relationships with other persons inside or outside of your own organization.

Title of Individuals With Whom You Typically Interact	Describe the Interaction (What Was Going On?)	Why Was It Necessary?
Operator	Troubleshooting equipment during repairs and maintenance.	Understand the equipment to minimize outages and allow for efficient, cost-effective repairs.
Maintenance Mechanics	Share knowledge on all subjects, order parts , maintain FIIX work order system .	To collaborate and dispatch for the most successful outcome.
Supervisors	Locate and price out goods from vendor, place orders , collaborate on upcoming maintenance needs	To procure supplies and complete work orders in a timely manner.
Vendors (equipment deliveries and contractors)	Receive goods from vendors, aid contractors with information and equipment.	To have a successful project.
Electrician	Disconnect electricity for lock out/tag out, or removal.	Safety concern or relocation/replacement.

SECTION 7

SUPERVISION / MANAGEMENT

Please indicate the type of responsibility you have as it pertains to leading or managing others. Understanding that some areas (e.g. terminating employees) may require approval at a higher level (e.g. Human Resources), give a "yes" response if the primary recommendation comes from this position and give a "provides input" response if the recommendation is handled through the "chain of command" in a department.

Area of Action / Responsibility	Yes	No	Provides Input
Screen / Interview Applicants	X		
Hire / Promote Employees			X
Evaluate Performance Of Others			X
Provide Written / Verbal Warnings		X	
Suspend Employees		X	
Terminate Employees		X	
Prepare Work Schedules For Others	X		
Formal Project Management			X
Provide Work Direction For Others	X		
Counsel Employees (e.g. Guiding/Coaching/Mentoring)			X

Noise >85dB (e.g. mower, heavy traffic, milling machine, etc.) *				X	
Extreme Hot/Cold Temperatures (>90 degrees / <40 degrees) *					X
Irritated or Agitated Individuals *				X	
Hostile or Violent Individuals *			X		
Hazardous Fumes / Odors / Toxic Chemicals *					X
Electrical Hazards *				X	
Confined Spaces (as identified by OSHA) *					X
Close Proximity to Moving Machinery / Equipment *					X
Bodily Fluids / Communicable Diseases *					X
Work-Related Travel				X	
Working Alongside Moving Traffic on Roads				X	
Provide Any Additional Information Regarding the Physical Requirements or Work Environment (e.g. description of required vision, hearing, taste, smell; type of work travel; etc.):					

SECTION 9

ADDITIONAL EMPLOYEE COMMENTS

Please identify any other job-related information that is not otherwise addressed in the JDQ, or would help someone else understand this job more clearly:

To BE COMPLETED BY THE EMPLOYEE'S SUPERVISOR

SECTION 10

SUPERVISOR INFORMATION

Supervisor Name	Jordan Skiff	Supervisor Title	Wastewater Superintendent
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SECTION 11

EDUCATION REQUIRED FOR HIRE

Level of Education REQUIRED (Select one with an "X")	Field(s) of Study (e.g. Degrees/Concentrations)
Less than High School Education	n/a
High School Education (or Equivalent)	

One Year Certificate (or Equivalent)	
Associate's Degree (or Equivalent)	X
Bachelor's Degree	
Master's Degree	
Professional Degree (<i>Juris Doctor</i> , <i>Medicine</i> , etc.)	
PhD w/ Dissertation	
Other:	

Provide Any Additional Information Regarding the Required Education (e.g. preferred vs. required, specific coursework, etc.):

Associates degree in mechanical maintenance or equivalent experience.

SECTION 12							
TOTAL EXPERIENCE REQUIRED UPON HIRE							
[Place an "X" in the appropriate cells]							
No Experience	< 2 yr.	2 to 3 yrs.	4 to 5 yrs.	6 to 7 yrs.	8 to 9 yrs.	10 to 11 yrs.	≥ 12 yrs.
			X				

Describe Specific Experience Required for Hiring (e.g. 5 total years of customer service experience 2 of which were in a supervisory capacity):

General knowledge of pneumatics, mechanical and electrical equipment (2 – 3 years experience) or associates degree in mechanical maintenance.

SECTION 13		
CERTIFICATION / LICENSURE / TRAINING TO PERFORM JOB		
List Required Certification/Licensure/Training	How Attained/Provided	Required Upon Hire? May Obtain After Hire?
Comments - Describe any time requirement for certification, recertification requirements, and any current practices as it relates to licensure or certification (e.g. extra pay for certification, employer payment for obtaining or renewing, etc.):		

SECTION 14		SUPERVISOR'S CORRECTIONS / ADDITIONS	
In lieu of altering an employee's JDQ, please provide any corrections, clarifications, or additional information in the space provided below.			
JDQ Section		Correction / Addition	

SECTION 15		ADDITIONAL SUPERVISOR COMMENTS	
Please identify any other job-related information that is not otherwise addressed in the JDQ, or would help someone else understand this job more clearly:			
The maintenance staff routinely runs piping, welds components, threads pipe, helps design improvements etc. that help to make plant equipment and facilities reliable and safe. They understand lubrication, fabrication and can assemble more complex components such as gear boxes and pump assemblies. Very little contract maintenance is required to maintain our equipment.			

To BE COMPLETED BY ADMINISTRATIVE DESIGNEE (AS NEEDED)

SECTION 16		SUPERVISOR INFORMATION	
Administrative Designee Name		Administrative Designee Title	

SECTION 17		ADMINISTRATIVE COMMENTS / CORRECTIONS / ADDITIONS	
In lieu of altering an employee's JDQ, please provide any corrections, clarifications, or additional information in the space provided below.			
JDQ Section		Comment / Clarification / Addition	

Network & Process Systems Coordinator Item 9.

Direct Supervisor: Superintendent - WWTP
Department: Department of Public Works - WWTP
Version Date: December 1, 2022
Salary Grade: 13
FLSA Status: Non-Exempt



Position Summary:

Responsible for a variety of duties including overseeing the operation, maintenance and upgrade of the Sheboygan Regional WWTP computer workstations, servers, Laboratory Information Management software (HachWIMS), Programmable Logic Controllers (PLC), and Supervisory Control and Data Acquisition (SCADA) systems operating in a client/server environment. Also oversee the operation, maintenance, and replacement of electronic and electrical systems, process instrumentation, telemetering instruments and other equipment pertinent to the operation of the Wastewater Treatment Plant. Perform functions to plan and coordinate the maintenance and repair of all electrical, instrumentation, and communications systems; coordinate with related personnel. Collect and analyze data and information as needed to assist in the implementation of projects including assisting in project development, design, preparation and/or review of contract and procurement documents, bidding, construction, and startup.

Essential Responsibilities:

1. Assist in the design, implementation, startup, operation, maintenance, repair and replacement of electrical instruments, equipment, facilities, components, products, and systems for WWTP purposes.
2. Develop, define, and assist with project design, assist with the determination and specification of equipment and materials to be incorporated into projects, determine nature and scope of project needs, make field investigations as necessary to collect data, and establish project parameters.
3. Perform detailed calculations to compute and establish construction and installation standards and specifications.
4. Assist with preparation of specifications for purchase of materials and equipment; locate and contact vendors to establish sources of supply to meet project requirements, prepare purchase requisitions, bid documents, or procurement documents as required.
5. Prepare memos and reports to clearly convey options and recommendations from field investigations.
6. Assist as needed in administration of projects under construction to ensure constructed work conforms to design intent and requirements of contract documents.
7. Direct and coordinate in-house construction, installation, maintenance, support, documentation, and testing activities to ensure compliance with specifications, codes, and WWTP requirements.
8. Compile data and write reports regarding existing and potential WWTP studies and projects.
9. Assist in developing capital project programs for new equipment and major repairs.
10. Implement and monitor scheduled preventive maintenance activities.
11. Troubleshoot, analyze and diagnose unusual problems and recommend course of repair required.
12. Ensure safe worker conditions and practices and good housekeeping conditions are in place.
13. Coordinate with Supervise and train project team members as necessary.
14. Interact with operations, mechanical, and electrical personnel to determine and define scope and requirements of project.
15. Serve as WWTF liaison with electric utility to coordinate preventative and corrective maintenance and to resolve utility issues.

16. On a rotating basis with other maintenance staff, keep Superintendent informed of unusual problems or delays and respond to emergency calls on a 24-hour basis.
17. Responsible for the proper functioning of electronic and electrical monitoring and data acquisition devices and systems, together with the proper function of both automatic and manual sampling devices.
18. Oversee the inspection, maintenance, calibration, and repairs of electronic and electrical monitoring and data acquisition instruments, systems and other equipment.
19. Perform electrical testing and routine electrical repair, including electrical wiring required by plant operations.
20. Inspect, program, and maintain, programmable controllers used at the WWTP and five local lift stations remote locations.
21. Coordinate electrical or electronic maintenance and repair with electrician, operations and mechanical maintenance staff; assist in repairs as required.
22. Responsible for maintaining wastewater plant computer and PLC networks including workstation and network server maintenance. Perform periodic backups of network servers as needed to maintain data integrity.
23. Responsible to implement and oversee a systematic preventative maintenance program for electronic and electrical instruments and equipment, and keep proper recordkeeping of maintenance logs.
24. Ensure that an adequate inventory of components and supplies is maintained and accounted for and initiates the purchase of same.
25. Enforce all applicable codes, safety standards and procedures.
26. Keep accurate records.
27. May supervise the work of others.
28. Perform other duties as assigned.

Education & Experience:

1. Requires a four two-year degree in Electrical or Software Engineering or related technical field.
2. Three years of work experience in SCADA system design and maintenance.
3. A minimum of five years in wastewater treatment plant process operations and maintenance is also required.
4. Three to five Seven or more years of experience in SCADA system design and maintenance, PLC programming and maintenance in a wastewater treatment facility environment may be utilized in lieu of a technical degree.
5. Possess an Advanced Wisconsin Wastewater Operator Certification in all subclasses appropriate for the Sheboygan Regional WWTF, excluding the laboratory subclass.

Qualifications & Skills:

1. Considerable knowledge of wastewater treatment plant processes and associated equipment.
2. Proficiency in Microsoft Office Suite required and experience with AutoCAD and HachWIMS is a plus.
3. To perform this job successfully, an individual must be able to perform each essential duty satisfactorily.
4. Thorough knowledge of electronic and electrical monitoring devices and systems. The ability to calibrate, maintain, troubleshoot and repair such devices.
5. Thorough knowledge of industrial communication protocols, especially TCP/IP protocol, as well as, Microsoft operating systems and networking architecture for troubleshooting and maintaining plant computers and networks and remote telemetry.
6. Experience with Rockwell hardware and software products such as: Controllogix and MicroLogix PLCs, PowerFlex drives, Panel views, RSLogix5000, Factory Talk View Studio ME.
7. Experience with both the theory and practical aspects of wastewater facility operations.
8. Ability to understand and follow oral or written instructions and the ability to comprehend engineering drawings and specifications, schematics, P&ID's, shop drawings, and sketches, and to work from these documents.
9. The ability to perform troubleshooting of electrical and electronic systems and circuits and use all applicable software as they relate to and are used at the WWTP and remote sites.
10. Thorough knowledge of work hazards and safety procedures.
11. Possession of a valid Wisconsin Motor Vehicle Operator's license in good standing.
12. Basic knowledge of mathematical principles
13. Ability to act, make decisions, and justify action based on rational thought and good judgement.

Post Job Offer Requirements:

Job offers for this position are contingent on the individual passing a pre-employment drug screen and background check.

Work Environment:

The work environment and physical demands characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable qualified individuals with disabilities to perform the essential functions.

Department Summary:

At the Department of Public Works, we strive to provide a professional Public Works organization that will offer quality infrastructure and services in a sustainable way that will contribute to making Sheboygan a desirable place to work, live, and play. Our mission is to improve the quality of life by effectively developing, maintaining, and improving the infrastructure, natural resources, and community services.

Department of Public Works Goals

- Provide quality infrastructure that conveys safe, efficient delivery of essential goods and services.
- Provide clean and beautiful public spaces that maximize the natural environment to enhance the overall quality of life.
- Deliver professional-quality public service with a friendly and welcoming atmosphere.

Acknowledgement:

The job description includes the essential responsibilities of the position and is not to be construed as all-inclusive. The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific essential responsibilities does not exclude them from the position if the work is similar, related, or is a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

My signature below is both an acknowledgement of my understanding of the job description for this position, as well as my commitment to uphold and promote the mission, vision, and core values of the City of Sheboygan, and work to fulfill the six values of the City's Strategic Plan.

Employee Name: _____ Employee Number: _____

Employee Signature: _____ Date: _____

JOB DESCRIPTION QUESTIONNAIRE

The purpose of the Job Description Questionnaire (JDQ) is to provide the information necessary to evaluate jobs for salary placement, classify jobs for various legal requirements, and to compile appropriate job descriptions.

Please read this JDQ carefully before answering any of the questions and then complete it as accurately, completely, and briefly as possible. While it is not necessary to describe each duty in great detail, it is important to provide sufficient information so the job can be accurately evaluated and classified. Keep in mind that *the purpose of the JDQ is to collect information about the job and is not designed to evaluate employee performance.*

Consider the typical responsibilities of the job; even those that might only occur cyclically (e.g. annually, quarterly, etc.). The responses should be based on duties and responsibilities that are a regular and ongoing part of the job, under typical conditions, and not special projects or temporary assignments. Further, unless specifically directed by management, describe the job as it is today, not as you believe it should be or what it might be in the future.

SECTION 1				DEMOGRAPHIC INFORMATION	
Employee Name	vacant	Employer Name	City of Sheboygan		
Job Title	Network & Process Systems Coordinator	Work Location	Wastewater		
Department	DPW	Division			
Full-Time / Part-Time	FT	Part-Time (Hrs per Wk)			
Supervisor Name	Jordan Skiff	Supervisor Title	Superintendent		
SECTION 2					
JOB SUMMARY/PURPOSE					

What is the primary purpose of your job? Briefly state what your job is—including why your job exists—in such a manner that could easily be explained to another person. In other words, if someone came up to you on the street and asked what your job entailed, how would you describe it?

Maintain & update Plant Distributed Control System (DCS), associated communications networks, SCADA and data collection systems.

SECTION 3		DESCRIPTION OF ESSENTIAL DUTIES & RESPONSIBILITIES
<p>Positions are made up of various duties that generally fall into a handful of categories/responsibilities. For example, a Street Operator's categories may include Streets Maintenance, Snow Plowing, Equipment Operation, Refuse Collection, etc. An Administrative Assistant's categories may include Document Preparation, Meeting Coordination, Records Management, etc.</p> <p>Identifying the main functions and the percent of time spent on each category provides the best information to correctly classify your position. Adding the significant duties within each category allows us to better understand your work in each area. As you list the specific duties, please focus on WHAT is done, rather than HOW it is done. This provides adequate detail without requiring your responses to be more labor-intensive than needed. Please try to avoid terminology and acronyms that are not widely known outside of your line of work.</p>		

Category (Area of Responsibility):	Programming (DCS, SCADA)	% of Annual Total Time Spent on Category:	30%
Duties within Category:	Programming Allen Bradley PLC's, SCADA software, data reporting software, HMI programming, VFD & MVSS programming.		
Category (Area of Responsibility):	Automation Project design, planning, ordering.	% of Annual Total Time Spent on Category:	30%
Duties within Category:	Manage internal control system projects, system design, create control panel drawings, specify associated hardware. Install and commission instrumentation. Read schematics.		
Category (Area of Responsibility):	Server Maintenance & Upgrades	% of Annual Total Time Spent on Category:	5%
Duties within Category:	Server hardware/software configuration, OS updates installation, virtualization.		
Category (Area of Responsibility):	Network Maintenance & Upgrades	% of Annual Total Time Spent on Category:	5%
Duties within Category:	Network topology & architecture planning and implementation. Configure network routers and switches and access points. Troubleshoot issues.		
Category (Area of Responsibility):	Client Maintenance & Upgrade	% of Annual Total Time Spent on Category:	5%
Duties within Category:	SCADA Client computer and office PC installation, configuration and updates.		
Category (Area of Responsibility):	Support Automation & Electrical Functions	% of Annual Total Time Spent on Category:	25%
Duties within Category:	Order parts and supplies. Assist in budget preparation. Manage assets in EAM/CMMS.		
SECTION 4			
TOOLS, SOFTWARE, & TECHNOLOGY			
Identify the software programs that proficiency is required in to successfully perform your duties. Please include standard programs (i.e. MS Word or Excel) in addition to job-specific programs (i.e. accounting software, engineering software). If none are required, please list n/a.			
Rockwell Studio 5000, HachWIMS, MS Office, MUNIS, GeoSCADA, Smartsheet (Scheduling), Fixx (CCMMS), AutoCAD			
Identify technical equipment that proficiency is required in to successfully perform your duties. Examples include office equipment (i.e. copier, multi-line phone system) as well as equipment used in the field (i.e. calibration equipment, GPS units, locating devices).			
Volt Ohm Meter (Digital Multimeter), Ammeter, Network routers - VPN, managed network switches, VFD interfaces, Online instrumentation, iPad/tablet.			
Identify vehicles and machinery that proficiency is required in to successfully perform your duties. Examples include forklift, squad car, lawn mower, etc.			
Thorough knowledge of any machinery that is controlled by the DCS.			

SECTION 5**JUDGMENTS / DECISION-MAKING**

Identify at least five of the most typical judgments/decisions that you make in performing your job (throughout the course of a year) as well as the possible solutions to these problems. Finally, identify those who may assist in the decision-making process and/or those who may review the decisions made.

Typical Problems/Challenges	Possible Solution(s) to Problem/Challenge	Job Title(s) of Collaborators and/or Who Reviews
Troubleshooting SCADA, PLC programs, etc.	Enlist tech support. Follow good troubleshooting process	Electrician, Support Technician (remote)
Scheduling conflicts	Ability to respond to unplanned events and sudden changes	Electrician, Superintendent, Maintenance Supervisor
Process system not working	Find solutions and work arounds for operators	Operators, Managers
Need custom fab work from shop	Enlist Maintenance Mechanic	Maintenance Mechanics & Supervisor
Programming updates	Meet with customer to exchange ideas and define goals	All customers

SECTION 6**WORKING RELATIONSHIPS / INTERACTIONS / CONTACTS**

Please identify your typical work relationships with other persons inside or outside of your own organization.

Title of Individuals With Whom You Typically Interact	Describe the Interaction (What Was Going On?)	Why Was It Necessary?
Superintendent	Discuss goals and methods and DCS	Reinforce mission goals
Electrician	Discuss and plan projects	Coordinate on projects and align goals
Maintenance Mechanics & Supervisor	Request help with project	Need mechanical work done, welding, fabrication, pipe, etc
Operator	Plant alarms, input on system functions	Make plant systems perform better, improve ease of use.
Lab Tech/Pretreatment Coord.	Programming requests, data issues	Program/troubleshoot HachWIMS data reporting software

SECTION 7**SUPERVISION / MANAGEMENT**

Please indicate the type of responsibility you have as it pertains to leading or managing others. Understanding that some areas (e.g. terminating employees) may require approval at a higher level (e.g. Human Resources), give a "yes" response if the primary recommendation comes from this position and give a "provides input" response if the recommendation is handled through the "chain of command" in a department.

Screen / Interview Applicants	Area of Action / Responsibility		Provides Input
	Yes	No	
			X

Hire / Promote Employees				X
Evaluate Performance Of Others				X
Provide Written / Verbal Warnings				X
Suspend Employees				X
Terminate Employees				X
Prepare Work Schedules For Others				X
Formal Project Management				X
Provide Work Direction For Others				X
Counsel Employees (e.g. Guiding/Coaching/Mentoring)				X
Developing Training/Development Plans for Employees				X
Train Employees (As Part Of The Normal Duties Of The Job)		X		
Approving/Assigning Overtime				X
Approve Time Off Request For Others				X
Develop / Implement Policies				X
Do you <u>directly</u> supervise any employees? <i>If yes, please list the number of FTEs and job titles of those employees below:</i>				X
			# of FTEs	
N/A			0	

SECTION 8

PHYSICAL REQUIREMENTS / WORK ENVIRONMENT

Please indicate the amount of time typically spent in the following categories throughout the course of a year. Although an explanation is invited for each element, we ask that you provide a brief explanation of those elements marked with an * in the space provided.

Physical Requirements	[Place an "X" in the appropriate cells]			
	N/A	Low Frequency	Moderate Frequency	High Frequency
Carrying / Lifting 10 - 25 Pounds				X
Carrying / Lifting 25 - 50 Pounds			X	
Carrying / Lifting > 50 Pounds *	X			
Sitting			X	

Standing / Walking / Climbing				X		
Specific Vision, Hearing, Taste, or Smell Requirements *		X				
Squatting / Crouching / Kneeling / Bending				X		
Repetitive Hand/Foot Movement *		X				
Pushing / Pulling / Reaching Above Shoulder		X				
Work Environment		N/A				
Indoor/Office Work Environment						High Frequency
Outdoor Weather Conditions				X		Moderate Frequency
Noise >85dB (e.g. mower, heavy traffic, milling machine, etc.) *				X		
Extreme Hot/Cold Temperatures (>90 degrees / <40 degrees) *				X		
Irritated or Agitated Individuals *		X				
Hostile or Violent Individuals *		X				
Hazardous Fumes / Odors / Toxic Chemicals *				X		
Electrical Hazards *					X	
Confined Spaces (as identified by OSHA) *				X		
Close Proximity to Moving Machinery / Equipment *					X	
Bodily Fluids / Communicable Diseases *				X		
Work-Related Travel				X		
Working Alongside Moving Traffic on Roads		X				
Provide Any Additional Information Regarding the Physical Requirements or Work Environment (e.g. description of required vision, hearing, taste, smell; type of work travel; etc.):						

SECTION 9

ADDITIONAL EMPLOYEE COMMENTS

Please identify any other job-related information that is not otherwise addressed in the JDQ, or would help someone else understand this job more clearly:

To Be Completed By The Employee's Supervisor

SECTION 10

SUPERVISOR INFORMATION

Supervisor Name	Jordan Skiff	Supervisor Title	WWTP Superintendent
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SECTION 11

EDUCATION REQUIRED FOR HIRE

Level of Education REQUIRED
(Select one with an "X")

Field(s) of Study (e.g. Degrees/Concentrations)

n/a

Less than High School Education

High School Education (or Equivalent)

One Year Certificate (or Equivalent)

Associate's Degree (or Equivalent)

X

Bachelor's Degree

Master's Degree

Professional Degree (*Juris Doctor*, *Medicine*, etc.)

PhD w/ Dissertation

Other:

Provide Any Additional Information Regarding the Required Education (e.g. preferred vs. required, specific coursework, etc.):

Work with controls, instrumentation and distributive control interface (SCADA)

SECTION 12

TOTAL EXPERIENCE REQUIRED UPON HIRE

[Place an "X" in the appropriate cells]

No Experience	< 2 yr.	2 to 3 yrs.	4 to 5 yrs.	6 to 7 yrs.	8 to 9 yrs.	10 to 11 yrs.	≥ 12 yrs.
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X

Describe Specific Experience Required for Hiring (e.g. 5 total years of customer service experience 2 of which were in a supervisory capacity):

3-5 years DCS work and programming. 3-5 years PLC programming.

SECTION 13

CERTIFICATION / LICENSURE / TRAINING TO PERFORM JOB

List Required Certification/Licensure/Training	How Attained/Provided	Required	May Obtain
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		Upon Hire?	After Hire?
<p>Comments - Describe any time requirement for certification, recertification requirements, and any current practices as it relates to licensure or certification (e.g. extra pay for certification, employer payment for obtaining or renewing, etc.):</p>			
<p>SECTION 14 SUPERVISOR'S CORRECTIONS / ADDITIONS</p> <p>In lieu of altering an employee's JDQ, please provide any corrections, clarifications, or additional information in the space provided below.</p>			
JDQ Section	Correction / Addition		
<p>SECTION 15 ADDITIONAL SUPERVISOR COMMENTS</p> <p>Please identify any other job-related information that is not otherwise addressed in the JDQ, or would help someone else understand this job more clearly:</p> <p>This position designs and programs all of the PLC control logic for the plant and documents it on AutoCAD. This position also has input into electrical system modifications and works with the electrician to ensure electrical system reliability. This includes the installation of variable frequency drives (VFD's), as well as working with outside electrical consultants to help solve problems and complete major projects.</p>			
<p>To BE COMPLETED BY ADMINISTRATIVE DESIGNEE (AS NEEDED)</p>			
<p>SECTION 16 SUPERVISOR INFORMATION</p>			
Administrative Designee Name	Administrative Designee Title		
<p>SECTION 17 ADMINISTRATIVE COMMENTS / CORRECTIONS / ADDITIONS</p> <p>In lieu of altering an employee's JDQ, please provide any corrections, clarifications, or additional information in the space provided below.</p>			
JDQ Section	Comment / Clarification / Addition		

December 22, 2022

MEMORANDUM

TO: Katherine Kobs, City of Sheboygan

FR: Ashley McCluskey, Compensation Analyst

RE: Classification & Market Reviews

The city provided job documentation and requested a market review for three positions. The positions were evaluated, and the recommendations follow below.

Maintenance Working Foreman:

Classification Review: This position has changed due to the addition of supervisory responsibilities. The position was evaluated using our points-factor job evaluation system, and we recommend this position be moved from Grade 11 to Grade 13.

Market Review: To provide this analysis, we are relying on similar survey sources and computation methodology used in the 2021 compensation review. The data results for Maintenance Working Foreman reflect a median rate of \$70,000 annually which also supports a grade placement at 13.

Lead Operator:

Classification Review: This position has changed due to the addition of supervisory responsibilities. Minimum qualifications for the position have also increased to require a bachelor's degree with 4-5 years of experience. This position was evaluated using our points-factor job evaluation system, and it is recommended that this position be moved from Grade 11 to Grade 14.

Market Review: To provide this analysis, we are relying on similar survey sources and computation methodology used in the 2021 compensation review. The data results for Lead Operator reflect a median rate of \$76,000 annually which also supports a grade placement at 14.

Network & Process Systems Coordinator:

Classification Review: The scope of supervision for this position has changed, in addition to the required education. This position was evaluated using our points-factor job evaluation system, and it is recommended that this position be moved from Grade 13 to Grade 12.

Please feel free to contact me with questions on these reviews.

DIRECT REFERRAL TO FINANCE AND PERSONNEL COMMITTEE

Res. No. 129 - 22 - 23. By Alderpersons Mitchell & Filicky-Peneski.
January 23, 2023.

A RESOLUTION authorizing the Finance Director/Treasurer to issue Kaitlyn Krueger merit payment for her extraordinary service to the City.

WHEREAS, the Human Resources Department was significantly understaffed and without a director for an extended period; and

WHEREAS, from March 28, 2022 to August 26, 2022, a human resources professional was hired by the City Administrator to meet the department's most pressing needs, but a great deal of varied responsibilities was unable to be accounted for under this arrangement; and

WHEREAS, in addition to her duties as Finance Director, Kaitlyn Krueger assumed responsibility for all human resources matters not undertaken by the human resources professional; and

WHEREAS, the Common Council believes the provisions of Sheboygan Municipal Code § 82-57, Acting Pay for Non-Represented Employees, would not adequately convey the City's deep appreciation for Ms. Krueger's tireless service, nor would it adequately reflect the scope of additional duties performed.

NOW, THEREFORE, BE IT RESOLVED: That the Common Council of the City of Sheboygan expresses its immense gratitude to Kaitlyn Krueger for her service to the City during a time of great turmoil and her willingness to assist the City in countless ways as needs arose.

BE IT FURTHER RESOLVED: That the Finance Department is directed to issue a merit payment to Kaitlyn Krueger in the amount of \$25,000.

BE IT FURTHER RESOLVED: That the Finance Department is directed to issue Kaitlyn Krueger an additional five days of vacation leave for 2023.

BE IT FURTHER RESOLVED: That the Finance Department is authorized to withdraw funds sufficient to effectuate this resolution in equal shares from the following accounts:

Account No. 101144-510110 (General Fund - Human Resources - Full Time Salaries - Regular)

Account No. 710144-510110 (Health Insurance Fund - Full Time Salaries - Regular)

Account No. 712144-510110 (Workers' Comp. Insurance Fund - Full Time Salaries - Regular)

I HEREBY CERTIFY that the foregoing Resolution was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the _____ day of _____, 20____.

Dated _____ 20____. _____, City Clerk

Approved _____ 20____. _____, Mayor