

III

DIRECT REFERRAL TO FINANCE AND PERSONNEL COMMITTEE

Res. No. 12 - 23 - 24. By Alderpersons Mitchell and Filicky-Peneski.
May 22, 2023.

A RESOLUTION supporting the waiver of certain judgment liens filed on behalf of the City against properties owned by William Sukowaty.

WHEREAS, William Sukowaty owns 14 properties within the City of Sheboygan, which were the subject of various code enforcement actions; and

WHEREAS, many of these code enforcement actions resulted in the issuance of citations for noncompliance with the Sheboygan Municipal Code relating to property maintenance of which Mr. Sukowaty was found guilty; and

WHEREAS, \$428,716.28 in judgment liens were filed with the Sheboygan County Clerk of Court for nonpayment of municipal citation forfeitures related to code enforcement activities; and

WHEREAS, due to continued noncompliance with property maintenance codes and ongoing rental of the noncompliant properties, the City filed a Motion for Injunction in Sheboygan County Circuit Court Case 2016 CV 183; and

WHEREAS, on March 22, 2023, the Circuit Court approved a court-administered sale of all 14 properties to Partners for Community Development via Final Order; and

WHEREAS, the Court's Final Order, attached, documented the Court's stated desire that the Common Council support waiving its right to collect the judgment liens that would not otherwise be paid and closed through the sale; and

WHEREAS, the final sale amount is \$400,000 and the following encumbrances are expected to be released through sale proceeds:

Sheboygan County Delinquent Property Tax	\$107,547.79
Federal Tax Lien	\$1.00 - \$40,460.11
Mortgage Assigned to JCG Properties, LLC	\$ 20,030.00
Closing Costs	\$ 1,830.00
Wisconsin Real Estate Transfer Fee	\$ 1,200.00

WHEREAS, the federal tax lien balance is not yet known but is being sought by the title company assisting in this transaction; and

WHEREAS, depending on the balance owed for the federal tax lien, the amount of City judgment liens that would be satisfied by the sale ranges from \$228,932.10 - \$269,391.21 leaving an unpaid balance of \$159,325.07 - \$199,784.18.

NOW, THEREFORE, BE IT RESOLVED: That the Common Council declares its support for waiving its right to recoup those judgment liens for unpaid citations issued to William Sukowaty that would not otherwise be satisfied via the court-administered sale and asks that the City Attorney's Office draft a Motion and Proposed Order for the Sheboygan-Kohler Municipal Court to consider to effectuate this goal.

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