

**CITY COUNCIL MEETING MINUTES  
CITY OF FOND DU LAC, WISCONSIN**

Legislative Chambers  
160 S Macy Street

February 8, 2017  
6:00 PM

**CALL TO ORDER**

Roll Call

Present

Catherine Block  
Brian Kolstad  
Lee Ann Lorrigan  
Greg Giles  
Karyn Merkel  
Derek TerBeest  
Kay Miller

Absent

None

Administrative Staff

Joe Moore, City Manager  
Dyann Benson, Director of Community Development  
Tracy Salter, Director of Administration  
Tricia Davi, Deputy Comptroller/Treasurer  
Eileen Baus, Senior Accountant  
Deb Hoffmann, City Attorney  
Jordan Skiff, Director of Public Works  
Pete Hartz, Water Operations Manager  
Travis Kloetzke, Water Utility Supervisor  
Jon Mark Bolthouse, Library Director  
Bill Lamb, Chief of Police  
Steve Beer, Assistant Chief, Fire  
Autumn Fischer, Wastewater Supervisor  
Cody Schoepke, Wastewater Operations Leader

Declaration a Quorum Is Present

President Lorrigan declared a quorum present.

Pledge of Allegiance

Pledge of Allegiance was recited.

Silent Reflection

A moment of silent reflection was observed.

Proclamation Recognizing Utility Of The Future

President Lorrigan presented a proclamation recognizing the  
Wastewater Treatment Plant staff for their forward-thinking

performance in providing sustainable, efficient, and value-added service for the City of Fond du Lac.

## **CONSENT AGENDA**

January 25, 2017 Regular Council Minutes

January 25, 2017 Closed Session Minutes

List of Claims Dated February 1, 2017

A Motion was made by Derek TerBeest to approve the Consent Agenda and seconded by Greg Giles, and the motion was **Passed**.

Ayes: Block, Giles, Kolstad, Lorrigan, Merkel, Miller, TerBeest

## **INPUT**

Downtown Exploratory Committee Final Report

Downtown Exploratory Committee Members Sam Meyer (Chairperson), Deborah Doll and Mandi Hatch presented the committee's final report, listing recommendations for possible improvements of Downtown Fond du Lac.

Audience Comments

### **Spoke in opposition of Action Item B, Ordinance No. 3629**

Douglas Duitman, 1229 Primrose Ln, Fond du Lac

### **Spoke on the topic of Action Item B, Ordinance No. 3629**

William Turner, 406 S Park Ave, Fond du Lac

## **ACTIONS**

Resolution No. 8655

2017-035

A Motion was made by Catherine Block to approve Resolution No. 8655, authorizing a memorandum of understanding and/or lease between The City and Brooke Industries and The Miracle League of Fond du Lac for a Miracle League Chapter and baseball diamond located in Playmore Park and seconded by Brian Kolstad, and the motion was **Passed**.

Ayes: Block, Giles, Kolstad, Lorrigan, Merkel, Miller, TerBeest

Ordinance No. 3629

2017-036

A Motion was made by Brian Kolstad to approve Ordinance No. 3629,

an ordinance amending Chapter 642, Water, of The Code of Fond du Lac Relating to Private Lead Water Service Line Replacment and seconded by Derek TerBeest, and the motion was **Passed**.

Ayes: Block, Giles, Kolstad, Lorrigan, Merkel, Miller, TerBeest

Ordinance No. 3630

2016-037

A Motion was made by Karyn Merkel to approve Ordinance No. 3630, amending Chapter 639, Wastewater Collection and Treatment System, in Reference to Renaming the Wastewater Treatment Plant to Fond du Lac Regional Wastewater Treatment and Resource Recovery Facility and seconded by Catherine Block, and the motion was **Passed**.

Ayes: Block, Giles, Kolstad, Lorrigan, Merkel, Miller, TerBeest

## **ADJOURN**

Adjourn To Closed Session

Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

The subject of the closed session is:

**Economic Development Opportunity**

This subject is exempt under Wisconsin Statutes Section 19.85 (1) (e)

A Motion was made by Brian Kolstad to adjourn to closed session at 8:35 am and seconded by Kay Miller, and the motion was **Passed**.

Ayes: Block, Giles, Kolstad, Lorrigan, Merkel, Miller, TerBeest

Margaret Hefter  
City Clerk

**CITY COUNCIL MEETING AGENDA  
CITY OF FOND DU LAC, WISCONSIN**

Title: Proclamation Recognizing Utility Of The Future

Subject: Proclamation Recognizing Utility Of The Future

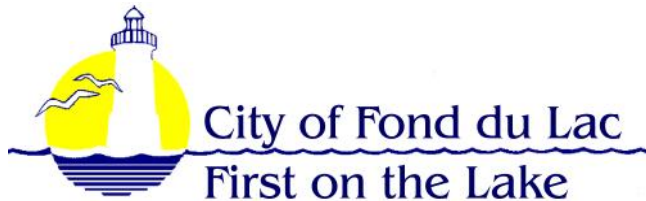
Initiator:

Recommendation:

**ATTACHMENTS:**

File Name

[Utility of the Future Proclamation.pdf](#)



## *Proclamation*

*Whereas, the City of Fond du Lac Regional Wastewater Treatment Facility treats the wastewater of the residents of the City as well as outlying communities surrounding Fond du Lac; and*

*Whereas, the facility was named a Utility of the Future amongst sixty-one public and private utilities from across the U.S., Canada, and Denmark; and*

*Whereas, the designation shows the facility's progression towards resource recovery with enhanced productivity, sustainability, watershed stewardship, beneficial biosolids reuse, energy efficiency, and energy generation and recovery; and*

*Whereas, these honors only affirm the commitment of the treatment plant staff and the important job they do every day for the citizens of Fond du Lac.*

*Now, Therefore, I, Lee Ann Lorrigan, President of the Fond du Lac City Council, by my signature affixed, do hereby recognize and congratulate the Wastewater Treatment Plant staff for their forward-thinking performance in providing sustainable, efficient, and value-added service for the City of Fond du Lac.*

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*Lee Ann Lorrigan  
Fond du Lac City Council*

*Dated: July 2016*

**CITY COUNCIL MEETING AGENDA  
CITY OF FOND DU LAC, WISCONSIN**

Title: January 25, 2017 Regular Council Minutes

Subject: January 25, 2017 Regular Council Minutes

Initiator:

Recommendation:

**ATTACHMENTS:**

File Name

[Minutes 2017 1 25 Meeting\(310\).pdf](#)

**CITY COUNCIL MEETING MINUTES  
CITY OF FOND DU LAC, WISCONSIN**

Legislative Chambers  
160 S Macy Street

January 25, 2017  
6:00 PM

**CALL TO ORDER**

Roll Call

Present

Catherine Block  
Brian Kolstad  
Greg Giles  
Karyn Merkel  
Derek TerBeest  
Kay Miller

Absent

Lee Ann Lorrigan

Administrative Staff

Joe Moore, City Manager  
Dyann Benson, Director of Community Development  
Tracy Salter, Director of Administration  
Tricia Davi, Deputy Comptroller/Treasurer  
Deb Hoffmann, City Attorney  
Jordan Skiff, Director of Public Works  
Paul DeVries, City Engineer  
Pete Hartz, Water Operations Manager  
Bill Lamb, Chief of Police  
Steve Klein, Asst Police Chief of Operations  
Steven Thiry, Asst Police chief of Administration  
Peter O'Leary, Fire Chief  
Travis Kloetzke, Water Utility Supervisory  
Aaron Goldstein, Police Captain

Declaration a Quorum Is Present

Vice-President Karyn Merkel declared a quorum present.

Pledge of Allegiance

Pledge of Allegiance was recited.

Silent Reflection

A moment of silent reflection was observed.

**CONSENT AGENDA**

January 11, 2017 Regular Council Minutes

List Of Claims Dated January 18, 2017

A Motion was made by Greg Giles to approve the Consent Agenda and seconded by Brian Kolstad, and the motion was **Passed**.

Ayes: Block, Giles, Kolstad, Merkel, Miller, TerBeest

Absent: Lorrigan

## **INPUT**

### Audience Comments

Appeared in support of the addition of a camp ground on the south end of Lake Winnebago as well as a lake front road connecting to Highway 45.

Dave Gerlach, 456 E Scott St, Fond du Lac

### Fond du Lac Area Convention & Visitors Bureau Update

Craig Molitor, President of Fond du Lac Area Convention & Visitor's Bureau, presented 2016 Fond du Lac tourism information and an overview of upcoming events.

### Lead Pipes

The Lead Pipes discussion was originally listed as an Action Item on the agenda. Due to the fact that no action was taken, it has been changed to an Input Item.

Jordan Skiff, Director of Public Works, presented a proposed Lead Water Services Plan, including possible management options and future considerations. The proposed program recommendations will be discussed by the City Council and formal action will be taken at future date.

## **ACTIONS**

### Permit To Sell Fermented Malt Beverages On Park Property

A Motion was made by Brian Kolstad to approve a permit to sell malt beverages on park property to Fond du Lac Festivals for Walleye Weekend and Taste of Fond du Lac and seconded by Kay Miller, and the motion was **Passed**.

Ayes: Block, Giles, Kolstad, Miller, TerBeest

Abstain: Merkel

Absent: Lorrigan

### Permit To Sell Fermented Malt Beverages On Park Property

A Motion was made by Derek TerBeest to approve a permit to sell



fermented malt beverages on park property to the Fond du Lac Convention and Visitors Bureau for Sturgeon Spectacular and seconded by Greg Giles, and the motion was **Passed**.

Ayes: Block, Giles, Kolstad, Merkel, Miller, TerBeest

Absent: Lorrigan

Class "B" Fermented Malt and "Class C" Wine License

A Motion was made by Greg Giles to approve a Class "B" Fermented Malt and "Class C" Wine License to The Noodle Shop, Co. for Noodles & Company at 729 W Johnson Street and seconded by Brian Kolstad, and the motion was **Passed**.

Ayes: Block, Giles, Kolstad, Merkel, Miller, TerBeest

Absent: Lorrigan

"Class B" Intoxicating Liquor and Class "B" Fermented Malt License

A Motion was made by Brian Kolstad to approve a "Class B" Intoxicating Liquor and Class "B" Fermented Malt License to 65 N Main Pub, LLC for Two Bucks Grill & Ale House at 65 N Main Street and seconded by Catherine Block, and the motion was **Passed**.

Ayes: Block, Giles, Kolstad, Merkel, Miller, TerBeest

Absent: Lorrigan

Resolution No. 8653

2017-003

A Motion was made by Brian Kolstad to approve Resolution No. 8653, a resolution making appointments to the Ethics Board and Alcohol License Committee and seconded by Derek TerBeest, and the motion was **Passed**.

Ayes: Block, Giles, Kolstad, Merkel, Miller, TerBeest

Absent: Lorrigan

Resolution No. 8654

2017-022

A Motion was made by Greg Giles to approve Resolution No. 8654, a resolution of the City of Fond du Lac approving a cooperative plan with the Towns of Byron, Empire, Fond du Lac, Friendship, and Taycheedah and seconded by Kay Miller, and the motion was **Passed**.

Ayes: Block, Giles, Kolstad, Merkel, Miller, TerBeest

Absent: Lorrigan

Ordinance No. 3628

2017-023

A Motion was made by Brian Kolstad to approve Ordinance No. 3628, amending Chapter 216-22 Keeping of Honeybees and seconded by Derek TerBeest, and the motion was **Passed**.

Ayes: Block, Giles, Kolstad, Merkel, Miller, TerBeest

Absent: Lorrigan

#### **ADJOURN**

Adjourn To Closed Session

Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

The subject of the closed session is:

#### **Economic Development Opportunities**

This subject is exempt under Wisconsin Statutes Section 19.85 (1) (e)

A Motion was made by Kay Miller to adjourn to closed session at 7:24 p.m. and seconded by Greg Giles, and the motion was **Passed**.

Ayes: Block, Giles, Kolstad, Lorrigan, Merkel, Miller, TerBeest

Margaret Hefter  
City Clerk

**CITY COUNCIL MEETING AGENDA  
CITY OF FOND DU LAC, WISCONSIN**

Title: January 25, 2017 Closed Session Minutes

Subject: January 25, 2017 Closed Session Minutes

Initiator:

Recommendation:

ATTACHMENTS:

File Name

**CITY COUNCIL MEETING AGENDA  
CITY OF FOND DU LAC, WISCONSIN**

Title: List of Claims Dated February 1, 2017

Subject: List of Claims Dated February 1, 2017

Initiator:

Recommendation:

**ATTACHMENTS:**

File Name

[List of Claims 2-1-17.pdf](#)

# ***CITY OF FOND DU LAC - Memorandum***

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## **Department of Administration**

**Date:** February 1, 2017

**To:** City Council

**From:** Tracy Salter, Director of Administration

**Re:** List of Claims

The list of claims for goods and services for the payment periods January 14, 2017 through January 27, 2017 for all funds total \$1,514,525.57. Wisconsin statute 66.0609 (2) requires the comptroller to file, at least monthly with the City Council, a list of approved claims paid.

Suggested Motion: Receive and File

**CITY COUNCIL MEETING AGENDA  
CITY OF FOND DU LAC, WISCONSIN**

Title: Downtown Exploratory Committee Final Report

Subject: Presented By: Chairperson, Sam Meyer

Initiator:

Recommendation:

**ATTACHMENTS:**

File Name

[DEC Report.pdf](#)





downtown exploratory committee



The background of the report cover is a photograph of a city street. In the upper left, a dark-colored car is parked or moving slowly, with its headlights visible. The street is paved with asphalt and has white crosswalk lines. In the foreground, on the right side, there is a large, cylindrical concrete flower pot filled with a variety of flowers, including purple petunias and red geraniums. The sidewalk is made of large, light-colored concrete slabs. The overall scene is brightly lit, suggesting a sunny day.

# **Downtown Exploratory Committee Report**

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December 2016

Prepared by  
Downtown Exploratory Committee (DEC)

City of Fond du Lac





# **Downtown Exploratory Committee**

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**Sam Meyer, Chair**

**Sarah Van Buren, Vice-chair**

**Tom Ackerman**

**Jason Bucholtz**

**Deborah Doll**

**Sarah Everson**

**Mandi Hatch**

**Scott Kirkpatrick**

**Karri Klemm**

**Carlos Marquez**

**Sadie Parafiniuk**

**Dave Schecher**

**Christine Schiek**

**Ann Schneider**

COVER and DOWNTOWN FOND DU LAC

Photo Credits: Joellyn Dahlin



## Abstract

**TITLE:** Downtown Exploratory Committee (DEC) Report

**CONTACT:** Dyann Benson, Community Development Director

**AUTHOR:** Members of the Downtown Exploratory Committee

**SUBJECT:** Presentation of findings and recommendations of the  
Downtown Exploratory Committee

**DATE:** December 2016

**PLANNING AGENCY:** City of Fond du Lac

**SOURCE OF COPIES:** City of Fond du Lac  
160 S Macy Street  
Fond du Lac, WI 54935  
(920) 322-3440

[www.fdl.wi.gov](http://www.fdl.wi.gov)



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## DEC EXECUTIVE SUMMARY

The Downtown Exploratory Committee (DEC) was assembled by the Fond du Lac City Council to examine the challenges faced by Downtown Fond du Lac. This age-diverse group consisted of people from the City of Fond du Lac and from the surrounding areas. Throughout the exploratory process, considerable data was provided to the committee by guest speakers, city leaders, tours, and surveys. This information was studied, investigated, and discussed at both high and detailed levels, and a list of potential areas for concentration was developed.

After reviewing the Downtown Fond du Lac Partnership (DFP) Market Analysis report, the DEC was pleased to see many of its concerns were identified in this analysis. The Committee decided the best plan would be supporting three specific recommendations from the DFP analysis with more details:

1. Support New Residential Development.
2. Targeted Redevelopment of Priority/Opportunity Properties.
3. Further Invest in Cultural Experiences.

The DEC suggestion to support new residential development includes the following sub recommendations.

- ) Define a finish line, which means having an end goal or plan that can be measured and “completed” for residential development.
- ) Perform assessments to determine what types and what quantity of new residential developments are needed.
- ) Continue to promote ideas for and feasibility of new potential developments or improvements to property owners.
- ) Investigate and possibly promote condo platting, a tool used by other communities, for future residential growth.

Suggestions to target the redevelopment of priority/opportunity properties within the Business Improvement District (BID) area focus on identifying dilapidated properties for development as critical for Downtown success. Aesthetics and “tying everything together” needs to be another focus when considering the redevelopments. A plan to attract and develop options that appeal to people at all hours of the day, creating a “24/7” atmosphere, would also entice people to visit more frequently. Finally, emphasize creating desired-use properties that can draw people, get people talking about the Downtown, spur revitalization, and help with economic development for surrounding businesses.

Further investing in cultural experiences for people living and visiting the Downtown is the Committee’s third strategy for making the Downtown Fond du Lac area more welcoming. Creating art exhibits that can be viewed by residents and by people visiting the Downtown can lead to word of mouth and other forms of publicity, encouraging others to attend similar events to “share” that experience. Cultural events and entertainment can be the draw to create an “experience” or “moment” that will get people to return to the Downtown, enjoy the Downtown, but most importantly PROMOTE the Downtown to others. For example, in Indianapolis, there is a photo opportunity where a person stands to become the “I” as part of an “Indy” statue. While

people are not likely to drive great distances just to get such a photo, people who are in Fond du Lac may go to strategically placed “photo ops” to say they have done it. Once a person is in the Downtown area, it is likely they will see something they want to explore or visit, or they will stop in a store. The DEC does not believe that investing in this recommendation alone will create signification change, but in conjunction with the other recommendations this can help to improve the image of the Downtown.

The DEC recommends implementing a catch phrase to highlight the area and its activities: “Fond do it Downtown.” The Committee believes this phrase highlights Downtown as a welcoming destination for diverse users who want to shop, dine, and attend cultural events at all times of the day. It also encompasses unique options, such as the farmers market, Main Street festivals, and “pop-up” events. In general, this phrase will remind citizens and visitors that this city has many enjoyable possibilities for those who want to “Fond do it Downtown.”

The DEC encourages the City Council to proceed in doing all that is in its power to help progress the Committee’s recommendations and that of the DFP Market Analysis. DEC members believe that through public and private funding, utilizing local groups, exploring potential zoning changes, and encouraging and increasing community support and involvement, the Downtown



PHOTO CREDIT: Joellyn Dahlin

can be revitalized and become the draw it once was. No city is perfect, but DEC members believe that Fond du Lac is a city with many fine qualities. There is a strong, charismatic history in this town that can be drawn upon and, with some updates, can appeal to all generations of residents and visitors. The DEC encourages city leadership, business owners, and residents to concentrate on the good points and use the recommendations in this report to accent these positives. Fond du Lac needs to create a focused Downtown identity and image, and then market its positives by engaging the people that live here and by funding marketing campaigns aimed at the larger public.

## SECTION 1: PURPOSE, STRUCTURE, AND COMMITTEE MEMBERSHIP

### **Charge from City Council**

The City Council created the Downtown Exploratory Committee (DEC) to function in an advisory capacity to the Council regarding improvements for the Downtown of Fond du Lac (Appendix A) and to present recommendations for improvements to the Council.

The DEC explored, studied, and investigated all aspects of potential improvements to the downtown. Its scope of study was intentionally broad, encompassing all forms of building, park, and public space occupancy, and all forms of activity, including, but not limited to: public events, public/private ownership, and potential commercial development.

By direction of the City Council, the DEC is presenting this written report to the Council. This report encompasses DEC recommendations; the expected outcomes of implementing these recommendations; and the Committee's rationale for the recommendations it has made. Simply put, the committee's report addresses the following question:

) How can the Downtown of Fond du Lac be better?

Ultimately, the DEC was to recommend a vision for the Downtown's future and a strategy for achieving that vision. In general, the City Council sought ways to create a vibrant downtown, one that attracts more local citizens and visitors, more investment, more development, more occupancy, and more excitement than it does today. (For details on the charge from City Council, see Appendix B.)

### **Committee Formation Process**

At the City Council meeting on January 13, 2016, a motion was passed for the creation of the Downtown Exploratory Committee. A survey was sent out to the City Council and the Fond du Lac Downtown Partnership Board members to vote for 17 members in seven different categories. A total of 36 applications were received and the following individuals qualified for the appointment:

#### Downtown Business/Property Owners (3 members)

Joseph Braun  
Sara Cujak  
Sam Meyer

#### Currently live or regularly visit the Downtown (3 members)

Mandi Hatch  
Karri Klemm  
Sarah Van Buren

#### Currently does not live in or regularly visit the Downtown (3 members)

Jason Bucholtz  
Ann Schneider  
Philip Twohig



Age 16 to 20 (2 members)  
Gavier Stinemates\*

Age 21-35 (2 Members)  
Sarah Sprang  
Sadie Parafiniuk

Age 36-59 (2 Members)  
Dave Schecher  
Christine Schiek

Age 60 and older (2 Members)  
Deborah Doll  
Carlos Marquez

\*Additional person to make 17 committee members – Scott Kirkpatrick

First Alternate – Sarah Everson  
Second Alternate – Tom Ackerman

### Committee Membership

Throughout the life of the Committee, various members have stepped down for a variety of reasons. Figure 1 illustrates the members that remained.

**Figure 1: Active Downtown Exploratory Committee Members**

Tom Ackerman	Carlos Marquez
Jason Bucholtz	Sam Meyer, Chair
Deborah Doll	Sadie Parafiniuk
Sarah Everson	Dave Schecher
Mandi Hatch	Christine Schiek
Scott Kirkpatrick	Ann Schneider
Karri Klemm	Sarah Van Buren, Vice-Chair



PHOTO CREDIT: Joellyn Dahlin

## SECTION 2: PROCESS OVERVIEW

### Committee Operation/Facilitation

The City Council charged the DEC to operate independently. Therefore, the City Council, the Downtown Fond du Lac Partnership (DFP) board, City and DFP staff did not directly involve themselves in the Committee's work, except at the request of the Committee.

However, the following guidelines applied to the DEC:

- ) The Committee operated within the view of "the Public Eye."
- ) All of the meetings were open to the public and did not have the option of an "Executive Session."
- ) Parliamentary procedures were used to guide all discussions and deliberations, although the Committee had the latitude to define the parliamentary procedures it needed to function effectively.
- ) The Committee chose its own leadership. At the March 30, 2016 meeting, Sam Meyer was selected to be the Chair and Sarah Van Buren was selected to be the Vice-Chair.
- ) Since the Committee was larger than normal, the group decided to select a facilitator, Diana Hammer Tscheschlok, from the Fond du Lac County UW-Extension, Fond du Lac County office.
- ) The Committee relied upon the City and DFP Staff for information and advice, and sought their guidance in providing resources from other State agencies.

### Committee Needs

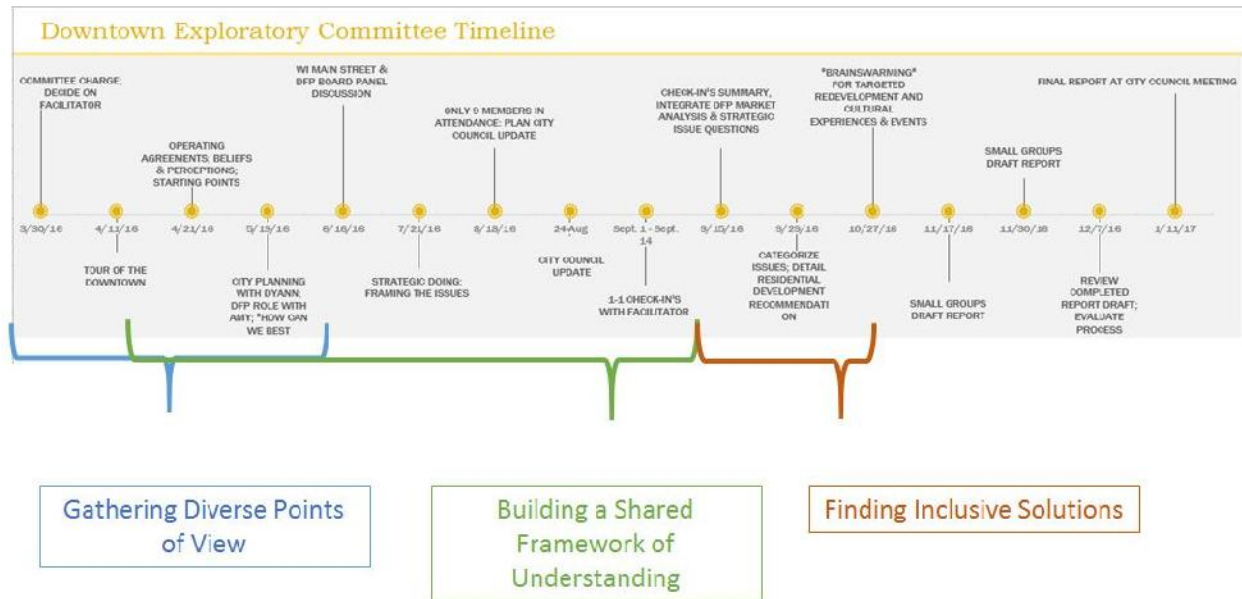
Committee members began the evaluation process by thinking about where they wanted to start the discussion about Downtown; the resources they would like to have along the way (i.e., data, site visits, guest speakers, etc.); and how they would determine if the Committee's process was successful.

### DEC Process Timeline

Facilitator Diana Hammer Tscheschlok led the group through a nine-month process, depicted in Figure 2. The initial emphasis was on gathering information and opinions about the Downtown. The Committee worked to create a shared understanding of that information and then used this shared information to formulate a series of recommendations to report to City Council.



Figure 2: DEC Timeline



## Committee Meeting Accomplishments

The Committee members met at least monthly to develop the answer to the question, "How can Downtown Fond du Lac be better?" The following table demonstrates the process used.

Table 1: Committee Meeting Accomplishments

Month	Meeting Topic
April	<b>Introductory Work:</b>
	) Who are DEC members?
	) What do you want from this process?
	) How will you work together?
	) Bus tour of the Downtown
May	<b>Learning about Downtown:</b>
	) DFP Director
	) City of FDL Community Development Director
	<b>How can DEC Best Contribute to the Downtown?</b>
	) Promote & foster ideas
	) Define, create, & build landmarks
	) Promote innovation
	) Create gathering places
	) Implement strategy
	) Create activities
	) Lead change

<b>June</b>	<b>Learning about Downtown:</b> <ul style="list-style-type: none"> <li>) WEDC-WI Main St. Program</li> <li>) DFP Board Members</li> </ul>
<b>July</b>	<b>Issue Framing by Asking Powerful Questions about the Downtown:</b> <ul style="list-style-type: none"> <li>) Promote &amp; foster ideas</li> <li>) Define, create, &amp; build landmarks</li> <li>) Promote innovation</li> <li>) Create gathering places</li> <li>) Implement strategy</li> </ul>
<b>August</b>	<b>DFP Market Analysis Review</b>  <b>Small Group Discussion:</b> <ul style="list-style-type: none"> <li>) How do we make Downtown a welcoming destination for diverse users 24/7?</li> <li>) How do we define our identity using the assets we already have? How do we “Fond do it Downtown?”</li> </ul>
<b>September</b>	<b>Committee Check-In with Facilitator</b>  <b>Discussion and Consensus:</b> <ul style="list-style-type: none"> <li>) Support DFP Market Analysis</li> <li>) Give more detail and attention to specific recommendations that best answer DEC’s two (2) main questions</li> <li>) Supporting new residential development</li> </ul>
<b>October</b>	<b>Discussion and Consensus:</b> <ul style="list-style-type: none"> <li>) Targeted redevelopment of priority/opportunity properties</li> <li>) How can we further invest in cultural experiences and events in the Downtown</li> <li>) Discuss other items including art, draw/experience, events/entertainment, aesthetics, culture</li> </ul>
<b>November</b>	<b>Report Writing</b>
<b>December</b>	<b>Finalize Report &amp; Prepare for January City Council Meeting</b>

## SECTION 3: FOCUS AREAS

Through months of discussions and information gathering, the DEC identified focus areas that were categorized into three themes:

- ) How do we make Downtown a welcoming destination for diverse users, 24/7?
- ) How do we “Fond do it Downtown”?
- ) How can we further invest in cultural experiences and events in Downtown?

In addition to these themes, a good deal of work already has been proposed for Fond du Lac’s Downtown by other organizations, including the Downtown Fond du Lac Partnership (DFP). Upon review of the recently completed DFP Market Analysis and through discussions with the DFP Executive Director, it became evident that both groups had similar goals and visions for the Downtown.



Source: [www.fdlreport.com](http://www.fdlreport.com) via the Association of Commerce

Rather than duplicate efforts, the DEC decided at the September 29, 2016, meeting to support the recommendations identified in the DFP Market Analysis, with an emphasis on the following:

- ) **Recommendation 1.4 Targeted Redevelopment of Priority/Opportunity Properties:** There should be a targeted effort to acquire and develop key properties, in particular properties that have been unoccupied for an extended period of time, or have been kept empty purposely. Key properties that would prove useful to the vitality of Downtown should not be left to rot.
- ) **Recommendation 1.5 Support New Residential Development:** There is a real and immediate demand for updated condos and apartments in the Downtown area. This need extends to all age demographics, including young professionals, retirees, and everyone in between. Help Downtown property owners renovate vacant second- and third-floor spaces into housing. Many property owners are intimidated by potential renovation costs.
- ) **Recommendation 1.10 Further Invest in the Arts & Entertainment District:** There is a strong momentum that has been going in this direction, and the DEC believes it should be expanded throughout the Downtown area. Special attention should be paid to “pop-

up” opportunities, weekend events and festivities, and bringing permanent and temporary art exhibits to underutilized spaces in Downtown.

- ) **Recommendation 2.12 Improved Landscaping and Streetscape Amenities:** There is a lack of visual appeal in Downtown Fond du Lac. The great architecture and brickwork of many of the historic properties would blend beautifully with a variety of both annual and perennial flowers, native grasses, and updated flower pots. The pocket parks that currently exist in Downtown are sterile and in need of weeding and care. This would improve the look and feel of the Downtown area as a welcoming and aesthetically pleasing place to come and spend time.

## SECTION 4: RECOMMENDATIONS

Members of the DEC were chosen to represent a variety of different community demographics and, while the Committee numbers were small, the DEC feels confident that the results in the report represent the Downtown as a whole. Patterns emerged from the results and, once identified, tended to gain momentum. Momentum will be a critical component in making the most of this document and the participants' collective investment of their time as part of this process.

To that end, it will be useful to discuss and understand exactly what this effort has accomplished and how the results can be utilized. The members of the Downtown Exploratory Committee provide the following recommendations regarding this document's use and the next steps to follow. These recommendations, if done, will help to keep momentum going:

) **Goal 1: Target Redevelopment of Priority/Opportunity Properties.**

A targeted effort is needed to acquire and develop key properties, in particular properties that have been unoccupied for an extended period of time, or have been kept empty purposely. Key properties that would prove useful to the vitality of Downtown should not be left to rot.

- **Recommendation 1.1:** The City should target blighted buildings for purchase and create and issue Request for Proposals (RFPs) for redevelopment by private developers.
  - **Recommendation 1.1.1:** Acquire a Downtown structure with adequate size to create an indoor market within 12 months of issuance of this report.
  - **Recommendation 1.1.2:** Be open to proposals that attract larger state events to be hosted within Downtown and its redeveloped properties (i.e., darts, pool, biking, etc.).
  - **Recommendation 1.1.3:** Promote the creation of a brew pub/distillery/winery by mirroring the efforts of other cities.
- **Recommendation 1.2:** Embrace and promote historic architecture through financial incentives to current owners and prospective buyers/developers.
- **Recommendation 1.3:** In order to avoid empty or dilapidated store fronts, establish a program to partner with local artists, schools, universities, and the art community to create window displays. The goal is to have no empty storefronts.
  - **Recommendation 1.3.1:** Recruit local businesses to open storefronts to sell their logo products (i.e., Mercury Marine, "pop-ups," school events, etc.).
- **Recommendation 1.4:** Embrace and promote the historic culture and architecture, and lean towards a central theme that incorporates it. Keyword ideas: New Downtown, Revitalized Downtown, Historic Downtown, etc.

- **Recommendation 1.5:** Create more green spaces to reflect the growing demand and changing uses for open spaces and plazas.

) **Goal 2: Support New Residential Development.**

There is a real and immediate demand for updated condos and apartments in the Downtown area. This need extends to all age demographics, including young professionals, retirees, and everyone in between. Help Downtown property owners renovate vacant second- and third-floor spaces into housing. Many property owners are intimidated by potential renovation costs.



Source: [www.decoist.com](http://www.decoist.com)

- **Recommendation 2.1:** Assess the more desirable locations to start potential development of residential sites, garages, storage, etc.
  - **Recommendation 2.1.1:** As soon as properties become available, have an internal system in place to immediately assess the property for residential development.
  - **Recommendation 2.1.2:** Assess conditions of buildings and what is needed to get them to desired state.
  - **Recommendation 2.1.3:** Establish a list of developers to alert regarding identified properties as soon as these have been determined.
  - **Recommendation 2.1.4:** Create and issue Request for Proposals (RFPs) for redevelopment of city-owned downtown land.
  - **Recommendation 2.1.5:** Establish financial incentive programs to support the rehabilitation of second- and third-floor levels of historic properties.
- **Recommendation 2.2:** Promote ideas and feasibility to current Downtown property owners.
  - **Recommendation 2.2.1:** Identify property owners who might be willing to consider residential redevelopment.
  - **Recommendation 2.2.2:** Provide an example redevelopment model through showcasing properties already redeveloped.

- **Recommendation 2.3:** Promote condo platting.
  - **Recommendation 2.3.1:** Promote the selling of upper levels of a building separate from the downstairs (especially attractive if downstairs business owner does not want to manage residential real estate or rehabilitate an upper level to accommodate residential units).
  - **Recommendation 2.3.2:** While the City does not have standards on the condition of upper levels before sale of the property, staff should assist those property owners interested in condo platting and promote the option.
- **Recommendation 2.4:** Promote a variety of housing types.
  - **Recommendation 2.4.1:** Create mid- to executive-level, as well as market-rate, housing options.

) **Goal 3: Invest in the Arts & Entertainment District.**

Strong momentum in this direction should be expanded throughout the Downtown area. Special attention should be paid to “pop-up” opportunities, weekend events and festivities, and bringing permanent and temporary art exhibits to underutilized spaces in Downtown.

- **Recommendation 3.1:** Explore the possibilities of extending Downtown street closures to create a venue for additional street activities.
  - **Recommendation 3.1.1:** Work with the DFP to investigate the benefits and limitations of such closures.
  - **Recommendation 3.1.2:** Bring concerts, events, and festivals Downtown more frequently. Think Fondue Fest once or twice each month, possibly on a smaller scale, centered on an event such as a free concert, car show, art display, etc.



Source: Fond du Lac Convention & Visitors Bureau



- **Recommendation 3.2:** Expand support and promotion for “pop-up” opportunities and ideas. Make it as easy as possible for “pop-ups” to utilize spaces Downtown.
- **Recommendation 3.3:** Create a short-term leasing program for vacant buildings as a way to showcase both artists and vacant properties.
- **Recommendation 3.4:** Partner with the FDL Convention and Visitors Bureau, and other local corporate sponsors, to help promote what is happening Downtown, both large and small.
- **Recommendation 3.5:** Create a robust retail environment in Downtown that diversifies beyond daytime activities.
  - **Recommendation 3.5.1:** Promote evening shopping and the variety of late-night restaurants.
  - **Recommendation 3.5.2:** Create a late-night zone for music, culture events, etc.
  - **Recommendation 3.5.3:** Encourage evening hours for businesses by solving the parking dilemma and regulation hurdles (i.e., short-term parking in front of establishments).
- **Recommendation 3.6:** Develop additional opportunities for all age groups, paying particular attention to the creation of an activity zone for youth.
- **Recommendation 3.7:** Create activities/events and provide amenities that connect Fond du Lac’s outdoor lifestyle to Downtown.





) **Goal 4: Improve Landscaping and Streetscape Amenities.**

Downtown Fond du Lac lacks visual appeal. The great architecture and brickwork of many of the historic properties would be complemented by a variety of both annual and perennial flowers, native grasses, and updated flower pots. The pocket parks that currently exist in Downtown are sterile and in need of weeding and care. This would improve the look and feel of the Downtown area as a welcoming and aesthetically pleasing place to come and spend time.

- **Recommendation 4.1:** Encourage and provide incentives to businesses for outdoor expansion of their establishment. This would apply to patio dining, sales racks on the sidewalk, etc.



Source: Fond du Lac Convention & Visitors Bureau

- **Recommendation 4.2:** Update existing and install new Downtown informational booth/kiosks at strategic locations.
  - **Recommendation 4.2.1:** Promote the history of individual buildings through literature and signage.
- **Recommendation 4.3:** Create a draw to get people from Downtown to nearby Hamilton Park, located at the river just west of Main Street, and bounded by Forest Avenue and Division Street.
  - **Recommendation 4.3.1:** Invest in engaging landscaping, utilizing such things as native grasses, more trees, and perennials.
  - **Recommendation 4.3.2:** Create gathering spaces within Hamilton Park, such as places to eat, performance opportunities, etc.
  - **Recommendation 4.3.3:** Construct a walking bridge over the river to connect from Macy Street to Hamilton Park.

- **Recommendation 4.3.4:** Partner with the Fond du Lac Public Library to develop Hamilton Park into a family-friendly gathering space, utilizing the Story Walk as its foundation.



Source: [www.raedeke.com](http://www.raedeke.com)

- **Recommendation 4.4:** Purchase and install permanent tree lighting (i.e., white holiday lights).



Source: [www.ClarksvilleNow.com](http://www.ClarksvilleNow.com)



Source: [www.latimes.com](http://www.latimes.com)

## SECTION 5: CONCLUSION

The DEC was created to define what keeps visitors and residents away from Downtown Fond du Lac and what is needed to bridge that gap. Through facilitated discussions, certain areas of concern were identified. Committee members saw a lack of diverse uses for several different identifiable demographics. There also were perceptions that Downtown was unsafe, not well lit, lacked adequate parking, and did not have much “nightlife” to provide entertainment variety to residents or visitors.

The DEC felt it was important – not only to get visitors and residents Downtown – but to keep them Downtown through a variety of options. There was special emphasis put on the fact that Downtown Fond du Lac was suffering from an “identity crisis” or a lack of a clear theme or central idea that was easily identifiable as “Fond du Lac.” The committee felt that the best way to resolve these problems was to find ways of getting business, residents, and visitors/tourists into the Downtown neighborhood. The DEC identified several key aspects to get businesses and visitors Downtown, and created the playful and inviting tagline “Fond do it Downtown.”

These key points identified by the DEC coincided with some of the major points listed in the DFP Market Analysis.

Focus was put on the three main recommendations the Committee felt were most important for Downtown success and also most likely to be implemented. The group chose to support these three specific recommendations with more details:

1. Support New Residential Development.
2. Targeted Redevelopment of Priority/Opportunity Properties.
3. Further Invest in Cultural Experiences.

New residential developments get people into the city and using the businesses within the city. Improving or targeting properties can increase use of properties that are currently vacant or blight on the Downtown’s image. Suggestions, zoning, and other methods could be used to help encourage needed developments to Downtown. Finally, additional events, cultural activities, interactive art, and other points of interest are needed to accent the Downtown, help draw people to the location, and give people additional things to do and talk about.

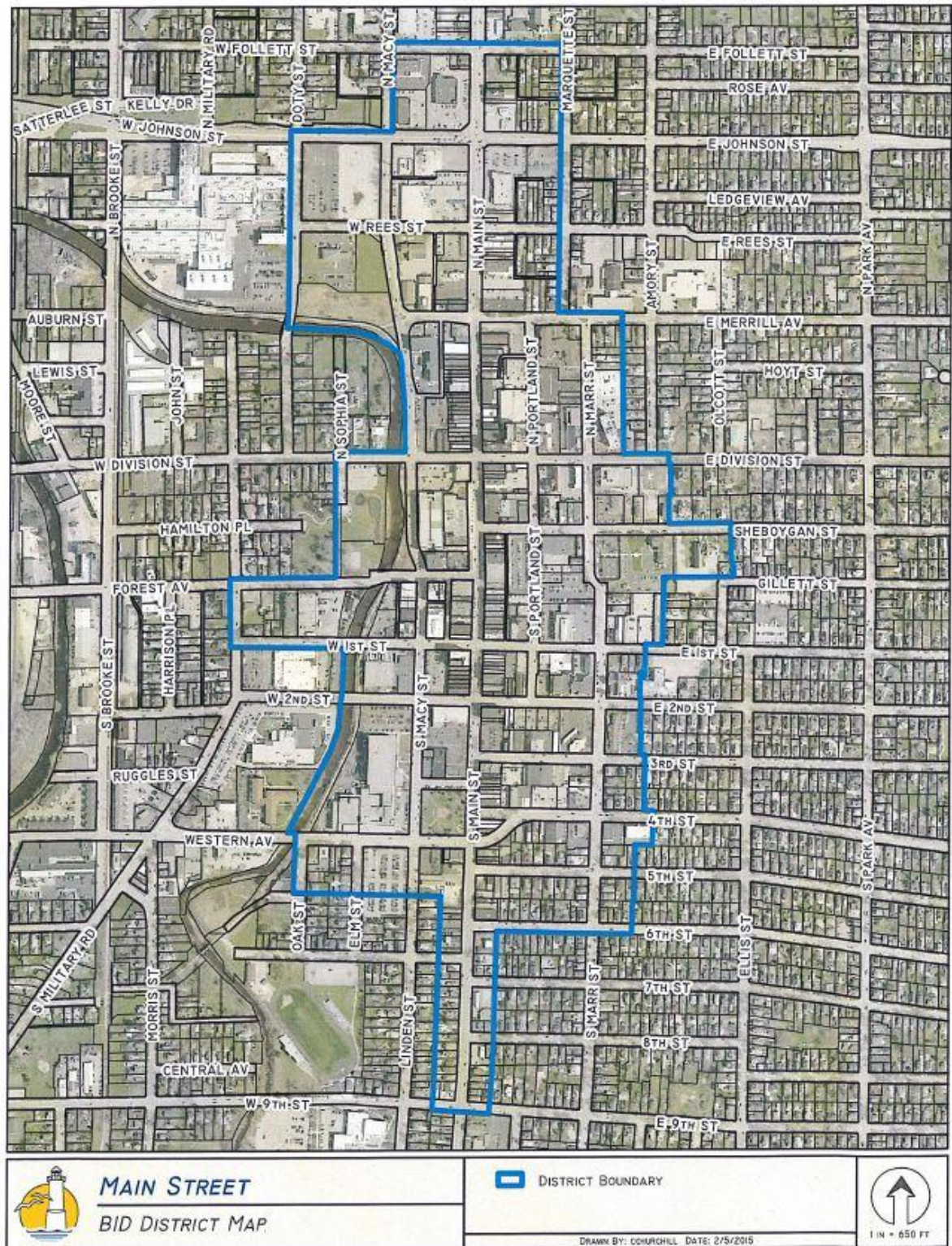
The DEC encourages the City Council to proceed in doing all that is in its power to help progress the Committee’s recommendation and that of the DFP Market Analysis. DEC members believe that through public and private funding, utilizing local groups, exploring potential zoning changes, and encouraging and increasing community support and involvement, the Downtown can be revitalized and become the draw it once was. The recommendations in this report will not solve all issues affecting Downtown Fond du Lac, but the Committee believes these are the areas where efforts should initially be concentrated to get the Downtown moving in a more positive direction.

There is a strong, charismatic history in this city that can be drawn upon and, with some updates, can appeal to all generations of residents and visitors. No city is perfect, but DEC members believe that Fond du Lac is a city with many fine qualities. The DEC encourages City leadership, business owners, and residents to concentrate on these good points and use the recommendations in this report to accent these positives. Fond du Lac needs to create a

focused Downtown identity and image, and then market its positives by engaging the people that live here and by funding marketing campaigns aimed at the larger public.



## APPENDIX A: BUSINESS IMPROVEMENT DISTRICT (BID) MAP



## **APPENDIX B: CHARGE FROM CITY COUNCIL**

### **THE COMMITTEE'S CHARGE**

The City Council created the Downtown Exploratory Committee (DEC) to function in an advisory capacity to the Council regarding improvements for the downtown of Fond du Lac and to present recommendations for improvements to the Council.

The DEC shall explore, study and investigate all aspects of potential improvements to the Downtown. Its scope of study is intentionally broad, encompassing all forms of building, park and public space occupancy and all forms of activity, including, but not limited to: public events, public/private ownership and potential commercial development. The DEC will present a written report to the City Council that encompasses its recommendations, the expected outcomes of implementing those expectations and its rationale for the recommendations it makes. Simply put, the committee's report must answer this question:

- ) How can the Downtown of Fond du Lac be better?

### **RATIONALE**

Why has the City Council taken this initiative?

- ) Ultimately, you will inform a vision for the Downtown's future and a strategy for achieving that vision. In general, the Council seeks a vibrant Downtown, one attracting more local citizens and visitors, more investment, more development, more occupancy and more excitement than it does today.

### **BACKGROUND**

How can the Downtown of Fond du Lac be better? That being the primary question, there are other questions you should answer in the process of answering the primary one. For example:

- ) What is a successful downtown?
- ) How should a community define success for its downtown?
- ) How should a community measure its success, or the progress toward it?

Guard against assumptions that might lead to the premature discarding of an idea. So long as ideas you generate comply with the law, there is no limit to what the committee may consider.

Like most downtowns, Fond du Lac is a complex environment influenced by a wide variety of interests, supporters, detractors, rules, laws and traditions. You will find it helpful to understand the environment you've been asked to improve.

- ) The Downtown's boundaries currently encompass a variety of public, private and public/private/personal uses and spaces. Understand how a Business Improvement District (BID), like the one in Fond du Lac, operates, generates revenue and governs itself. Also, seek to understand the implications of historical properties as they pertain to the Downtown.
- ) Consider whether the geographic boundary of the BID and the Downtown, at least the way people perceive it as a place, are the same or different and whether it matters. If it



does appear to matter, determine why it does. At the very least define what you believe the Downtown to be to focus your analysis.

- J Consider other community's successes, brainstorm ideas, explore how ideas could positively impact the community and evaluate how downtown-focused initiatives in other cities affected their communities. Seek best practices and pursue new ideas.
- J Also, seek to understand what initiatives, improvements or changes are being planned for implementation by the City or the DFP to avoid expending thought and effort working on an idea that has already been considered and approved. Examples include the DFP's market analysis, the City's Capital Improvement Plan and ideas coming from the City's Art Board, to name a few.
- J Note the word, 'improvement,' used throughout this document means many things. In the context of the committee's study, an improvement could mean the preservation, addition or elimination of something or anything. The point is not to limit your analysis only to what presently exists or what is being done.

Substantial effort and resources have been committed to the Downtown over the years and during that time, many lessons learned. Consider familiarizing yourself with the information associated with those efforts: Here are just a few examples of resources to assist your research:

- J UW Extension Local Government Center:
  - o <http://lqc.uwex.edu/cpd/bidpage/bid.html>
- J DFP Downtown Development Plan:
  - o [http://www.downtownfdl.com/dfp/sft422/337116b\\_adopted\\_downtown\\_plan\\_2010\\_02\\_10.pdf](http://www.downtownfdl.com/dfp/sft422/337116b_adopted_downtown_plan_2010_02_10.pdf)
- J DFP Downtown Land Use Plan:
  - o [http://www.downtownfdl.com/dfp/sft422/dt\\_landuseplan.pdf](http://www.downtownfdl.com/dfp/sft422/dt_landuseplan.pdf)
- J Arts and Entertainment District Vision Plan:
  - o <http://www.downtownfdl.com/dfp/sft422/aepowerpointrevised.pdf>
- J Wisconsin State Statute, 66.1109 Business improvement districts:
  - o <https://docs.legis.wisconsin.gov/statutes/statutes/66/XI/1109>
- J Wisconsin Main Street Community Program:
  - o <http://www.downtownfonddulac.com/dfp/mainstreet.html>
- J Historic Preservation in Fond du Lac:
  - o <https://www.fdl.wi.gov/departments.iml?DeptID=10&DeptPage=102>

## **COMMITTEE OPERATION/FACILITATION**

The Council expects the DEC to operate independently and as such the City Council, DFP board, City and DFP staff will not directly involve themselves in the committee's work, except at the request of the committee. However, the following guidelines apply to the DEC:

- J As a committee created and appointed by the Fond du Lac City Council, this advisory Committee must operate within the view of "the Public Eye." All of its meetings must be

open to the public and it will not have the option of an “Executive Session.”

- )] Parliamentary procedures must guide all discussions and deliberations, although the committee has the latitude to define the parliamentary procedures it needs to function effectively.
- )] Open meetings and open records statutes apply to the DEC. Public notification of meetings and publication of an agenda are required as is taking of minutes at each meeting. The DEC should consult the City Attorney when any uncertainty exists.
- )] Except for its first meeting, the organizational meeting, the DEC must provide for audience comment at its meetings and should aggressively pursue other means for engaging with the public.
- )] The committee will establish a regular meeting place and time to provide predictability for the public. It should meet at least monthly having held its organizational meeting no later than March 31, 2016. The City Clerk will coordinate the scheduling and meeting location of the first meeting with the committee members.
- )] As it is for the City Council, a quorum for the DEC is a simple majority of its membership and recommendations may be approved by a majority of members voting.
- )] The committee will choose its own leadership: Once organized, it may operate on its own and with assistance from City and Downtown Fond du Lac Partnership (DFP) Staff and any other sources of expertise when needed. Since this committee is larger than normal, the appointment of an outside facilitator to help keep it on track could be an alternative the committee considers. If the DEC does request the services of an outside facilitator, any costs associated with this request must be submitted to the City Manager for consideration and a recommendation to the Council.
- )] Its existence is temporary and it will be disbanded at a time to be determined by the Council.
- )] It is prohibited from committing City resources for any purpose and it has no decision making authority, except for determining its meeting schedule, its recommendations and the contents of its final report to the City Council.
- )] It should rely upon the City and DFP Staff for information and advice, but it may not exercise direction or supervision of City employees or Downtown Fond du Lac Partnership employees. Also, the DEC should coordinate any engagements or conversations involving State or other regulatory agencies with City Staff.
- )] Committee members should anticipate significant interest in its operations from the public and from the press. Therefore, the committee members should determine how the DEC will interact with the public and the press before, after and between meetings.
- )] As with other boards, commissions and committees of the City Council, the City Clerk will record the minutes of DEC meetings and publish them via the City's Online Agenda portal at: <https://www.fdl.wi.gov/general-information.iml?DeptID=6>.



## **STAFF COORDINATION**

The DEC's work will often depend upon interaction with and support from the City and DFP Staff. You can expect a member of the following departments to attend your meetings: Public Works, Community Development, the City Attorney and the City Clerk. They will assist you in acquiring information and documentation.

- ) In support of the committee, the City Staff will create a web-based repository for all the materials used or produced by the committee. This web page will also provide continuous access to any member of the public to those materials.

## **DELIVERABLES**

- ) The DEC will provide an interim oral report of its operations and progress to the City Council no later than July 29, 2016 at a regularly scheduled Council meeting. The DEC chairperson and the City Manager will coordinate the scheduling of this requirement.
- ) Any time prior to, but no later than December 5, 2016, the DEC will draft and submit a preliminary written report to the City Council containing its findings, recommendations and any other information it deems appropriate for the Council to consider. Anticipate participation in the City Council meeting scheduled for December 14, 2016. Unless the schedule changes, the Committee will be providing a presentation summarizing its report during that meeting.

CITY COUNCIL MEETING AGENDA  
CITY OF FOND DU LAC, WISCONSIN

Title: Audience Comments

Subject:

Initiator:

Recommendation:

**CITY COUNCIL MEETING AGENDA  
CITY OF FOND DU LAC, WISCONSIN**

Title: Resolution No. 8655

Subject: A Resolution Authorizing A Memorandum of Understanding And/or Lease Between  
The City And Brooke Industries And The Miracle League Of Fond du Lac For a  
Miracle League Chapter And Baseball Diamond Located In Playmore Park  
Introduction: Director of Public Works

Initiator:

Recommendation:

**ATTACHMENTS:**

File Name

[8655 Resolution Authorizing MOU for Miracle League in Playmore Park.docx](#)

[Miracle League Council Memo 2.2.17.doc](#)

[drawing.pdf](#)

[Miracle League National letter.pdf](#)

**RESOLUTION NO. 8655**

**A RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING AND/OR LEASE BETWEEN THE CITY AND BROOKE INDUSTRIES AND THE MIRACLE LEAGUE OF FOND DU LAC FOR A MIRACLE LEAGUE CHAPTER AND BASEBALL DIAMOND LOCATED IN PLAMORE PARK**

**WHEREAS**, the City of Fond du Lac owns Plamore Park; and

**WHEREAS**, Brooke Industries and the Miracle League of Fond du Lac have entered into a relationship to provide opportunities for children with disabilities to play baseball, regardless of their abilities; and

**WHEREAS**, City staff has reviewed the possibility for space for a baseball diamond in Plamore Park; and

**WHEREAS**, The Miracle League of Fond du Lac would like to begin raising funds to finance all aspects of the construction of the Miracle League Field and associated amenities; and

**WHEREAS**, The Miracle League of Fond du Lac would have the right to use the field for scheduled practices and games, which are expected to occur one to two times an evening, a few days a week. The field will be open to the public the rest of the time. The restrooms, parking lot, and playground will be open to the general public at all times. City staff will maintain those facilities, but the field itself will be maintained by the League.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Fond du Lac that the proper City officials are hereby authorized to execute any necessary documents including a MOU and/or Lease with Brooke Industries to support The Miracle League of Fond du Lac locating in Plamore Park and to take all other necessary steps to provide baseball opportunities for children with disabilities.

**ADOPTED:**

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Lee Ann Lorrigan, President  
Fond du Lac City Council

Attest:

City Attorney:

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Margaret Hefter, City Clerk

Reviewed DSM

## ***CITY OF FOND DU LAC – Memorandum***

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Director of Public Works

Date: February 2, 2017

To: City Council

From: Jordan Skiff, Director of Public Works

Re: Miracle League MOU

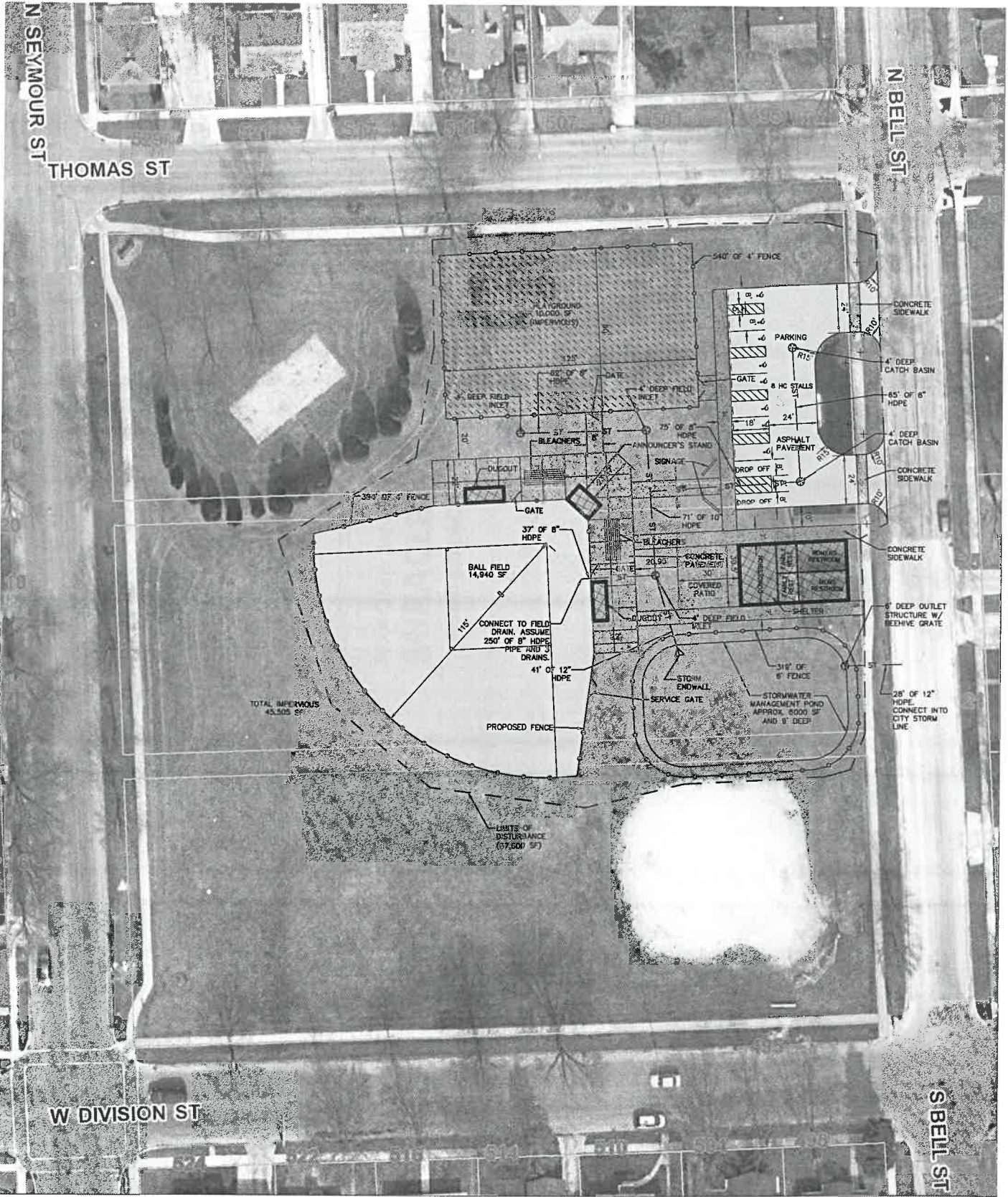
At Wednesday's meeting, you will be asked to approve a Resolution that authorizes a Memorandum of Understanding (MOU) with Brooke Industries, which is sponsoring a Miracle League in Fond du Lac. The Miracle League works with communities to create accessible baseball fields and supporting facilities so children with disabilities can enjoy the sport. Both the City Council and Advisory Park Board have been supportive of this concept in past meetings.

The MOU includes the following provisions: It would be constructed in Plamore Park, an underutilized park in the west central part of the City. The proposed term of the MOU is 20 years, and can be renewed after that. The League would be responsible to raise funds to pay for all improvements, which are anticipated to include a field, parking lot, restrooms, and playground, with a small stormwater pond to handle runoff from the new improvements. Other features may include a concession stand/shelter, announcer's booth, and scoreboard. It is not anticipated that the field will be lit. The League would have the right to use the field for scheduled practices and games, which are expected to occur one to two times an evening, a few days a week. The field will be open to the public the rest of the time. The restrooms, parking lot, and playground will be open to the general public at all times. City staff will maintain those facilities, but the field itself will be maintained by the League.

We have invited the immediate neighbors of Plamore Park to a discussion about the proposed layout next Tuesday, and would provide any feedback from them at your Wednesday meeting.

The proposed improvements are valued at over \$1 million, and would be constructed at no cost to the taxpayer, so this would be a great addition to our community. Even more importantly, this partnership would open up a fun and fulfilling recreational opportunity to a segment of our population that it currently doesn't have.

Feel free to contact me at 322-3472 to discuss this matter further.







July 28, 2016

Dear Kim Trent,

It is with great pleasure that we welcome **The Miracle League of Fond du Lac** as a new member of The Miracle League Association.

As a Miracle League member it allows you the use of our U.S. Trademark Logo and Registered name, along with many other benefits to help with fundraising, construction of the field, and developing the program. You will also learn more about the benefits from The Miracle League approved vendors for surface, playgrounds, lighting, and etc. They will all be featured in the manual and a mailer from Johnny Franklin our liaison for construction and league development.

We are excited that you have joined us for this truly heartwarming experience and given the Miracle League the honor of partnering with you and your community.

Please review the Miracle League Manual and we will set up your orientation. You have the option to come to a corporate orientation with other leagues which we host 5 times a year. Or set up a conference call to do an online meeting. Or both, please let us know your preference.

**The information within the manual is confidential and cannot be issued to anyone other than members of your organization. If you are contacted by other communities or individuals outside your organization please direct them to our national office.**

**Thank you for your commitment and your demonstration of unconditional love to all children and young adults. You are truly an "Angel in the Outfield."**

If our office can be of any assistance please do not hesitate to call us. Again, Welcome to the Miracle League Association.

Every Child Deserves a Chance to Play Baseball.

Diane Alford  
Executive Director

Stephanie Davis  
VP of National Programs

Johnny Franklin  
VP of Field Development

**CITY COUNCIL MEETING AGENDA  
CITY OF FOND DU LAC, WISCONSIN**

Title: Ordinance No. 3629

Subject: An Ordinance Amending Chapter 642, Water, Of The Code of Fond du Lac Relating  
To Private Lead Water Service Line Replacement  
Introduction: Director of Public Works

Initiator:

Recommendation:

**ATTACHMENTS:**

File Name

[3629 Lead Mandatory Ordinance 2.2.17.docx](#)

[3629-A Lead Voluntary Ordinance 1 25 17.docx](#)

[DNR Lead in Drinking Water brochure.pdf](#)

[Duitman email.pdf](#)

[Response to Duitman email.2.7.2017.pdf](#)

## ORDINANCE NO. 3629

### AN ORDINANCE AMENDING CHAPTER 642, WATER, OF THE CODE OF THE CITY OF FOND DU LAC RELATING TO PRIVATE LEAD WATER SERVICE LINE REPLACEMENT

The City Council of the City of Fond du Lac do ordain as follows:

**Section 1.** That Chapter 642, WATER, Section 642-5, G. Private Lead Water Service Line Replacement., is hereby created to read as follows:

642-5. G. Private lead water service line replacement.

- (1) Purpose and Findings. The City Council finds that the purpose and findings of this ordinance to be as follows:
  - (a) To ensure that the water quality at every tap of Fond du Lac Water Utility customers meets the water quality standards specified under the Federal Safe Drinking Water Act; and
  - (b) Disturbance of lead water service lines, particularly partial lead service line replacement, has been shown to increase lead levels in drinking water; and
  - (c) Reconnection of existing lead water service lines to new water service lines has been shown to increase lead levels in drinking water; and
  - (d) Full replacement of lead service lines, as opposed to partial replacement, can reduce exposure to lead in drinking water; and
  - (e) Because of the significant risks to public health and safety posed by disturbance of lead water service lines and reconnection of lead to other service lines, the city has a strong public health interest in remediating privately-owned lead water service lines under certain circumstances.
- (2) Authority. This ordinance is enacted pursuant to Sec. 62.11(6) and Sec. 281.12(5), Wis. Stats., Chapter SPS 384 of the Wis. Admin. Code and as mandated by 42 U.S.C. Sec.300g, of the Federal Safe Drinking Water Act, enforced by the EPA and the WDNR.

(3) Definitions. As used in this subsection, the following terms shall have the meanings indicated:

“City” means the City of Fond du Lac.

“Customer-side water service line” means the water conduit pipe running from the customer’s meter to the curb stop, which is the Water Utility shut-off valve, usually located six feet into the street right-of-way.

“Director and Director of Public Works” means the Director of Public Works or his/her designee, which may include the Water Utility Manager.

“EPA” means the U.S. Environmental Protection Agency.

“Federal Safe Drinking Water Act” means 42 U.S.C.A. Sec. 300f-300j-26.

“Lead water service line” means a service made of lead which connects the water main to the building inlet and any lead pigtail, gooseneck or other fitting which is connected to such lead line.

“Licensed plumber” means any persons licensed as such by the Department of Safety and Professional Services pursuant to Ch. 145, Wis. Stats.

“Owner” means any person, manager, or persons otherwise exercising control over properties within the Fond du Lac Water Utility system.

“Person” has the meaning set forth in Sec. 342.01(9), Wis. Stats.

“Ppb” means parts per billion.

“Privately-owned portion of a lead water service line” means the section of water service piping from the outlet joint of the curb stop to the outlet of the water meter outlet valve with the exception of the water meter itself, regardless of the ownership of the property upon which the piping is located.

“Property” means any possessory interest, legal or equitable, in real property including an estate, trust, or lien, and any buildings, structures and improvements thereon.

“Utility-owned portion of a lead water service line” means the section of water service piping from the main to, but not including, the outlet joint of the curb stop.

“Water Utility” means the City of Fond du Lac public water utility system, also known as Fond du Lac Water Utility.

“WDNR” means the Wisconsin Department of Natural Resources.

(4) Replacement Requirement. The privately-owned portion of a lead water service line shall be replaced whenever any of the following occurs, subject to the exceptions in Subsection 5:

- (a) A leak or failure has been discovered on either the privately-owned or utility-owned portion of the service line.
- (b) The utility-owned portion of the line is replaced on either a planned or emergency basis.

(5) Exceptions.

- (a) The Director may extend the time for replacement of the private lead service line required under Section 4 if the customer so requests and demonstrates a compelling need unless the Director determines that doing so will create an imminent threat to the health, safety or welfare of the public.
- (b) Guidelines for the consideration of requests under Subsection 5(a) will be established by the Fond du Lac Water Utility, the Director and the City Manager.

(6) Notice. The City will provide notices to owners as specified below:

- (a) Leak or Emergency Replacement. In the event of a service line leak or failure under Subsection 4(a) or an emergency replacement of the utility-owned portion of the service line, the Director shall provide written notice of the replacement requirement to the owner upon the Director’s determination that

replacement of the service line is required.

- (b) **Planned Replacement.** In the event of a planned replacement under Subsection 4(b), the Director shall provide written notice of the replacement requirement to the owner at least 45 days prior to the commencement of the planned replacement of the utility-owned portion of the service line.
- (7) **Owner Election.** Upon receipt of the notice in Subsection 6, the owner shall, within 10 business days, elect one of the following by giving written notice to the City:
  - (a) Replace the privately-owned portion of the lead service line at the owner's expense by contracting with a licensed plumber. The work shall be performed in accordance with all applicable state, federal, local and utility regulations.
  - (b) Have a city contractor replace the privately-owned portion of the lead service line.
- (8) **Financing of Replacement by City Contractor.** The Water Utility may administer lead service replacement programs. If the owner elects to have a city contractor complete the replacement under Subsection. 7(b), the cost of replacing the privately-owned portion of the lead service line may be eligible to be paid in accordance with the City's special assessment ordinance.
  - (a) **City Subsidy.** Subject to the availability of grants or similar funding for the City to use for the lead service replacement programs, a property owner who meets the criteria in Subsection 8(b) may be eligible to receive a subsidy towards the cost of replacing the privately-owned portion of the lead water service line required by Subsection 4. The City will establish the maximum amount that it will provide as a subsidy, depending on grant availability or similar funding and the number of homes participating in the program.
  - (b) **Eligibility Criteria.** A property owner will be eligible for the city subsidy provided in Subsection 8(a) if the property owner submits



to the Director documentation that all of the following conditions are met:

- i) The property is a one-, 2-, 3- or 4-family dwelling.
- ii) The owner agrees to have the work performed by a City contractor.
- iii) The owner signs a hold-harmless agreement holding the city harmless and free from any claim or liability for damage done in performance of the water service line replacement work.
- iv) The owner executes a temporary right of entry and construction easement authorizing the city and its contractor access into the dwelling as needed in order to complete the connection.
- v) The property qualifies for the subsidy under the applicable grant or similar funding rules.

(9) Requirements for Owners ineligible for subsidy. Any owner who elects to have a city contractor perform water service line replacement required by Subsection 4 and is not eligible for city subsidy, must, prior to the commencement of this work:

- (a) Execute a hold-harmless agreement holding the city harmless and free from any claim or liability for damage done in performance of the water service line replacement work.
- (b) Execute a temporary right of entry and construction easement authorizing the city and its contractor access into the dwelling as needed in order to complete the connection.

(10) Enforcement. If the owner fails to comply with this ordinance within the time specified, the Director may apply for and obtain an appropriate court-issued warrant pursuant to Sections 66.0119 and 196.171, Wis. Stats., to gain access to the property and have the required work performed pursuant to Section 281.45, Wis. Stats. The cost of this work may be assessed and collected as a special assessment/charge on the property.

- (11) Violations and penalties. Except as otherwise specifically provided, any person who violates any provision of this chapter may be subject to a penalty as provided in §1-4 of this Code.

**Section 2.** The appropriate City officials are hereby authorized and directed to take such action as is necessary to effectuate the terms of this Ordinance.

**Section 3.** All other ordinances and resolutions inconsistent with the provisions of this Ordinance are hereby repealed.

**Section 4.** This Ordinance shall take effect and be in force upon its passage and publication as provided by law.

**ADOPTED:**

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Lee Ann Lorrigan, President  
Fond du Lac City Council

Attest:

City Attorney:

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Margaret Hefter, City Clerk

Reviewed 

**ORDINANCE NO. 3629-A**

**AN ORDINANCE AMENDING CHAPTER 642, WATER  
OF THE CODE OF THE CITY OF FOND DU LAC  
TO AMEND MAINTENANCE OF SERVICES**

The City Council of the City of Fond du Lac do ordain as follows:

**Section 1.** That Section 642-8., **Maintenance of services.** is amended as follows:

Add Thereto:

F. Lead Lateral. Whenever it appears, upon inspection, that a lead water service lateral has failed between the curb stop and the point of metering, the lead lateral must be replaced by a lateral of materials as set forth in Chapter SPS 384 of the Wis. Admin. Code.

**Section 2.** Any person violating the provisions of this Ordinance shall be subject to the penalty provided in Section 1-4 of the Code.

**Section 3.** The appropriate City officials are hereby authorized and directed to take such action as is necessary to effectuate the terms of this Ordinance.

**Section 4.** All other ordinances and resolutions inconsistent with the provisions of this Ordinance are hereby repealed.

**Section 5.** This Ordinance shall take effect and be in force upon its passage and publication as provided by law.

**ADOPTED:**

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Lee Ann Lorrigan, President  
Fond du Lac City Council

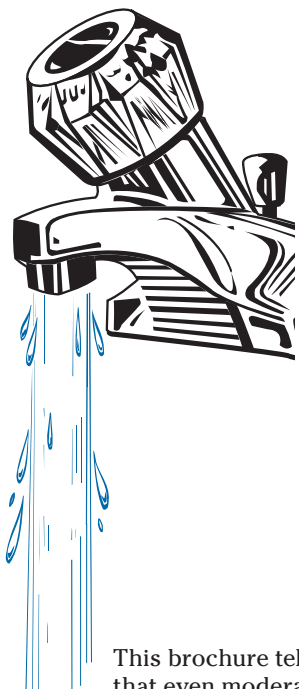
Attest:

City Attorney:

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Margaret Hefter, City Clerk

Reviewed 



# Lead in Drinking Water

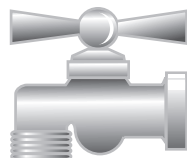
This brochure tells of growing evidence that even moderate levels of lead can be harmful to human health, and particularly to the health of small children and developing fetuses. For this reason, Wisconsin residents are advised to:

- 1) **run your water in the morning** for two or three minutes, or until it gets as cold as it will get, before you drink it, and
- 2) find out how much lead your water is dissolving from your plumbing system by having your water tested for lead.

Whether your water comes from a community water system or your own private well, this brochure will discuss the lead issue in some detail, and will provide some specific recommendations for a variety of situations.

*The Wisconsin Department of Natural Resources Bureau of Drinking Water & Groundwater would like to thank the Groundwater Coordinating Council (GCC) Education Sub-Committee for their part in the development and editing of this publication. For more information on the GCC, it's member organizations and programming, please visit [wisconsin.gov](http://wisconsin.gov). Choose "Government," "State Agencies," followed by "List of Agencies" then select "Groundwater Coordinating Council."*

Wisconsin Department of Natural Resources  
Bureau of Drinking Water & Groundwater



## What is Lead? How can I be exposed?

Lead is a toxic metal which has been used in the construction of most household plumbing systems in Wisconsin. Water within the plumbing system will continuously dissolve the lead it contacts. The rate can vary greatly with variations in natural water quality and the age of the plumbing system. Most water in Wisconsin is corrosive enough to dissolve some amount of lead. When the water stands for extended periods of time, such as overnight, lead concentrations in the water can increase greatly.

Lead is widespread in the environment, and people absorb lead from a variety of sources every day. Although lead has been used in numerous consumer products, the most important sources of lead exposure to the general population are:

- Lead-based paint
- Food (which can be contaminated by lead in the air or in food containers, particularly lead-soldered food containers)
- Soil and dust (which has been contaminated by air, and includes dust both inside and outside the home)
- Outside air from vehicle emissions and other sources. These have been reduced significantly since placing federal controls on lead in gasoline
- Drinking water (from the corrosion of plumbing systems)

It is estimated that drinking water can make up 20% or more of a person's total exposure to lead. Food is the greatest single source of lead for the average adult.

## How does lead get into my water supply?



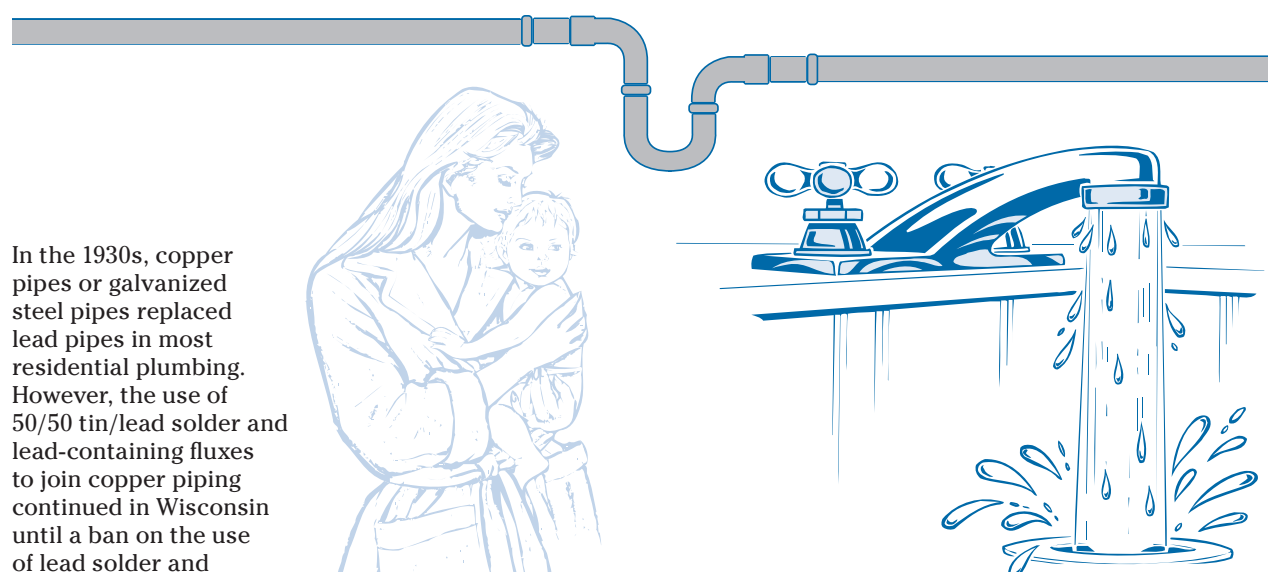
Most Wisconsin drinking water sources, either wells or lake water intakes, have little or no measurable lead. The source of lead in drinking water is most likely lead pipe or solder in the house water supply plumbing, or lead service lines which join buildings to street water mains.

Under typical circumstances, lead will dissolve into the water. The concentration of lead in drinking water can vary greatly, depending on the corrosivity of the water, the type and age of the plumbing materials used in the house, and the length of time that the water stands in the pipes. The highest levels of lead occur when very corrosive water stands motionless in lead or lead-soldered copper pipe for long periods of time.

Corrosivity varies greatly with water quality, but hard water is generally less corrosive than soft water. Nevertheless, hard water alone does not always guarantee that there will be no elevated lead levels.

A greenish discoloration and unpleasant taste of tap water are indications that copper pipes are corroding, but significant corrosion can occur even if there are no visible indications.

The age of a house relates to the type of plumbing system that can be expected. Through the early 1900s, lead pipes were commonly used for interior plumbing in some areas. Until the 1940s, lead piping was often used for the service lines that join buildings to street water mains. Lead piping can be recognized as a dull-grey metal which is soft enough to be easily scratched with a key or screwdriver. Scratched lead will be shiny underneath.



In the 1930s, copper pipes or galvanized steel pipes replaced lead pipes in most residential plumbing. However, the use of 50/50 tin/lead solder and lead-containing fluxes to join copper piping continued in Wisconsin until a ban on the use of lead solder and fluxes became effective in 1984. Homes constructed after that date should have “lead-free” water supply plumbing systems. Also, any repairs of existing plumbing systems must be made with “lead-free” materials, such as tin/antimony (95/5) solder.

Studies indicate that the levels of dissolved metals in drinking water will decrease as a building ages. This is because, as time passes, a mineral or oxidation coating forms on the inside of the pipes (if the water is not too corrosive). This coating can partially insulate the water from the lead materials, significantly reducing levels of dissolved lead.

The longer water stands in a pipe the more lead can be dissolved. Because lead will continuously dissolve into the water, the resulting lead concentrations will increase directly with time. This is why water which is drawn first thing in the morning, or after any extended period of nonuse, will contain the highest levels of lead.

Federal and state standards have established an action level of 15 parts per billion (ppb) for lead in drinking water. The standard is adjusted to account for average lead exposures from other environmental sources as well. Nevertheless, lead has no beneficial health effects, and it is advisable to reduce the lead in your tap water as much as possible. This is particularly true for pregnant women or young children who may drink the water.



### ***How does lead affect my health?***

Lead absorbed by the lungs and the digestive tract from all sources enters the bloodstream, where it distributes to all tissues of the body. Excessive levels of lead can damage the brain, kidneys, nervous system, red blood cells and reproductive system. The degree of harm is directly related to the level of lead in the blood (from all sources). Known effects of exposure to lead range from subtle changes in body chemistry and nervous system functions at low levels of exposure, to severe toxic effects or even death at very high levels associated with acute poisoning. Some harmful effects are reversible if exposure is reduced, while other harmful effects can be permanent.

Young children, infants and fetuses appear to be particularly vulnerable to harmful effects of lead. A dose of lead that would have little effect on an adult can have a big effect on a small child. Also, growing children will more rapidly absorb any lead they consume. A child's mental and physical development can be irreversibly stunted by over-exposure to lead. In infants, whose diet consists of liquids made with water — such as baby formula — lead in drinking water makes up an even greater proportion of total lead exposure (40 to 60%).

### ***How can I find out if my water is safe to drink?***



There are certain obvious advantages to having your water tested for lead, including knowing exactly how high your lead levels rise after periods of nonuse. Even if you live in an older home with no lead piping and are in a hard water area, a lead test can confirm that there is little or no lead in your “first-draw” sample. If testing shows lead in your first drawn water, a lead test before and after flushing can confirm if your flushing procedure is working.

If you decide to have your water tested, it is recommended that you use a state certified laboratory which can detect lead in drinking water at 5 parts per billion or less. There are a number of laboratories statewide that can provide drinking water sampling materials and instruction. A list of certified labs is available online at [dnr.wi.gov](http://dnr.wi.gov), Search: certified labs. Persons served by a public water system should contact the system owner to determine whether there has already been testing of homes with plumbing materials and an installation date similar to yours.

### ***Private Wells***

In addition to plumbing corrosion concerns, there are several other potential sources of lead in private wells. If your well draws water from a sand and/or gravel formation, you should know that some well screens contain lead, and many have been installed with a “lead packing collar.” If such a device is contributing lead to your water, flushing will probably take longer. It is recommended that you have your water tested for lead.

If you own a “driven-point” well, and if you have ever “shot” the well to clear the screen, you have another potential source of lead in your water. Some individuals have actually poured lead shot into a well



to keep out sand. Lead wool has also been placed in some wells. (None of these practices has ever been recommended.) In any of these cases, it is recommended that you have your water tested for lead.

If you live in a former lead-zinc mining region of extreme southwest Wisconsin or if you live near existing or former cherry orchards in Door County, you may have lead in your **groundwater**. It is recommended that you have your water tested for lead.

If you have lead in your groundwater, flushing will not be effective. Point-of-use treatment devices, such as reverse osmosis and distillation units can be effective in removing lead. However, they can be expensive, their effectiveness varies, and they must be properly maintained. All makes and models of treatment devices must be approved by the Wisconsin Department of Safety and Professional Services. Department of Natural Resources approval may be required, under certain conditions, for the installation of a point of use treatment device. Contact the Bureau of

Drinking Water and Groundwater at (608) 266-0821 or one of the DNR offices listed at the end of this brochure for additional information.

If a treatment device is installed, set up an effective and practical maintenance and monitoring program to be sure the system is maintained as recommended by the manufacturer. This is the best way to be certain that it is doing the job intended.

Bring in water from a known safe supply.

### ***A new house***

If your house was constructed after September 26, 1984, state law requires that the soldered joints be "lead-free." To check on this, try to scratch the outside of the solder at a pipe joint with a key or screwdriver. If the solder is dull in appearance, scratches easily, and is shiny underneath, it may be illegally-installed 50/50 lead/tin solder. Tin/antimony (95/5) solder, the typical replacement for lead solder, remains bright in appearance, and there is often a slight gap or indentation in the solder where the pipe and fitting meet. Lead solder usually bridges this gap completely.

If you suspect that lead solder was used in the construction of your plumbing system, have a "first-draw" sample of your water tested for lead. If lead is found at levels over 10 ppb, contact your local plumbing inspector or the Wisconsin Department of Safety and Professional Services, Safety and Buildings Division at [dsps.wi.gov](http://dsps.wi.gov) for further advice.

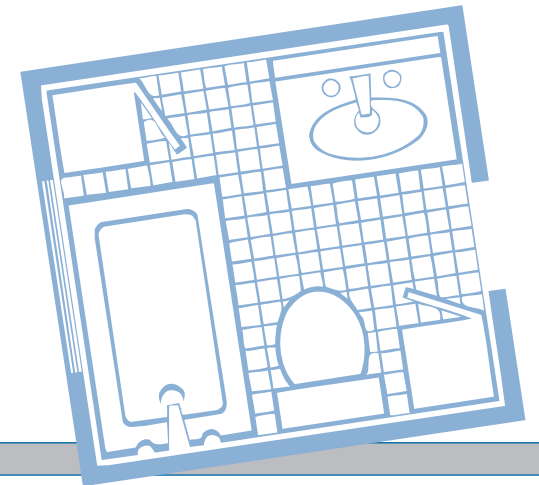
(Lead often occurs in other metallic alloys such as brass and bronze and small amounts can occur in copper pipe itself.)

### ***How can I reduce my exposure to lead in drinking water?***

If your house was constructed before October, 1984, the easiest and most effective method of reducing lead in drinking water is not to drink water that has been in contact with your house plumbing for more than 6 hours, such as overnight or during your work day. Before using water for drinking or cooking, flush the cold water faucet by allowing the water to run until the water has become as cold as it will get (usually 2-3 minutes).

You must do this for each drinking water faucet — taking a shower will not flush your kitchen tap. Shower, toilet, or cold water laundry use will, however, partially flush the plumbing, and will often reduce the time needed to flush drinking water faucets. Buildings constructed prior to the 1940s may have service lines made of lead. Letting the water run for an extra 15 seconds after it cools should also flush this service line.

Studies by the DNR have shown that such flushing can reduce lead levels from hundreds of parts per billion to less than 3 parts per billion (the current detection limit at the State Laboratory of Hygiene). Water flushed from the taps — usually one to two gallons — can be collected and used for nonconsumptive purposes such as washing; it needn't be wasted. (NOTE: The flushing procedures outlined above will usually be inadequate in large buildings such as apartment complexes.)



Another recommendation for reducing lead exposure is to **never cook with or drink water from the hot-water tap**. Hot water dissolves lead more quickly than cold water. So, do not use water taken from the hot tap for cooking or drinking and **especially not for making baby formula**.

Must every plumbing system be flushed in the morning? Not in all cases. Compliance samples collected show that, in areas with high water hardness, little or no detectable lead was found in homes which met **all** of the following conditions:

- 💧 Very hard, alkaline water (generally total hardness greater than 300 parts per million, reported "as calcium carbonate"),
- 💧 Water supply plumbing system more than five years old
- 💧 No lead piping
- 💧 No lead service line connecting to street water main

The individuals in these homes do not need to flush their house plumbing if water is used daily and many others with a similar situation will probably find few problems. You can contact your water utility or supplier for information on the level of water hardness in your area, as well as other information available on first-draw lead levels in the area.

**A word of caution:** it is not possible to **guarantee** that all homes with the above characteristics will have little or no detectable "first-draw" lead levels. If you do not have your water tested, flushing is a simple precaution.

## What is the State of Wisconsin doing about the problem of lead in drinking water?

- 💧 DNR rules establish a lead "action level" of 15 ug/L (micrograms per liter) in public water systems.
- 💧 All community and non-transient non-community water system owners are required under DNR rules to regularly test high-risk locations for lead. If more than ten percent of the locations exceed the action level the system owner must conduct a public education program and install system-wide treatment to reduce corrosion.
- 💧 DNR well and facility construction rules currently prohibit the use of lead in wells, pumps, and other water system components.
- 💧 Department of Safety and Professional Services rules currently restricts the use of lead in solder, fluxes and plumbing system piping.
- 💧 DNR will continue to work with community water systems to reduce the corrosivity of the water through central treatment. System-wide corrosion control can be designed to either reduce the actual corrosivity of the water, or to coat the piping with an additive which acts as a barrier between the pipe and the water.
- 💧 DNR will continue to provide updated information on the issue of lead in drinking water.



## Contact Us

**Customer Service Staff are here to assist you.**

### How may we help you?

Call Toll Free 1-888-WDNRINFO (1-888-936-7463)

Or, go to [dnr.wi.gov](http://dnr.wi.gov), Search: Contact

Click on one of the following options:

**Chat** with customer service.

**Call** a representative.

**Email** your question.



### Toll free hotlines Violation Hotline:

1-800-TIP-WDNR or  
phone 1-800-847-9367

**Confidentially report**  
suspected wildlife,  
recreational and  
environmental  
violations.

### Emergency Spill Hotline:

1-800-943-0003 phone

### Bilingual Services are available Drinking Water & Groundwater Program

101 S. Webster

P.O. Box 7921

Madison, WI 53707-7921

(608) 266-1054

For more information, go to [dnr.wi.gov](http://dnr.wi.gov),  
Search: Drinking Water

*The Wisconsin Department of Natural Resources provides equal opportunity in its employment, programs, services and functions under an Affirmative Action Plan. If you have any questions, please write to: Equal Opportunity Office, Department of the Interior, Washington, D.C. 20240.*

*This publication is available in alternative format (large print, Braille, audiotope, etc.) upon request. Please call (608) 266-0821 for more information.*



PUB-DG-015 12/2016



To Members of the City Council,

February 5, 2017

This letter is my opinion to the Lead Water Service proposed piping project.

I am Doug Duitman, former owner of Duitman Plumbing and Heating and current licensed plumber.

I feel the inside of lead service pipes do not come in direct contact with water due to over the years the inside of the pipes are lined with minerals. Your own report "City of Fond du Lac Water Utility" 2015 Water Quality Report states 30 random samples taken from homes with lead water service; had only one sample fail because the home had recent plumbing work done prior to the sampling. According to the water department, the sample was not properly taken. The report shows that the action level needs to be higher than 15 ppb. All of the other 29 samples were 3.00 Far below the point that needs action. This report alone shows that no action pertaining to new water services from the stop box control valve to the inside of the homes are needed.

I am convinced that the water alone in the pipes may not be contaminated. For your information, up to just recent years, all solder joints and older faucets contained lead which could contribute to the lead in the water. What's coming next – a mandate to change all copper pipes and older faucets in the home?

I have found over the years that typically water services will get replaced when the sanitary sewer pipe fails. Both of these pipes are installed in the same ditch going to the home. According to a recent newspaper article (January 27, 2017), it was stated for a private lead service line replacement "a cost estimate of around \$3,000.00 to replace the lead service pipe on a homeowner's property. Depending on where the water service comes into the home, the 3,000.00 estimate can be much higher. The plumbing work is usually done prior to porches being added, trees/flower beds, and driveways/sidewalks installed. Concrete floors in basements have to be removed. If the basement is finish living space, the work is more involved.

Referring to the same FDL "The Reporter" news article, the financial help from the city to residents would be \$1260.00 Is this a short term loan to the residents or grant money.

According to "The Reporter" February 3, 2017 article, I agree with Senator Robert Cowles proposal to see if he could change the decision of the Public Service Commission on where funded money comes from. Please keep in mind that the water service is considered by the State of Wisconsin to be privately owned. I feel this is government over reach.

Thank You for your time and consideration of this letter. If you have any questions or concerns, please feel free to contact me.

Doug and Judie Duitman  
DJ A.M.B. LLC  
"apartments made better"  
1229 Primrose Ln. FDL  
djduitman@charter.net  
Doug's cell number 920-579-0076

Good afternoon, Council Members. We've heard from two of you that Doug Duitman has sent a letter, outlining concerns with the proposed lead service line ordinance. Karyn asked me to address different points of the letter, and I wanted to offer my response to you in case you're interested. As always, please let us know if you have any questions.

Jordan

**From:** Skiff, Jordan  
**Sent:** Tuesday, February 07, 2017 1:28 PM  
**To:** Merkel, Karyn  
**Cc:** Moore, Joseph; Hartz, Peter  
**Subject:** FW: attention Karyn Merkel from Doug Duitman

Hi, Karyn. Thank you for forwarding this letter to us. We had heard that a letter was circulating, but didn't see it until your e-mail.

As a side note, we have researched the addresses that Doug owns, looking into which ones we believe have lead services, and which ones are likely to be in a street project in the foreseeable future. Pete's research shows that Doug is listed as the owner of 11 properties, five of which have public services believed to contain lead, with none of them currently in the CIP through 2021. Obviously his concerns are valid—as are other property owners'—but his particular situation would not be affected (at least in the next five years) by the proposed ordinance.

Here is some information regarding Doug's points. . .

1. The results of our sampling program have changed dramatically since the 2015 report that Doug references. We discontinued our corrosion control program in 2012 (meant, in part, to coat the pipes to prevent lead from leaching out), as our new HMO water treatment system was no longer needed to remove soluble iron (which was the most significant benefit of adding polyphosphates). In reviewing records, it also turns out that we weren't testing as many of the "worst case" homes as we should've been (homes with fully lead services, not just copper services with lead solder). This is why the DNR required us to sample at least 30 homes in 2016 (we ended up with 43 valid samples), a year ahead of our normal schedule. **Those results showed that we remained in compliance. . . by the slimmest of margins.** We stay in compliance if 90% of sampled homes register levels of less than 15 parts per billion, and we had 4 out of 43 sample exceed that amount. So we needed 90% compliance, and got 90.7%. The DNR is focusing more attention on this program in FdL and other communities, and are requiring 60 samples twice over the next year. There is a pretty good chance that one of these future sampling events will show us being noncompliant, leading to more aggressive sampling and completing a new corrosion control study.
2. Doug raises a good point about the lead fixtures that may remain in homes even after services are replaced. At this time, this is the program the DNR is pursuing (the City and homeowner should replace the lead services coming into the home, but the homeowner has no responsibility for interior fixtures). Pete and others have raised concerns about this, but there's no indication that the regulations will change in the near future.
3. I don't have Doug's experience with replacing water services and sewer laterals at the same time, but I don't hear of too many sewer laterals failing and needing to be replaced. I'm afraid

that waiting for this to happen would lead to many lead water services being in the ground for many more decades, which I don't think the EPA will allow.

4. I share Doug's concern that the cost for replacement may be higher than the \$3,000. This estimate is based on statewide averages that we've heard, and is in the same range as two local plumbers Pete has talked to. (Pete spoke to several other plumbers who did not want to provide an average estimate, as the cost depends on many variable of the home.) We are hopeful that prices will be around this average because we would have a large number of services replaced, probably in a concentrated area, and with the excavation by the curb stop already done as part of our street project. We have also heard of communities where the contractor can pull the new pipe through—using the old pipe—minimizing excavation and disturbing landscaping items, etc.
5. I concur with Doug that it would be good if Sen. Cowles' bill passes, giving municipalities the option of using the Water Fund for a local share of private lead service replacement, if the City chooses. It remains to be seen how this would change our approach, but having the option to choose this seems like a clear win for municipalities.

I hope this information is helpful. Feel free to follow up with any other questions.

Jordan

**From:** Merkel, Karyn

**Sent:** Monday, February 06, 2017 3:00 PM

**To:** Skiff, Jordan

**Subject:** FW: attention Karyn Merkel from Doug Duitman

Hi Jordan -

Could you comment on the statements made in the attached letter?

Thanks much.

Karyn Merkel

Fond du Lac City Council

[KMerkel@FDL.WI.Gov](mailto:KMerkel@FDL.WI.Gov)



**CITY COUNCIL MEETING AGENDA  
CITY OF FOND DU LAC, WISCONSIN**

Title: Ordinance No. 3630

Subject: An Ordinance Amending Chapter 639, Wastewater Collection and Treatment System  
In Reference To Renaming The Wastewater Treatment Plant To Fond du Lac  
Regional Wastewater Treatment and Resource Recovery Facility  
Introduction: Director of Public Works

Initiator:

Recommendation:

**ATTACHMENTS:**

File Name

[3630 Amend Name of Wastewater Treatment Plant.docx](#)

## ORDINANCE NO. 3630

### AN ORDINANCE AMENDING CHAPTER 639, WASTEWATER COLLECTION AND TREATMENT SYSTEM IN REFERENCE TO RENAMING THE WASTEWATER TREATMENT PLANT TO FOND DU LAC REGIONAL WASTEWATER TREATMENT AND RESOURCE RECOVERY FACILITY

The City Council of the City of Fond du Lac do ordain as follows:

**Section 1.** That Chapter 639, Wastewater Collection and Treatment System of the Code of the City of Fond du Lac, Section 639-4., Definitions., is here amended as follows:

Add Thereto:

WASTEWATER TREATMENT PLANT a/k/a Fond du Lac Regional  
Wastewater Treatment and Resource Recovery Facility.

**Section 2.** The appropriate City officials are hereby authorized and directed to take such action as is necessary to effectuate the terms of this Ordinance.

**Section 3.** All other ordinances and resolutions inconsistent with the provisions of this Ordinance are hereby repealed.

**Section 4.** This Ordinance shall take effect and be in force upon its passage and publication as provided by law.

**ADOPTED:**

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Lee Ann Lorrigan, President  
Fond du Lac City Council

Attest:

City Attorney:

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Margaret L. Hefter, City Clerk

Reviewed 

**CITY COUNCIL MEETING AGENDA  
CITY OF FOND DU LAC, WISCONSIN**

Title: Adjourn To Closed Session

Subject: Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.  
The subject of the closed session is:  
**Economic Development Opportunity**  
This subject is exempt under Wisconsin Statutes Section 19.85 (1) (e)

Initiator: Community Development Director

Recommendation: