

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

Legislative Chambers
160 S Macy Street

August 13, 2025
6:00 PM

1. CALL TO ORDER

- a. Roll Call
- b. Declaration a Quorum Is Present
- c. Pledge of Allegiance
- d. Silent Reflection
- e. Acknowledgment Of Departing City Employee

2. PUBLIC HEARINGS

3. CONSENT AGENDA

- a. July 23, 2025 Minutes
- b. List of Claims Dated August 6, 2025
- c. Denial Of Claim
Claimant: Paul Schommer

4. AUDIENCE COMMENTS (Agenda and Non-agenda items)

5. ACTION ITEMS

- a. "Class C" Wine License
Limited Liability Co: Noel's Touch Esthetics LLC
Agent Name: Noel Deibert
d/b/a: Noel's Touch Esthetics
Business Address: 42 N Main Street
Introduction: City Clerk
- b. "Class C" Wine License
Limited Liability Co: Twisted Warrior LLC
Agent Name: Lucille Mathers
d/b/a: The Twisted Warrior Yoga Studio
Business Address: 15 N Main Street (3rd Floor)
Introduction: City Clerk
- c. Resolution No. 9196
A Resolution Authorizing The Issuance And Sale Of Up To \$156,187
Taxable Private LSL Replacement Loan Program Revenue Bonds, Series
2025A, And Providing For Other Details And Covenants With Respect
Thereto
Introduction: Director of Administration
- d. Resolution No. 9197
A Resolution Authorizing The Issuance And Sale Of Up To \$230,694
Taxable Private LSL Replacement Loan Program Revenue Bonds, Series

2025B, And Providing For Other Details And Covenants With Respect Thereto

Introduction: Director of Administration

e. Resolution No. 9198

A Resolution Authorizing Execution Of The Department Of Natural Resources Principal Forgiven Financial Assistance Agreement

Introduction: Director of Administration

f. Resolution No. 9199

A Resolution Authorizing Waiver Of The Prohibition Against Possession Of Alcoholic Beverages On Sheboygan Street For Envision Greater Fond du Lac's Member Appreciation Event On September 4, 2025

Introduction: City Clerk

g. Ordinance No. 3813

An Ordinance Annexing Property To The City Of Fond du Lac And Change Limits To Include Property Along The Southside Of West STH 23 And East Of Wisconsin American Drive

Introduction: Community Development Director

h. Ordinance No. 3814

A Zoning Ordinance To Zone Annexed Property To C-2 (General Commercial Residential) 4.55 Acres Of Land - West STH 23

Introduction: Community Development Director

6. PRESENTATION OF INPUT ITEMS

a. Presentation Of Annual Comprehensive Financial Report (ACFR)

Presented By: Bryan Gruenwald, Principal, CliftonLarsonAllen LLP

Link to ACFR:

<https://www.fdl.wi.gov/administration/finance/financial-reports-plans/>

b. Department of Public Works 2026 Budget Presentation

Presented By: Director of Public Works

c. Community Development 2026 Budget Presentation

Presented By: Community Development Director

7. ADJOURN

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

Title: July 23, 2025 Minutes

Subject: July 23, 2025 Minutes

Initiator:

Recommendation:

ATTACHMENTS:

File Name

Minutes_2025_7_23_Meeting(1239).pdf

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

Legislative Chambers
160 S Macy Street

July 23, 2025
6:00 PM

CALL TO ORDER

Roll Call

Present

Tiffany Brault
Antonio Godfrey
Keith Heisler
Angela C Luehring
Thomas Schuessler
Brett Zimmermann

Absent

Patrick Mullen (Excused)

Administrative Staff

Joseph Moore, City Manager
Dyann Benson, Community Development Director
Tricia Davi, Director of Administration
Deb Hoffmann, City Attorney
Paul De Vries, Director of Public Works
Aaron Goldstein, Chief of Police
Jason Laridaen, Assistant Police Chief of Admin
Erick Gerritson, Fire Chief
Jason Roberts, Assistant Fire Chief
Kathryn Duveneck, It Services Director
Sam Sok, Deputy ITS Director

Declaration a Quorum Is Present

President Brault declared a quorum present.

Pledge of Allegiance

Pledge of Allegiance was recited.

Silent Reflection

A moment of silent reflection was observed.

CONSENT AGENDA

July 9, 2025 Minutes

July 9, 2025 Closed Session Minutes

List Of Claims Dated July 16, 2025

A Motion was made by Antonio Godfrey, Sr. to approve the consent agenda and seconded by Brett Zimmermann, and the motion was **Passed.**

Ayes: Brault, Godfrey, Sr., Heisler, Luehring, Schuessler, Zimmermann

Absent: Mullen

AUDIENCE COMMENTS (Agenda and Non-agenda items)

No audience comments were made.

ACTION ITEMS

Change Of Agent "Class A" Intoxicating Liquor and Class "A" Fermented Malt License

A Motion was made by Antonio Godfrey, Sr. to approve Change Of Agent for GPM Southeast, LLC at 1304 Old Country Road V to Regina Nievinski for the "Class A" Intoxicating Liquor and Class "A" Fermented Malt License and seconded by Keith Heisler, and the motion was **Passed.**

Ayes: Brault, Godfrey, Sr., Heisler, Luehring, Schuessler, Zimmermann

Absent: Mullen

Change Of Agent "Class A" Intoxicating Liquor and Class "A" Fermented Malt License

A Motion was made by Thomas Schuessler to approve Change Of Agent for GPM Southeast, LLC at 351 Fond du Lac Avenue to Regina Nievinski for the "Class A" Intoxicating Liquor and Class "A" Fermented Malt License and seconded by Angela Luehring, and the motion was **Passed.**

Ayes: Brault, Godfrey, Sr., Heisler, Luehring, Schuessler, Zimmermann

Absent: Mullen

Resolution No. 9194

File No. 2025-79

A Motion was made by Antonio Godfrey, Sr. to approve Resolution No. 9194 A Resolution Approving The Final Plat Of Hidden Valley Phase 1 Subdivision and seconded by Angela Luehring, and the motion was **Passed.**

Ayes: Brault, Godfrey, Sr., Heisler, Luehring, Schuessler, Zimmermann

Absent: Mullen

Resolution No. 9195

File No. 2025-03

A Motion was made by Thomas Schuessler to approve Resolution No. 9195 A Resolution Making Reappointments To The Fond du Lac Public Library Board and City Plan Commission and seconded by Keith Heisler, and the motion was **Passed**.

Ayes: Brault, Godfrey, Sr., Heisler, Luehring, Schuessler, Zimmermann

Absent: Mullen

PRESENTATION OF INPUT ITEMS

Wage Study Overview

Wage Study Overview was presented by Joe Moore, City Manager and Marianne Oyaas, Regional Director of The Archer Company.

Police Department 2026 Budget Presentation

Police Department 2026 Budget was presented by Aaron Goldstein, Police Chief.

IT 2026 Budget Presentation

IT 2026 Budget was presented by Kathryn Duveneck, IT Services Director.

Sale Of RDA- Owned Property At 147 Sheboygan Street And The Historic Designation Of Said Property and The Surrounding Neighborhood

Sale Of RDA- Owned Property At 147 Sheboygan Street And The Historic Designation Of Said Property And The Surrounding Neighborhood was presented by Thomas Schuessler, Council Member.

ADJOURN

A Motion was made by Brett Zimmermann to adjourn at 7:58 p.m. and seconded by Keith Heisler, and the motion was **Passed**.

Ayes: Brault, Godfrey, Sr., Heisler, Luehring, Schuessler, Zimmermann

Absent: Mullen

Margaret Hefter
City Clerk

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

Title: List of Claims Dated August 6, 2025

Subject: List of Claims Dated August 6, 2025

Initiator:

Recommendation:

ATTACHMENTS:

File Name

List_of_Claims_Memo_08-06-25.pdf

CITY OF FOND DU LAC - Memorandum

Department of Administration

Date: August 06, 2025

To: City Council

From: Tricia Davi, Director of Administration

Re: List of Claims

The list of claims for goods and services for the payment periods July 12, 2025 through August 01, 2025 for all funds total \$4,412,214.26. 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: Denial Of Claim
Subject: Denial Of Claim
Claimant: Paul Schommer

Initiator:

Recommendation:

ATTACHMENTS:

File Name

Schommer_Denial_of_Claim_Memo_FINAL.pdf

CITY OF FOND DU LAC - Memorandum

City Attorney/Human Resources Department

Date: August 6, 2025

To: City Council

From: Deborah Hoffmann, City Attorney/Director – Human Resources

Re: Denial of Claim
Claimant: Paul Schommer
Date of Incident: 7/25/2024

The Claimant has filed a claim with the City of Fond du Lac regarding an alleged trip and fall incident on the City's terrace at or near 256 Muentner Avenue on July 25, 2024. Claimant is alleging that the City is at fault. The City's Insurance Adjuster has investigated this matter and is recommending denial of claim based on the investigation revealing that Mr. Schommer had prior knowledge of the open condition and was negligent, which caused the trip and fall incident.

Accordingly, the City Attorney's Office recommends that this claim be denied. As this matter may become litigation, it is not appropriate to discuss the merits of this claim in open session.

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

Title: "Class C" Wine License

Subject: Limited Liability Co: Noel's Touch Esthetics LLC
Agent Name: Noel Deibert
d/b/a: Noel's Touch Esthetics
Business Address: 42 N Main Street
Introduction: City Clerk

Initiator:

Recommendation:

ATTACHMENTS:

File Name

07-14-25NoelsTouchMemo.pdf

noel_Redacted.pdf

AIC_7-28-2025_Excerpt_Noel_s_Touch_Esthetics_LLC.pdf

Fond du Lac Police Department

MEMO



To: City Manager Joe Moore
From: Captain R Duveneck
RE: Class C Wine license,
Noel's Touch Esthetics, Fond du Lac, WI.
42 N Main St.
Date: 07/14/25

On July 14th 2025, City Attorney Hoffmann, City Clerk Maggie Hefter, Fond du lac Fire Department Community Risk Reduction & Life Safety Rachelle Vaughan, and Fond du Lac Police Department Captain Robb Duveneck, met with applicant/owner Mrs. Noel Deibert regarding her proposal for a Class C Wine license at her business Noel's Touch Esthetics, 42 N Main st, Fond du Lac, WI.

The legal business name is Noel's Touch Esthetics LLC, DBA Noel's Touch Esthetics. Mrs. Deibert advised this is primarily a spa during day time hours and would like to have the option to serve wine with her spa services. Mrs. Deibert currently holds a valid Responsible Alcohol serving certificate and advised she would be the only employee distributing the wine.

Not present was Mrs Dyann Benson from Community Development, she did review the application and had no concerns via an email to Captain Duveneck.

Captain Duveneck discussed with the applicant the City's expectations of being a license holder.

Background checks conducted on the applicant, both in-house and NCIC/CIB, indicate no prior criminal history that would preclude the issuance of the license request. The Police Department has no objections to the license request.

Captain Robb Duveneck

07-17-25

Form
AB-200

Alcohol Beverage License Application

For Municipal Use Only	
Municipality	CITY OF FOND DU LAC
License Period	8/14/2025 - 6/30/2025

License(s) Requested: (up to two boxes may be checked)

- ☐ Class "A" Beer \$ 200 ☐ Class "B" Beer \$ 100
- ☐ "Class A" Liquor \$ 500 ☐ "Class B" Liquor \$ 500
- ☐ "Class A" Liquor (cider only) \$ 0 ☐ Reserve "Class B" Liquor \$
- ☒ "Class C" Liquor (wine only) \$ 100

Fees	
License Fees	\$ 100
Background Check Fee	\$
Publication Fee	\$ 65
Total Fees	\$ 165

Part A: Premises/Business Information			
1. Legal Business Name (individual name if sole proprietorship) Noel's Touch Esthetics LLC			
2. Business Trade Name or DBA Noel's Touch Esthetics LLC			
3. FEIN 88-1615131		4. Wisconsin Seller's Permit Number 456-1030984741-04	
5. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization			
6. State of Organization WISCONSIN		7. Date of Organization 07/25/24 04/06/22	
8. Wisconsin DFI Registration Number A10809			
9. Premises Address 42 N. Main St.			
10. City FOND DU LAC		11. State WI	12. Zip Code 54935
13. County Fond du Lac		14. Governing Municipality: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village of: FOND DU LAC	
15. Aldermanic District			
16. Premises Phone 920-579-6611		17. Premises Email	
18. Website			
19. Premises Description - Describe the building or buildings where alcohol beverages are produced, sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary. Business is a spa. Open waiting area, one treatment room, one bathroom on main floor/laundry, cleaning closet. Wine will be offered during services & events. Wine only on premises during events on request by client.			
20. Mailing Address (if different from premises address) 27 N. Hickory St.			
21. City Fond du Lac		22. State WI	23. Zip Code 54935
Part B: Questions			
1. Has the business (sole proprietorship, partnership, limited liability company, or corporation) been convicted of violating federal or state laws or local ordinances? Exclude traffic offenses unless related to alcohol beverages. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list the details of violation below. Attach additional sheets if necessary.			
Law/Ordinance Violated		Location	Trial Date
Penalty Imposed		Was sentence completed? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Law/Ordinance Violated		Location	Trial Date
Penalty Imposed		Was sentence completed? <input type="checkbox"/> Yes <input type="checkbox"/> No	

2. Are charges for any offenses pending against the business? Exclude traffic offenses unless related to alcohol ... ☐ Yes ☒ No
If yes, describe the nature and status of pending charges using the space below. Attach additional sheets as needed.

3. Is the applicant business or any of its officers, directors, members, agent, employees, owners, or other related individuals or entities a restricted investor with any interest in an alcohol beverage producer or distributor? ... ☐ Yes ☒ No
If yes, provide the name of the restricted investor and describe the nature of the interest.

4. Is the applicant business owned by another business entity? ... ☐ Yes ☒ No
If yes, provide the name(s) and FEIN(s) of the business entity owners below. Attach additional sheets as needed.

4a. Name of Business Entity

4b. Business Entity FEIN

5. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit proof of completion. ... ☒ Yes ☐ No

6. Is the applicant business indebted to any wholesaler beyond 15 days for beer or 30 days for liquor/wine? ... ☐ Yes ☒ No

7. Does the applicant business owe past due municipal property taxes, assessments, or other fees? ... ☐ Yes ☒ No

Part C: Individual Information

List the name, title, and phone number for each person or entity holding the following positions in the applicant business or businesses listed in Part B, Question 4: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all members, managers, and agent of a limited liability company. Attach additional sheets if necessary.

Include Form AB-100 for each person listed below. Corporations and LLCs must appoint an agent by including Form AB-101.

Last Name	First Name	Title	Phone
Deibert	Noël	owner + Agent	920-579-6611

Part D: Attestation

One of the following must sign and attest to this application:

- sole proprietor
- one general partner of a partnership
- one corporate officer
- one member of an LLC

READ CAREFULLY BEFORE SIGNING: Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name	First Name	M.I.
Deibert	Noël	J
Title	Email	Phone
owner	njaton41@gmail.com	920-579-6611
Signature	Date	
Noël J Deibert		

Part E: For Clerk Use Only

Date Application Was Filed With Clerk	License Number	Date License Granted	Date License Issued
JUL 01 2025	C-2025-0108		
Signature of Clerk/Deputy Clerk		Date Provisional License Issued (if applicable)	

Alcohol Beverage Appointment of Agent

Date

Agent Type (check one)

- ☒ Original (no fee) ☐ Successor (\$10 fee for municipal licensees only)

Part A: Business Information

1. Legal Business Name (individual name if sole proprietor)
Noel's Touch Esthetics LLC
2. Business Trade Name or DBA
Noel Touch Esthetics LLC
3. Entity Type (check one)
☒ Limited Liability Company ☐ Corporation ☐ Nonprofit Organization
4. Alcohol Beverage Business Authorization (check one)
☒ Municipal Retail License ☐ State Permit
5. If successor agent, provide State Permit or Municipal Retail License Number
6. Describe the reason for appointing a successor agent, if successor is checked above.

Part B: Agent Information

1. Last Name Dekeet 2. First Name Noel 3. M.I. J.
4. Email njaton41@gmail.com 5. Phone 920-579-6661
6. Home Address 27 N. Hickory St.
7. City Fond du Lac 8. State WI 9. Zip Code 54935 10. Age [REDACTED]
11. Drivers License/State ID Number [REDACTED] 12. Drivers License/State ID State of Issuance WI

Part C: Agent Questions

1. Have you satisfied the responsible beverage server training requirement? ☒ Yes ☐ No
Submit proof of completion.
2. Have you completed Form AB-100, *Alcohol Beverage Individual Questionnaire*? ☒ Yes ☐ No
Submit a completed Form AB-100 with this form.
3. Have you been a Wisconsin resident for at least 90 continuous days? ☒ Yes ☐ No
See instructions for exceptions.

Continued →

Part D: Business Attestation

READ CAREFULLY BEFORE SIGNING: I, the **Undersigned**, authorize the above-named individual to act for the above-named corporation, nonprofit organization, or limited liability company with full authority and control of the premises and of all alcohol beverage activities on such premises. I certify that I am authorized by the above-named entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name Deibert		First Name Noël		M.I. S.
Title owner	Email njaton41@gmail.com		Phone 920-579-6611	
Signature Noël J. Deibert			Date 6/25/25	

Part E: Agent Attestation

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, hereby accept this appointment as agent for the above-named corporation, nonprofit organization, or limited liability company and assume full responsibility for the conduct of all alcohol beverage activities on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name Deibert		First Name Noël		M.I. S.
Signature Noël J. Deibert			Date 6/25/25	

Alcohol Beverage
Individual Questionnaire

Date

All individuals involved in the alcohol beverage business must complete this form, including:

- sole proprietor
- all officers, directors, and agent of a corporation or nonprofit organization
- all partners of a partnership
- members and agent of a limited liability company

Your alcohol beverage application or renewal is not complete until all required Individual Questionnaires are submitted.

Part A: Business Information

1. Legal Business Name (individual name if sole proprietor)

Noel's Touch Esthetics LLC

2. Business Trade Name or DBA

Noel's Touch Esthetics LLC

3. Entity Type (check one)

☐ Sole Proprietor ☐ Partnership ☒ Limited Liability Company ☐ Corporation ☐ Nonprofit Organization

Part B: Individual Information

1. Last Name

Deibert

2. First Name

Noel

3. M.I.

J

4. Relationship to Business (Title)

owner

5. Email

ngaton41@gmail.com

6. Phone

920-579-6661

7. Home Address

27 N. Hickory St.

8. City

Fond du Lac

9. State

WI

10. Zip Code

54935

11. Date of Birth

[REDACTED]

12. Drivers License/State ID Number

[REDACTED]

13. Drivers License/State ID State of Issuance

WISCONSIN

Part C: Address History

1. Do you currently reside in Wisconsin? ☒ Yes ☐ No

If yes to 1 above, how long have you continuously lived in Wisconsin prior to the date of application?

Years

5

Months

6

2. List in chronological order all of your addresses within the last 5 years. Attach additional sheets if necessary.

Previous Address 1

27 N. Hickory St.

City

Fond du Lac

State

WI

Zip Code

54935

Previous Address 2

City

State

Zip Code

Previous Address 3

City

State

Zip Code

Previous Address 4

City

State

Zip Code

Previous Address 5

City

State

Zip Code

3. List all states and counties you have lived in as an adult. Attach additional sheets if necessary.

State

County

State

County

State

County

State

County

WI Fond du Lac

State

County

State

County

State

County

State

County

Continued →

Part D: Criminal History

1. Have you ever been convicted of any offenses (excluding traffic offenses unless related to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or of any county or municipal ordinances? ☐ Yes ☒ No

If yes to question 1, please list details of each conviction below. Attach additional sheets as needed.

Law/Ordinance Violated	Location	Conviction Date
Penalty Imposed		Was sentence completed? <input type="checkbox"/> Yes <input type="checkbox"/> No
Law/Ordinance Violated	Location	Conviction Date
Penalty Imposed		Was sentence completed? <input type="checkbox"/> Yes <input type="checkbox"/> No
Law/Ordinance Violated	Location	Conviction Date
Penalty Imposed		Was sentence completed? <input type="checkbox"/> Yes <input type="checkbox"/> No

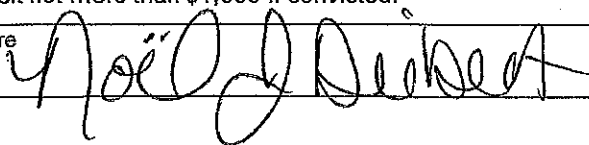
2. Are charges for any offenses currently pending against you (excluding traffic offenses unless related to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or any county or municipal ordinances? ☐ Yes ☒ No

If yes to question 2, describe nature and status of pending charges using the space below. Attach additional sheets as needed.

Part E: Attestation

READ CAREFULLY BEFORE SIGNING: Under penalty of law, I have answered each of the above questions completely and truthfully. I certify that I am not prohibited from participating in this business due to any involvement in another tier of the alcohol beverage industry as a restricted investor. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Signature



Date

6-25-25

Noel's Touch Esthetics LLC



Noel's Touch^{LLC}
esthetics

Noel Deibert
42 N. Main St.
Fond Du Lac, WI 54935

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Executive Summary

Business Overview

Noel's Touch Esthetics is a new business that launched in May of 2024 in Fond Du Lac, WI. Noel's Touch Esthetics provides a variety of services including basic facials, specialty facials for treating specific concerns, body wraps, and more. All services are available for both men and woman. Noel's Touch Esthetics provides a calm and

relaxing environment that prioritizes making the clients comfortable. Noel's Touch Esthetics, LLC will also be a destination location for Fond du Lac events and for private group events.

Ownership:

Noel's Touch Esthetics, LLC will be operating as a Limited Liability Company in Fond Du Lac, WI under owner/operator Noel Diebert.

Location:

42 N. Main St.
Fond Du Lac, WI 54935

Management:

Noel's Touch Esthetics, LLC will be under the management of owner/operator Noel Deibert. She will be responsible for all management, financial, and business-related decisions concerning the daily operations of the business as well as the long-term operational plans for the business as well as the long-term operational plans for the business.

Mission Statement:

The mission of Noel's Touch Esthetics is to provide a personalized experience that nurtures body and mind. Through the many available services, our clients can achieve relaxation, radiant skin health, and a better understanding of focus and peace.

Vision Statement:

Our vision is to become a staple of the Fond Du Lac community by providing much needed holistic beauty and wellness opportunities. We aim to provide community members with the services needed to achieve outer beauty and inner peace. Through exceptional service and a

and inner peace. Through exceptional service and a commitment to improvement we will cultivate a community focused on helping individuals restore, renew, and thrive in their health journey.

Primary Expenses for Expansion

Noel's Touch Esthetics, LLC is seeking a loan to expand their business into a larger facility. This will allow the business to be more visible to the public for marketing purposes. The larger space will also provide the opportunity for Noel to expand the services available and to eventually expand into offering products. The previous location was in the basement rooms of the Retlaw Hotel on Main St. The basement location made it difficult to promote the business because there was no street level signage. It was also difficult for a new client to find their way to the correct space downstairs. The new location is right next door to Wood's Floral on Main St.; the location makes it much easier to do ground floor signage and promotions. By remaining in the downtown area clients still have easy access to the services Noel provides.

Service/Product Offerings:

Noel's Touch Esthetics will offer numerous services and products to ensure to meet a wide range of clients' needs. Additional services and products will be offered once the company is more established, and a determination can be made concerning customer needs and wants. The current list of services and products includes:

- Facials
- Body Wraps
- Grounding Mat

- Ionic Foot Bath
- Lymphatic Drainage
- Red Light Therapy

Success Factors

- **Location:** Noel's Touch Esthetics is in the city of Fond Du Lac. The building is in Downtown Fond Du Lac on Main St. This area is well known for housing small businesses. Many local events take place in this area of town and the foot traffic will help get her name out into the community.
- **Relationships:** Noel is planning on establishing in Fond Du Lac and using her relationships with individuals who live in the area to help her promote her business.
- **Great Service/Affordable Prices:** The services provided by Noel's Touch Esthetics use high quality products to ensure a high-end experience. The pricing for these services is slightly lower than any of the local competitors.

SWOT Analysis

SWOT analysis is used to identify the strengths, weaknesses, opportunities, and threats that may face a business. In the case of Noel's Touch Esthetics, LLC a SWOT analysis was completed to assist in developing plans that will work with the strengths and opportunities and address the potential weaknesses and threats that may arise.

The SWOT analysis for Noel's Touch Esthetics, LLC will be used to help Noel establish and maintain her position

within the community. It will allow her to plan and to make necessary adjustments as her business grows and expands. This analysis should be reevaluated occasionally to adjust to the changing aspects of the business world and the health and wellness field.

Strengths

- Knowledge and Skill
- Increase Demand for Self-Care Services
- Personalized Services
- Wide Range of Available Services
- Specialized Treatment Available

Weaknesses

- Business Success Reliant on Owner/Client Relationships
- Competition
- Seasonal Demand May Fluctuate Need for Services
- Need for Continuous Education and Changing Services Based on Trends

Opportunities

- Expanding Services
- Building Online Presence
- Adding a Retail Portion to the Store
- Collaborating with Other Small Businesses that Focus on Similar Products and Services
- Working with Downtown Fond Du Lac Partnership to Increase Sales and Visibility.

Threats

- Economic Challenges
- Regulation Changes or Licensing Requirements
- Increased Competition
- Poor Location
- Client Expectations and Trends

Services and Pricing

Service

Pricing

Facials

Classic Facials **\$95**

Specialty Facials **\$110**

Body Wraps

Standard Body Wraps **\$105**

Specialty Body Wraps **\$120**

Packages

Bridal Package **\$460**

Couple's Package **\$360**

Grounding Mat **\$15**

Lymphatic Drainage **\$20**

Ionic Foot Bath **\$20**

Space Rental **\$100**

Competitive Analysis

Noel's Touch Esthetics will face competition within the community. There are other businesses that offer similar services and products. To be successful, Noel's Touch Esthetics will need to separate themselves from the competition. They plan to do this by offering high quality products and services at a price range 5-10% lower than their competition. This will allow them to establish a customer base and focus on attracting new clientele.

Another competitive advantage for Noel's Touch Esthetics is that while there is local competition, she will differentiate her business by focusing on holistic remedies and treatments. Most of their competitors have similar treatments available as secondary services offered in a salon setting. Noel's Touch Esthetics will offer these treatments as their primary focus.

Noel is going to work with some of the other small businesses that offer similar services as hers so if she is unable to help a client, she can recommend someone who may be able to help. Noel will also set her business apart by partnering with salons in the area to provide services that they may not have available at their facilities. Noel will also be optimizing the use of her larger space by offering

ALCOHOL LICENSING COMMITTEE
MEETING MINUTES
CITY OF FOND DU LAC, WISCONSIN

Meeting Room A
July 28, 2025
4:00 PM

ROLL CALL

Attendance

Present

Scott Gilgenbach
Brandon Hiller
Melissa Kolstad
Kathryn Strong Langolf
Thomas Schuessler

Absent

Mason Gravelle (excused)
Andrew Hayes (excused)

Administration

Ali Panagopoulos, Deputy City Attorney
Robb Duveneck, Police Captain

Declaration Quorum Present

Chairperson Kolstad declared a quorum present.

***** Other Business *****

ACTION

"Class C" Wine License
Limited Liability Co: Noel's Touch Esthetics LLC
Agent Name: Noel Deibert
d/b/a: Noel's Touch Esthetics
Business Address: 42 N Main Street

A Motion was made by Thomas Schuessler to recommend for approval "Class C" Wine License for Noel's Touch Esthetics at 42 N Main Street and seconded by Kathryn Strong Langolf and the motion was **Passed**.

Ayes: Gilgenbach, Hiller, Kolstad, Schuessler, Strong

Absent: Gravelle, Hayes

***** Other Business *****

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

Title: "Class C" Wine License

Subject: Limited Liability Co: Twisted Warrior LLC
Agent Name: Lucille Mathers
d/b/a: The Twisted Warrior Yoga Studio
Business Address: 15 N Main Street (3rd Floor)
Introduction: City Clerk

Initiator:

Recommendation:

ATTACHMENTS:

File Name

07-14-25Twisted_WarriorMemo.pdf

twisted_Redacted.pdf

ALC_7-28-2025_Excerpt_Twisted_Warrior_LLC.pdf

Fond du Lac Police Department

MEMO



To: City Manager Joe Moore
From: Captain R Duveneck
RE: Class C Wine license,
Twisted Warrior Yoga Studio, Fond du Lac, WI.
15 N Main St.
Date: 07/14/25

On July 14th 2025, City Attorney Hoffmann, City Clerk Maggie Hefter, Fond du lac Fire Department Community Risk Reduction & Life Safety Rachelle Vaughan, and Fond du Lac Police Department Captain Robb Duveneck, met with applicant/owner Mrs. Luci Mathers regarding her proposal for a Class C Wine license at her business Twisted Warriors Yoga Studio, 15 N Main st, Fond du Lac, WI.

The legal business name is Twisted Warrior LLC, DBA Twisted Warrior Yoga Studio. Mrs. Mathers advised this is primarily a wellness and yoga studio, However, she would like to have the option to serve wine after the classes have finished. Mrs. Mathers currently holds a valid Responsible Alcohol serving certificate and advised she would be the only employee distributing the wine.

Not present was Mrs Dyann Benson from Community Development, she did review the application and had no concerns via an email to Captain Duveneck.

Captain Duveneck discussed with the applicant the City's expectations of being a license holder.

Background checks conducted on the applicant, both in-house and NCIC/CIB, indicate no prior criminal history that would preclude the issuance of the license request. The Police Department has no objections to the license request.

Captain Robb Duveneck

07-17-25

Form
AB-200

Alcohol Beverage License Application

For Municipal Use Only	
Municipality	CITY OF FOND DU LAC
License Period	8/14/2025 - 6/30/2025

License(s) Requested: (up to two boxes may be checked)

- ☐ Class "A" Beer \$ 200 ☐ Class "B" Beer \$ 100
- ☐ "Class A" Liquor \$ 500 ☐ "Class B" Liquor \$ 500
- ☐ "Class A" Liquor (cider only) \$ 0 ☐ Reserve "Class B" Liquor \$
- ☒ "Class C" Liquor (wine only) \$ 100

Fees	
License Fees	\$ 100
Background Check Fee	\$
Publication Fee	\$ 65
Total Fees	\$ 165

Part A: Premises/Business Information

1. Legal Business Name (individual name if sole proprietorship)			
Twisted Warrior LLC			
2. Business Trade Name or DBA			
The Twisted Warrior Yoga Studio			
3. FEIN		4. Wisconsin Seller's Permit Number	
463877687		456-1031492601-04	
5. Entity Type (check one)			
<input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization			
6. State of Organization		7. Date of Organization	
WISCONSIN		10/24/2013	
8. Wisconsin DFI Registration Number			
T061120			
9. Premises Address			
15 North Main			
10. City		11. State	12. Zip Code
FOND DU LAC		WI	54935
13. County		14. Governing Municipality: <input checked="" type="checkbox"/> City <input type="checkbox"/> Town <input type="checkbox"/> Village	
Fond du Lac		of: FOND DU LAC	
15. Aldermanic District		16. Premises Phone	
		920-251-6833	
17. Premises Email		18. Website	
healthy-lecharter.net		thetwistedwarrior.com	
19. Premises Description - Describe the building or buildings where alcohol beverages are produced, sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary.			
15 North Main, 3rd floor, yoga studio.			
20. Mailing Address (if different from premises address)			
N8169 Lakeshore Drive			
21. City		22. State	23. Zip Code
FDL		WI	54937

Part B: Questions

1. Has the business (sole proprietorship, partnership, limited liability company, or corporation) been convicted of violating federal or state laws or local ordinances? Exclude traffic offenses unless related to alcohol beverages. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If yes, list the details of violation below. Attach additional sheets if necessary.		
Law/Ordinance Violated	Location	Trial Date
Penalty Imposed		Was sentence completed? <input type="checkbox"/> Yes <input type="checkbox"/> No
Law/Ordinance Violated	Location	Trial Date
Penalty Imposed		Was sentence completed? <input type="checkbox"/> Yes <input type="checkbox"/> No

2. Are charges for any offenses pending against the business? Exclude traffic offenses unless related to alcohol beverages. ☐ Yes ☒ No
- If yes, describe the nature and status of pending charges using the space below. Attach additional sheets as needed.

3. Is the applicant business or any of its officers, directors, members, agent, employees, owners, or other related individuals or entities a restricted investor with any interest in an alcohol beverage producer or distributor? ☐ Yes ☒ No
- If yes, provide the name of the restricted investor and describe the nature of the interest.

4. Is the applicant business owned by another business entity? ☐ Yes ☒ No
- If yes, provide the name(s) and FEIN(s) of the business entity owners below. Attach additional sheets as needed.

4a. Name of Business Entity

4b. Business Entity FEIN

5. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit proof of completion. ☒ Yes ☐ No
6. Is the applicant business indebted to any wholesaler beyond 15 days for beer or 30 days for liquor/wine? ☐ Yes ☒ No
7. Does the applicant business owe past due municipal property taxes, assessments, or other fees? ☐ Yes ☒ No

Part C: Individual Information

List the name, title, and phone number for each person or entity holding the following positions in the applicant business or businesses listed in Part B, Question 4: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all members, managers, and agent of a limited liability company. Attach additional sheets if necessary.

Include Form AB-100 for each person listed below. Corporations and LLCs must appoint an agent by including Form AB-101.

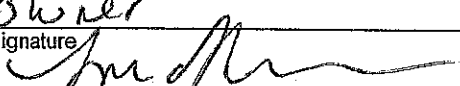
Last Name	First Name	Title	Phone
Mathers	Lucille	Owner + Agent	920 251-6833

Part D: Attestation

One of the following must sign and attest to this application:

- sole proprietor
- one general partner of a partnership
- one corporate officer
- one member of an LLC

READ CAREFULLY BEFORE SIGNING: Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name	First Name	M.I.
Mathers	Lucille	M
Title	Email	Phone
Owner	healthylife1@charter.net	920 251-6833
Signature	Date	
		

Part E: For Clerk Use Only

Date Application Was Filed With Clerk	License Number	Date License Granted	Date License Issued
JUL 02 2025	C-2625-0109		
Signature of Clerk/Deputy Clerk		Date Provisional License Issued (if applicable)	

Alcohol Beverage
Appointment of Agent

Date

Agent Type (check one)

☒ Original (no fee)☐ Successor (\$10 fee for municipal licensees only)

Part A: Business Information

1. Legal Business Name (individual name if sole proprietor)

Twisted Warrior LLC

2. Business Trade Name or DBA

The Twisted Warrior Yoga Studio

3. Entity Type (check one)

☒ Limited Liability Company☐ Corporation☐ Nonprofit Organization

4. Alcohol Beverage Business Authorization (check one)

☒ Municipal Retail License☐ State Permit

5. If successor agent, provide State Permit or Municipal Retail License Number

6. Describe the reason for appointing a successor agent, if successor is checked above.

Part B: Agent Information

1. Last Name

Mathers

2. First Name

Lucille

3. M.I.

M

4. Email

healthy-1@charter.net

5. Phone

920-251-6833

6. Home Address

18169 Lakeshore Drive

7. City

FDL

8. State

WI

9. Zip Code

54937

10. Age

[REDACTED]

11. Drivers License/State ID Number

[REDACTED]

12. Drivers License/State ID State of Issuance

WISCONSIN

Part C: Agent Questions

1. Have you satisfied the responsible beverage server training requirement? ☒ Yes ☐ No
Submit proof of completion.2. Have you completed Form AB-100, Alcohol Beverage Individual Questionnaire? ☒ Yes ☐ No
Submit a completed Form AB-100 with this form.3. Have you been a Wisconsin resident for at least 90 continuous days? ☒ Yes ☐ No
See instructions for exceptions.

Continued →

Part D: Business Attestation

READ CAREFULLY BEFORE SIGNING: I, the **Undersigned**, authorize the above-named individual to act for the above-named corporation, nonprofit organization, or limited liability company with full authority and control of the premises and of all alcohol beverage activities on such premises. I certify that I am authorized by the above-named entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name <i>Mathers</i>		First Name <i>Lucille</i>		M.I. <i>M</i>
Title <i>owner</i>	Email <i>healthy-1@charter.net</i>		Phone <i>920-251-6833</i>	
Signature <i>J Mathers</i>			Date <i>7/2/25</i>	

Part E: Agent Attestation

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, hereby accept this appointment as agent for the above-named corporation, nonprofit organization, or limited liability company and assume full responsibility for the conduct of all alcohol beverage activities on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name		First Name		M.I.
Signature			Date	

Alcohol Beverage
Individual Questionnaire

Date

All individuals involved in the alcohol beverage business must complete this form, including:

- sole proprietor
- all officers, directors, and agent of a corporation or nonprofit organization
- all partners of a partnership
- members and agent of a limited liability company

Your alcohol beverage application or renewal is not complete until all required Individual Questionnaires are submitted.

Part A: Business Information

1. Legal Business Name (individual name if sole proprietor)

The Twisted Warrior Yoga Studio. Twisted Warrior LLC

2. Business Trade Name or DBA

The Twisted Warrior Yoga Studio

3. Entity Type (check one)

☐ Sole Proprietor ☐ Partnership ☒ Limited Liability Company ☐ Corporation ☐ Nonprofit Organization

Part B: Individual Information

1. Last Name

Mathers

2. First Name

Lucille

3. M.I.

M.

4. Relationship to Business (Title)

Owner

5. Email

healthy1@charter.net

6. Phone

920-251-6833

7. Home Address

N8169 Lake Shore Drive

8. City

Fond du Lac

9. State

WI

10. Zip Code

54937

11. Date of Birth

[REDACTED]

12. Drivers License/State ID Number

[REDACTED]

13. Drivers License/State ID State of Issuance

WISCONSIN

Part C: Address History

1. Do you currently reside in Wisconsin? ☒ Yes ☐ No

If yes to 1 above, how long have you continuously lived in Wisconsin prior to the date of application?

Years Months

[REDACTED]

2. List in chronological order all of your addresses within the last 5 years. Attach additional sheets if necessary.

Previous Address 1

N8169 Lakeshore Drive

City

FDL

State

WI

Zip Code

54937

Previous Address 2

City

State

Zip Code

Previous Address 3

City

State

Zip Code

Previous Address 4

City

State

Zip Code

Previous Address 5

City

State

Zip Code

3. List all states and counties you have lived in as an adult. Attach additional sheets if necessary.

None other

State	County	State	County	State	County	State	County
State	County	State	County	State	County	State	County

Continued →

Part D: Criminal History

1. Have you ever been convicted of any offenses (excluding traffic offenses unless related to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or of any county or municipal ordinances? ☐ Yes ☒ No

If yes to question 1, please list details of each conviction below. Attach additional sheets as needed.

Law/Ordinance Violated	Location	Conviction Date
Penalty Imposed		Was sentence completed? <input type="checkbox"/> Yes <input type="checkbox"/> No
Law/Ordinance Violated	Location	Conviction Date
Penalty Imposed		Was sentence completed? <input type="checkbox"/> Yes <input type="checkbox"/> No
Law/Ordinance Violated	Location	Conviction Date
Penalty Imposed		Was sentence completed? <input type="checkbox"/> Yes <input type="checkbox"/> No

2. Are charges for any offenses currently pending against you (excluding traffic offenses unless related to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or any county or municipal ordinances? ☐ Yes ☒ No

If yes to question 2, describe nature and status of pending charges using the space below. Attach additional sheets as needed.

Part E: Attestation

READ CAREFULLY BEFORE SIGNING: Under penalty of law, I have answered each of the above questions completely and truthfully. I certify that I am not prohibited from participating in this business due to any involvement in another tier of the alcohol beverage industry as a restricted investor. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Signature 

Date 7/1/25

Twisted Warrior Yoga Studio. Business Plan.

① Offer wine to the students
after planned wine classes.

6 X per year.

Lucy Mathers.

ALCOHOL LICENSING COMMITTEE
MEETING MINUTES
CITY OF FOND DU LAC, WISCONSIN
Meeting Room A
July 28, 2025
4:00 PM

ROLL CALL

Attendance

Present

Scott Gilgenbach
Brandon Hiller
Melissa Kolstad
Kathryn Strong Langolf
Thomas Schuessler

Absent

Mason Gravelle (excused)
Andrew Hayes (excused)

Administration

Ali Panagopoulos, Deputy City Attorney
Robb Duveneck, Police Captain

Declaration Quorum Present

Chairperson Kolstad declared a quorum present.

***** Other Business *****

ACTION

"Class C" Wine License
Limited Liability: Twisted Warrior LLC
Agent Name: Lucille Mathers
d/b/a: The Twisted Warrior Yoga Studio
Business Address: 15 N Main Street (3rd Floor)

A Motion was made by Kathryn Strong Langolf to recommend for approval "Class C" Wine License for Twisted Warrior Yoga Studio at 15 N Main Street and seconded by Scott Gilgenbach and the motion was **Passed**.

Ayes: Gilgenbach, Hiller, Kolstad, Schuessler, Strong

Absent: Gravelle, Hayes

***** Other Business *****

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

Title: Resolution No. 9196

Subject: A Resolution Authorizing The Issuance And Sale Of Up To
\$156,187 Taxable Private LSL Replacement Loan Program
Revenue Bonds, Series 2025A, And Providing For Other
Details And Covenants With Respect Thereto
Introduction: Director of Administration

Initiator:

Recommendation:

ATTACHMENTS:

File Name

memo.pdf

9196_Resolution_LSL_A_50%_FINAL.pdf

CITY OF FOND DU LAC - Memorandum

Date: August 7, 2025

To: Joseph Moore, City Manager
City Council

From: Tricia Davi, Director of Administration/Chief Financial Officer
Travis Kloetzke, Water Utility General Manager

Re: Resolution to Authorize Execution of DNR Safe Drinking Water Loans
for Lead Service Line Replacement

Back in March, Council adopted changes to Chapter 643 of our Municipal Code regarding lead service line replacements, to provide more flexibility in administering the program and providing financial assistance. We're now at the next step in the process of administering the program.

The City applied to the State of Wisconsin Department of Natural Resources (DNR) for three Safe Drinking Water Loans (SDWL) to assist property owners with the costs of replacing private lead service laterals. The major advantage in securing this type of funding is that a portion of the loan can be forgiven based upon meeting certain criteria of the SDWL program. We were awarded three such loans – one for 100% principal forgiveness, one for 75% forgiveness, and one for 50% forgiveness.

Closing on the 100% forgiveness loans was authorized under a separate resolution that only required City Council to authorize the proper City officials to enter into the Financial Assistance Agreement with the DNR.

Since 75% and 50% forgiveness loans require a payback component by the City, the City engages Bond Counsel to prepare the necessary resolutions. The City's Bond Counsel, Quarles & Brady, provided the attached resolution documents to cover various required components of bond covenants. These resolutions also authorize the proper City officials to enter into the final Financial Assistance Agreements with the DNR.

Please feel free to contact either of us with questions or for more information.

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE ISSUANCE AND
SALE OF UP TO \$156,187 TAXABLE PRIVATE LSL REPLACEMENT LOAN PROGRAM
REVENUE BONDS, SERIES 2025A,
AND PROVIDING FOR OTHER DETAILS AND
COVENANTS WITH RESPECT THERETO

WHEREAS, the City of Fond du Lac, Fond du Lac County, Wisconsin (the "Municipality") has established a loan program (the "Program") pursuant to which it makes loans pursuant to Section 66.0627(8)(ag), Wisconsin Statutes, to owners of property in the Municipality for the purpose of replacing private customer-side water service lines containing lead ("Loans"), which Program is hereby found and determined to be a revenue producing enterprise operated for a public purpose as a public utility by the Municipality within the meaning of Section 66.0621, Wisconsin Statutes; and

WHEREAS, additional funding to conduct, operate and manage the Program to finance additional Loans is necessary to meet the needs of the Municipality and the residents thereof, consisting of Loans to be made for the construction of a project (the "Project") assigned Safe Drinking Water Loan Program Project No. 5142-16 by the Department of Natural Resources; and

WHEREAS, under the provisions of Chapter 66, Wisconsin Statutes any municipality may, by action of its governing body, provide for purchasing, acquiring, constructing, extending, adding to, improving, operating and managing a public utility from the proceeds of bonds, which bonds are to be payable only from the revenues received from any source by such utility, including all rentals and fees; and

WHEREAS, the Municipality deems it to be necessary, desirable and in its best interest to authorize and sell revenue bonds (the "Bonds") of the Municipality payable solely from the revenues of the Program, pursuant to the provisions of Section 66.0621, Wisconsin Statutes, to pay the cost of the Project; and

WHEREAS, due to certain provisions of the Internal Revenue Code of 1986, as amended, it is necessary to issue such bonds on a taxable basis, and the State of Wisconsin Safe Drinking Water Loan Program has determined to allow such bonds to be issued on a taxable basis; and

WHEREAS, simultaneously with the issuance of the Bonds, the Municipality proposes to issue its Taxable Private LSL Replacement Loan Program Revenue Bonds, Series 2025B (the "2025B Bonds") pursuant to a resolution to be adopted on the date hereof (the "2025B Resolution"), in the amount of up to \$230,694, and which 2025B Bonds are intended to be issued on the same date as the Bonds and on a parity with the Bonds; and

WHEREAS, the State of Wisconsin Safe Drinking Water Loan Program will be the registered owner of 100% of both the Bonds and the 2025B Bonds and has consented to the issuance of the Bonds and the 2025B Bonds on a parity with each other as evidenced by the consent attached hereto as Exhibit B; and

WHEREAS, no bonds or obligations payable from the revenues of the Program are now outstanding.

NOW, THEREFORE, be it resolved by the Governing Body of the Municipality that:

Section 1. Definitions. The following terms shall have the following meanings in this Resolution unless the text expressly or by implication requires otherwise:

- (a) "Act" means Section 66.0621, Wisconsin Statutes;
- (b) "Bond Registrar" means the Municipal Treasurer which shall act as Paying Agent for the Bonds;
- (c) "Bonds" means the \$156,187 Taxable Private LSL Replacement Loan Program Revenue Bonds, Series 2025A, of the Municipality dated their date of issuance, authorized to be issued by this Resolution;
- (d) "Bond Year" means the twelve-month period ending on each May 1;
- (e) "Current Expenses" means the reasonable and necessary costs of operating, maintaining, administering and conducting the Program, including salaries, wages, costs of materials and supplies, insurance and audits, but shall exclude depreciation, debt service, tax equivalents and capital expenditures;
- (f) "Debt Service Fund" means the Debt Service Fund of the Municipality, which shall be the "special redemption fund" as such term is defined in the Act;
- (g) "Financial Assistance Agreement" means the Financial Assistance Agreement by and between the State of Wisconsin by the Department of Natural Resources and the Department of Administration and the Municipality pursuant to which the Bonds are to be issued and sold to the State, substantially in the form attached hereto and incorporated herein by this reference;
- (h) "Fiscal Year" means the twelve-month period ending on each December 31;
- (i) "Governing Body" means the City Council, or such other body as may hereafter be the chief legislative body of the Municipality;
- (j) "Gross Earnings" means the gross earnings of the Program, including earnings of the Program derived from any payments made to the Municipality under any Loans, any fees or charges imposed by the Municipality with respect to the Program or Loans, any service agreements between the Municipality and any contract users of the Program, and any other monies received by the Program from any source including all rentals and fees, any tax incremental district revenues or other revenues of the Municipality pursuant to Section 9 appropriated by the Governing Body to the Program, and any special assessments and Special Charges levied or imposed and collected in connection with the Loans or the Project (for the avoidance of doubt, "Gross Earnings" does not include revenues of the water system or utility of

the Municipality except for any water system or utility revenues which may in the future be appropriated to the Program with Public Service Commission approval);

(k) "Lead Service Line" or "LSL" means (i) all or a portion of a water Service Line constructed of lead, and/or (ii) all or a portion of a water Service Line constructed of galvanized material that is or was downstream of lead;

(l) "Loans" mean loans made by the Municipality pursuant to Section 66.0627(8)(ag), Wisconsin Statutes, or any successor provisions, to owners of property in the Municipality for the purpose of replacing private customer-side Lead Service Lines;

(m) "Municipal Treasurer" means the Treasurer of the Municipality who shall act as Bond Registrar and Paying Agent;

(n) "Municipality" means the City of Fond du Lac, Fond du Lac County, Wisconsin;

(o) "Net Revenues" means the Gross Earnings of the Program after deduction of Current Expenses;

(p) "Parity Bonds" means bonds payable from the revenues of the Program other than the Bonds but issued on a parity and equality with the Bonds pursuant to the restrictive provisions of Section 11 of this Resolution;

(q) "Program" means the entire Private Lead Service Line Replacement Loan Program established and conducted by the Municipality for the purpose of making Loans, specifically including all funds or property of every nature now or hereafter owned by the Municipality for the purpose of making and administering Loans, including all improvements and extensions thereto made by the Municipality while any of the Bonds and Parity Bonds remain outstanding, including all real and personal property of every nature comprising part of or used or useful in connection with such loan program and including all appurtenances, contracts, leases, franchises, and other intangibles. All elements of the Program are to be owned and operated by the Municipality as part of the Program as described in the preamble hereto;

(r) "Project" means the Project described in the preamble to this Resolution;

(s) "Record Date" means the close of business on the fifteenth day of the calendar month next preceding any principal or interest payment date;

(t) "Service Line" means the water service piping from the corporation stop of the municipally-owned water main or service line to the meter, isolation valve, or other water utility service terminal on the served property;

(u) "Special Charges" means the special charges the Municipality imposes pursuant to Section 66.0627(8), Wisconsin Statutes, or any successor provisions, to collect loan repayments for the Loans;

(v) "2025B Bonds" means the Municipality's Taxable Private LSL Replacement Loan Program Revenue Bonds, Series 2025B, to be issued simultaneously with the Bonds; and

(w) "2025B Resolution" means a resolution adopted by the Governing Body on the date hereof authorizing the issuance of the 2025B Bonds.

Section 2. Authorization of the Bonds and the Financial Assistance Agreement. For the purpose of providing funding for the Program to make Loans to pay the cost of the Project (including legal, fiscal, engineering and other expenses), there shall be borrowed on the credit of the income and revenue of the Program up to the sum of \$156,187; and fully registered revenue bonds of the Municipality are authorized to be issued in evidence thereof and sold to the State of Wisconsin Safe Drinking Water Loan Program in accordance with the terms and conditions of the Financial Assistance Agreement, which is incorporated herein by this reference and the City Manager and City Clerk of the Municipality are hereby authorized, by and on behalf of the Municipality, to execute the Financial Assistance Agreement.

Section 3. Terms of the Bonds. The Bonds shall be designated "Taxable Private LSL Replacement Loan Program Revenue Bonds, Series 2025A" (the "Bonds"); shall be dated their date of issuance; shall be numbered one and upward; shall bear interest at the rate of 0.250% per annum; shall be issued in denominations of \$0.01 or any integral multiple thereof; and shall mature on the dates and in the amounts as set forth in Exhibit B of the Financial Assistance Agreement and in the Bond form attached hereto as Exhibit A as it is from time to time adjusted by the State of Wisconsin based upon the actual draws made by the Municipality. Interest on the Bonds shall be payable commencing on November 1, 2025 and semiannually thereafter on May 1 and November 1 of each year. The Bonds shall not be subject to redemption prior to maturity except as provided in the Financial Assistance Agreement.

The schedule of maturities of the Bonds is found to be such that the amount of annual debt service payments is reasonable in accordance with prudent municipal utility practices.

Section 4. Form, Execution, Registration and Payment of the Bonds. The Bonds shall be issued as registered obligations in substantially the form attached hereto as Exhibit A and incorporated herein by this reference.

The Bonds shall be executed in the name of the Municipality by the manual signatures of the City Manager and City Clerk, and shall be sealed with its official or corporate seal, if any.

The principal of, premium, if any, and interest on the Bonds shall be paid by the Municipal Treasurer, who is hereby appointed as the Municipality's Bond Registrar.

Both the principal of and interest on the Bonds shall be payable in lawful money of the United States of America by the Bond Registrar. Payment of principal of the final maturity on the Bond will be payable upon presentation and surrender of the Bond to the Bond Registrar. Payment of principal on the Bond and each installment of interest shall be made to the registered owner of each Bond who shall appear on the registration books of the Municipality, maintained by the Bond Registrar, on the Record Date and shall be paid by electronic transfer or by check or draft of the Municipality (as directed by the registered owner) and if by check or draft, mailed to such registered owner at his or its address as it appears on such registration books or at such other address may be furnished in writing by such registered owner to the Bond Registrar.

Section 5. Security for the Bonds. The Bonds, together with interest thereon, shall not constitute an indebtedness of the Municipality nor a charge against its general credit or taxing power. The Bonds, together with interest thereon, shall be payable only out of the Debt Service Fund hereinafter created and established, and shall be a valid claim of the registered owner or owners thereof only against such Debt Service Fund and the revenues of the Program pledged to such fund on a parity with the pledge granted to the holders of the 2025B Bonds. Sufficient revenues are hereby pledged to said Debt Service Fund, and shall be used for no other purpose than to pay the principal of, premium, if any, and interest on the Bonds, the 2025B Bonds and any Parity Bonds as the same becomes due.

Section 6. Funds and Accounts. In accordance with the Act, for the purpose of the application and proper allocation of the revenues of the Program, and to secure the payment of the principal of and interest on the Bonds, the 2025B Bonds and Parity Bonds, certain funds of the Program are hereby created and established which shall be used solely for the following respective purposes:

- (a) Private LSL Replacement Loan Program Revenue Fund (the "Revenue Fund"), into which shall be deposited as received the Gross Earnings of the Program, which money shall then be divided among the Debt Service Fund, the Operation and Maintenance Fund and the Surplus Fund in the amounts and in the manner set forth in Section 7 hereof and used for the purposes described below.
- (b) Private LSL Replacement Loan Program Debt Service Fund (the "Debt Service Fund"), which shall be used for the payment of the principal of, premium, if any, and interest on the Bonds, the 2025B Bonds and Parity Bonds as the same becomes due, and which may contain a Reserve Account established by a future resolution authorizing the issuance of Parity Bonds to secure such Parity Bonds.
- (c) Private LSL Replacement Loan Program Operation and Maintenance Fund (the "Operation and Maintenance Fund"), which shall be used for the payment of Current Expenses.
- (d) Private LSL Replacement Loan Program Surplus Fund (the "Surplus Fund"), which shall first be used whenever necessary to pay principal of, premium, if any, or interest on the Bonds, the 2025B Bonds and Parity Bonds when the Debt Service Fund shall be insufficient for such purpose, and thereafter shall be disbursed as follows: (i) at any time, to remedy any deficiency in any of the Funds provided in this Section 6 hereof; and (ii) money thereafter remaining in the Surplus Fund at the end of any Fiscal Year may be transferred to any of the funds or accounts created herein or to reimburse the general fund of the Municipality for advances made by the Municipality to the Program.

Section 7. Application of Revenues. After the delivery of the Bonds, the Gross Earnings of the Program shall be deposited as collected in the Revenue Fund and shall be transferred monthly to the funds listed below in the following order of priority and in the manner set forth below:

- (a) to the Debt Service Fund, until the amount on deposit therein is equal to the amount needed to pay the remaining installments of interest and principal coming due on the Bonds, the 2025B Bonds and any Parity Bonds then outstanding during such Fiscal Year (after giving effect to available amounts in said Fund from accrued interest, any premium or any other source), and any amount required by a future resolution authorizing the issuance of Parity Bonds to fund a Reserve Account established therein;
- (b) to the Operation and Maintenance Fund, until the amount on deposit therein is equal to the remaining estimated Current Expenses for such Fiscal Year (after giving effect to available amounts in said Fund from prior deposits); and
- (c) to the Surplus Fund, any amount remaining in the Revenue Fund after the monthly transfers required above have been completed.

Transfers from the Revenue Fund to the Debt Service Fund, the Operation and Maintenance Fund and the Surplus Fund shall be made monthly not later than the tenth day of each month, and such transfer shall be applicable to monies on deposit in the Revenue Fund as of the last day of the month preceding. Any other transfers and deposits to any fund required or permitted by subsection (a) through (c) of this Section, except transfers or deposits which are required to be made immediately or annually, shall be made on or before the tenth day of the month. Any transfer or deposit required to be made at the end of any Fiscal Year shall be made within sixty (60) days after the close of such Fiscal Year. If the tenth day of any month shall fall on a day other than a business day, such transfer or deposit shall be made on the next succeeding business day.

It is the express intent and determination of the Governing Body that the amounts transferred from the Revenue Fund and deposited in the Debt Service Fund shall be sufficient in any event to pay the interest on the Bonds, the 2025B Bonds and any Parity Bonds as the same accrues and the principal thereof as the same matures, and to fund the Reserve Account as required in connection with future Parity Bonds.

Section 8. Deposits and Investments. The Debt Service Fund shall be kept apart from monies in the other funds and accounts of the Municipality and the same shall be used for no purpose other than the prompt payment of principal of and interest on the Bonds, the 2025B Bonds and any Parity Bonds as the same becomes due and payable. All monies therein shall be deposited in special and segregated accounts in a public depository selected under Chapter 34, Wisconsin Statutes and may be temporarily invested until needed in legal investments subject to the provisions of Section 66.0603(1m), Wisconsin Statutes. The other funds herein created (except the Private LSL Replacement Loan Program SDWLP Project Fund) may be combined in a single account in a public depository selected in the manner set forth above and may be

temporarily invested until needed in legal investments subject to the provisions of Section 66.0603(1m), Wisconsin Statutes.

Section 9. Service to the Municipality. In recognition of and consideration for the public health benefit rendered to the Municipality by the Program by financing the elimination of lead from the public drinking water supply for public purposes, the Municipality agrees that it shall be charged and shall make payments to the Program in monthly installments as the service and benefit accrues, out of the current revenues of the Municipality collected or in the process of collection, exclusive of the revenues derived from the Program; that is to say, out of the tax levy of the Municipality made by it to raise money to meet its necessary current expenses. The amount of the charge and payment for the service and benefit provided to the Municipality in each year shall be equal to an amount which, together with other revenues of the Program, will produce in each Fiscal Year Net Revenues equivalent to not less than 100% of the annual principal and interest requirements on the Bonds, the 2025B Bonds, any Parity Bonds and any other obligations payable from the revenues of the Program then outstanding. However, such payment out of the tax levy shall be subject to (a) approval of the Public Service Commission, or successors to its function, if applicable, (b) yearly appropriations therefor, and (c) applicable levy limitations, if any; and neither this Resolution nor such payment shall be construed as constituting an obligation of the Municipality to make any such appropriation over and above the reasonable cost and value of the service and benefit rendered to the Municipality and its inhabitants or to make any subsequent payment over and above such reasonable cost and value.

Section 10. Operation of Program; Municipality Covenants. It is covenanted and agreed by the Municipality with the owner or owners of the Bonds, and each of them, that the Municipality will perform all of the obligations of the Municipality as set forth in the Financial Assistance Agreement.

Section 11. Additional Bonds. The Bonds are issued on a parity with the 2025B Bonds. No bonds or obligations payable out of the revenues of the Program may be issued in such manner as to enjoy priority over the Bonds or with a lien and pledge that is junior and subordinate to that of the Bonds. Parity Bonds may be issued only under the following circumstances:

(a) Additional Parity Bonds may be issued for the purpose of completing the Project and for the purpose of financing costs of the Project which are ineligible for payment under the State of Wisconsin Safe Drinking Water Loan Program. However, such additional Parity Bonds shall be in an aggregate amount not to exceed 20% of the face amount of the Bonds; or

(b) Additional Parity Bonds may also be issued if all of the following conditions are met:

(1) The State of Wisconsin Safe Drinking Water Loan Program has consented in writing to the issuance of such additional bonds on a parity with the Bonds.

(2) The payments required to be made into the funds enumerated in Section 6 of this Resolution must have been made in full.

(3) The additional bonds must have principal maturing on May 1 of each year and interest falling due on May 1 and November 1 of each year.

(4) The proceeds of the additional bonds must be used only for the purpose of providing additional funding for the Program to make Loans, or to refund obligations issued for such purpose.

Section 12. Sale of Bonds. The sale of the Bonds to the State of Wisconsin Safe Drinking Water Loan Program for the purchase price of up to \$156,187 and at par, is ratified and confirmed; and the officers of the Municipality are authorized and directed to do any and all acts, including executing the Financial Assistance Agreement and the Bonds as hereinabove provided, necessary to conclude delivery of the Bonds to said purchaser, as soon after adoption of this Resolution as is convenient. The purchase price for the Bonds shall be paid upon requisition therefor as provided in the Financial Assistance Agreement, and the officers of the Municipality are authorized to prepare and submit to the State requisitions and disbursement requests in anticipation of the execution of the Financial Assistance Agreement and the issuance of the Bonds.

Section 13. Application of Bond Proceeds. The proceeds of the sale of the Bonds shall be deposited by the Municipality into a special fund designated as "Private LSL Replacement Loan Program SDWLP Project Fund." The Private LSL Replacement Loan Program SDWLP Project Fund shall be used solely for the purpose of paying the costs of the Project as more fully described in the preamble hereof and in the Financial Assistance Agreement. Moneys in the Private LSL Replacement Loan Program SDWLP Project Fund shall be disbursed within three (3) business days of their receipt from the State of Wisconsin and shall not be invested in any interest-bearing account.

Section 14. Amendment to Resolution. After the issuance of any of the Bonds, no change or alteration of any kind in the provisions of this Resolution may be made until all of the Bonds have been paid in full as to both principal and interest, or discharged as herein provided, except: (a) the Municipality may, from time to time, amend this Resolution without the consent of any of the owners of the Bonds, but only to cure any ambiguity, administrative conflict, formal defect, or omission or procedural inconsistency of this Resolution; and (b) this Resolution may be amended, in any respect, with a written consent of the owners of not less than two-thirds (2/3) of the principal amount of the Bonds then outstanding, exclusive of Bonds held by the Municipality; provided, however, that no amendment shall permit any change in the pledge of revenues derived from the Program or the maturity of any Bond issued hereunder, or a reduction in the rate of interest on any Bond, or in the amount of the principal obligation thereof, or in the amount of the redemption premium payable in the case of redemption thereof, or change the terms upon which the Bonds may be redeemed or make any other modification in the terms of the payment of such principal or interest without the written consent of the owner of each such Bond to which the change is applicable.

Section 15. Defeasance. When all Bonds have been discharged, all pledges, covenants and other rights granted to the owners thereof by this Resolution shall cease. The Municipality may discharge all Bonds due on any date by irrevocably depositing in escrow with a suitable bank or trust company a sum of cash and/or bonds or securities issued or guaranteed as to principal and interest of the U.S. Government, or of a commission, board or other instrumentality of the U.S. Government, maturing on the dates and bearing interest at the rates required to provide funds sufficient to pay when due the interest to accrue on each of said Bonds to its maturity or, at the Municipality's option, if said Bond is prepayable to any prior date upon which it may be called for redemption, and to pay and redeem the principal amount of each such Bond at maturity, or at the Municipality's option, if said Bond is prepayable, at its earliest redemption date, with the premium required for such redemption, if any, provided that notice of the redemption of all prepayable Bonds on such date has been duly given or provided for.

Section 16. Resolution a Contract. The provisions of this Resolution shall constitute a contract between the Municipality and the owner or owners of the Bonds, and after issuance of any of the Bonds no change or alteration of any kind in the provisions of this Resolution may be made, except as provided in Section 14, until all of the Bonds have been paid in full as to both principal and interest. The owner or owners of any of the Bonds shall have the right in addition to all other rights, by mandamus or other suit or action in any court of competent jurisdiction, to enforce such owner's or owners' rights against the Municipality, the Governing Body thereof, and any and all officers and agents thereof including, but without limitation, the right to require the Municipality, its Governing Body and any other authorized body, to establish and collect charges and other revenues fully adequate to carry out all of the provisions and agreements contained in this Resolution.

Section 17. Continuing Disclosure. The officers of the Municipality are hereby authorized and directed, if requested by the State of Wisconsin, to provide to the State of Wisconsin Safe Drinking Water Loan Program and to such other persons or entities as directed by the State of Wisconsin such ongoing disclosure regarding the Municipality's financial condition and other matters, at such times and in such manner as the Safe Drinking Water Loan Program may require, in order that securities issued by the Municipality and the State of Wisconsin satisfy rules and regulations promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended and as it may be amended from time to time, imposed on brokers and dealers of municipal securities before the brokers and dealers may buy, sell, or recommend the purchase of such securities.

Section 18. Conflicting Resolutions. All ordinances, resolutions, or orders, or parts thereof heretofore enacted, adopted or entered, in conflict with the provisions of this Resolution, are hereby repealed and this Resolution shall be in effect from and after its passage.

Passed: August 13, 2025

Approved: August 13, 2025

Tiffany Brault
Council President.

Attest:

Margaret Hefter
City Clerk

City Attorney
Reviewed: _____

EXHIBIT A

(Form of Municipal Obligation)

REGISTERED
NO. _____

UNITED STATES OF AMERICA
STATE OF WISCONSIN
FOND DU LAC COUNTY
CITY OF FOND DU LAC

REGISTERED
\$ _____

TAXABLE PRIVATE LSL REPLACEMENT LOAN PROGRAM
REVENUE BOND, SERIES 2025A

Final
Maturity Date

May 1, 2037

Date of
Original Issue

_____, 20__

REGISTERED OWNER: STATE OF WISCONSIN SAFE DRINKING WATER LOAN
PROGRAM

FOR VALUE RECEIVED the City of Fond du Lac, Fond du Lac County, Wisconsin (the "Municipality") hereby acknowledges itself to owe and promises to pay to the registered owner shown above, or registered assigns, solely from the fund hereinafter specified, the principal sum of an amount not to exceed _____ DOLLARS (\$_____) (but only so much as shall have been drawn hereunder, as provided below) on May 1 of each year commencing May 1, 2026 until the final maturity date written above, together with interest thereon (but only on amounts as shall have been drawn hereunder, as provided below) from the dates the amounts are drawn hereunder or the most recent payment date to which interest has been paid, at the rate of 0.250% per annum, calculated on the basis of a 360-day year made up of twelve 30-day months, such interest being payable on the first days of May and November of each year, with the first interest being payable on November 1, 2025.

The principal amount evidenced by this Bond may be drawn upon by the Municipality in accordance with the Financial Assistance Agreement entered by and between the Municipality and the State of Wisconsin by the Department of Natural Resources and the Department of Administration (the "Financial Assistance Agreement") including capitalized interest transferred (if any). The principal amounts so drawn shall be repaid in installments on May 1 of each year commencing on May 1, 2026 in an amount equal to an amount which when amortized over the remaining term of this Bond plus current payments of interest (but only on amounts drawn hereunder) at Zero and 250/1000ths percent (0.250%) per annum shall result in equal annual payments of the total of principal and the semiannual payments of interest. The State of Wisconsin Department of Administration shall record such draws and corresponding principal repayment schedule on a cumulative basis in the format shown on the attached Schedule A.

Both principal and interest hereon are hereby made payable to the registered owner in lawful money of the United States of America. On the final maturity date, principal of this Bond shall be payable only upon presentation and surrender of this Bond at the office of the Municipal Treasurer. Principal hereof and interest hereon shall be payable by electronic transfer or by check or draft dated on or before the applicable payment date (as directed by the registered owner) and if by check or draft, mailed from the office of the Municipal Treasurer to the person in whose name this Bond is registered at the close of business on the fifteenth day of the calendar month next preceding such interest payment date.

This Bond shall not be redeemable prior to its maturity, except as set forth in the Financial Assistance Agreement.

This Bond is transferable only upon the books of the Municipality kept for that purpose at the office of the Municipal Treasurer, by the registered owner in person or its duly authorized attorney, upon surrender of this Bond, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Municipal Treasurer, duly executed by the registered owner or its duly authorized attorney. Thereupon a replacement Bond shall be issued to the transferee in exchange therefor. The Municipality may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal or interest hereof and for all other purposes. This Bond is issuable solely as a negotiable, fully-registered bond, without coupons, and in denominations of \$0.01 or any integral multiple thereof.

This Bond is issued for the purpose of providing funding for the Private Lead Service Line ("LSL") Replacement Loan Program of the Municipality (the "Program") to make loans to owners of property within the Municipality for the purpose of replacing private customer-side water service lines containing lead, pursuant to Article XI, Section 3, of the Wisconsin Constitution, Section 66.0621, Wisconsin Statutes, and a resolution adopted August 13, 2025, and entitled: "Resolution Authorizing the Issuance and Sale of Up to \$156,187 Taxable Private LSL Replacement Loan Program Revenue Bonds, Series 2025A, and Providing for Other Details and Covenants With Respect Thereto" and is payable only from the income and revenues of the Program. The Bonds are issued on a parity with the Municipality's Taxable Private LSL Replacement Loan Program Revenue Bonds, Series 2025B, dated August 27, 2025, as to the pledge of income and revenues of the Program. This Bond does not constitute an indebtedness of said Municipality within the meaning of any constitutional or statutory debt limitation or provision.

It is hereby certified, recited and declared that all acts, conditions and things required to exist, happen, and be performed precedent to and in the issuance of this Bond have existed, have happened and have been performed in due time, form and manner as required by law; and that sufficient of the income and revenue to be received by said Municipality from the operation of the Program has been pledged to and will be set aside into a special fund for the payment of the principal of and interest on this Bond.

IN WITNESS WHEREOF, the Municipality has caused this Bond to be signed by the signatures of its City Manager and City Clerk, and its corporate seal to be impressed hereon, all as of the date of original issue specified above.

CITY OF FOND DU LAC,
WISCONSIN

(SEAL)

By: _____
Joseph P. Moore
City Manager

By: _____
Margaret Hefter
City Clerk

COPY

(Form of Assignment)

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

(Please print or typewrite name and address, including zip code, of Assignee)

Please insert Social Security or other identifying number of Assignee

the within Bond and all rights thereunder, hereby irrevocably constituting and appointing

Attorney to transfer said Bond on the books kept for the registration thereof with full power of substitution in the premises.

Dated: _____

NOTICE: The signature of this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

Signature(s) guaranteed by

SCHEDULE A

\$156,187

CITY OF FOND DU LAC, WISCONSIN
TAXABLE PRIVATE LSL REPLACEMENT LOAN PROGRAM REVENUE
BONDS, SERIES 2025A

<u>Amount of Disburse- ment</u>	<u>Date of Disbursement</u>	<u>Series of Bonds</u>	<u>Principal Repaid</u>	<u>Principal Balance</u>

SCHEDULE A (continued)
PRINCIPAL REPAYMENT SCHEDULE

<u>Date</u>	<u>Principal Amount</u>
May 1, 2026	\$12,837.59
May 1, 2027	12,869.68
May 1, 2028	12,901.86
May 1, 2029	12,934.11
May 1, 2030	12,966.44
May 1, 2031	12,998.86
May 1, 2032	13,031.36
May 1, 2033	13,063.94
May 1, 2034	13,096.60
May 1, 2035	13,129.34
May 1, 2036	13,162.16
May 1, 2037	13,195.06



Exhibit B

STATE OF WISCONSIN DEPARTMENT OF ADMINISTRATION

Tony Evers, Governor
Kathy Blumenfeld, Secretary
Brian Pahnke, Division Administrator

City of Fond du Lac

Consent to Issue Taxable Private LSL Replacement Loan Program Revenue Bonds on Parity Consent

WHEREAS, pursuant to resolutions to be adopted on August 27, 2025 (the "2025 Resolutions"), the City of Fond du Lac (the "City") will be selling \$156,187 Taxable Private LSL Replacement Loan Program Revenue Bonds, Series 2025A, dated August 27, 2025 (the "2025A Bonds") and \$230,694 Taxable Private LSL Replacement Loan Program Revenue Bonds, Series 2025B, dated August 27, 2025 (the "2025B Bonds"); and

NOW, THEREFORE, the State, will be the sole registered owner of all the 2025A Bonds and 2025B Bonds and hereby consents to the issuance of the 2025A Bonds and the 2025B Bonds on a parity with each other. This consent shall apply prejudice in connection with the issuance of the 2025A Bonds and the 2025B Bonds and shall not extend to the issuance of any additional bonds or prejudice any rights or remedies whatever that the State may have with respect to the issuance of any additional bonds.

Dated as of August 13th, 2025

State of Wisconsin Environmental Improvement Fund

By: Katherine C. Miller
Katherine Miller
Deputy Capital Finance Director

ACCEPTED by:
City of Fond du Lac

By: _____
Joseph. P Moore
City Manager

Attest: _____
Margaret Hefter
City Clerk

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

Title: Resolution No. 9197

Subject: A Resolution Authorizing The Issuance And Sale Of Up To
\$230,694 Taxable Private LSL Replacement Loan Program
Revenue Bonds, Series 2025B, And Providing For Other
Details And Covenants With Respect Thereto
Introduction: Director of Administration

Initiator:

Recommendation:

ATTACHMENTS:

File Name

memo.pdf

9197_Resolution_LSL_B_75%_FINAL.pdf

CITY OF FOND DU LAC - Memorandum

Date: August 7, 2025

To: Joseph Moore, City Manager
City Council

From: Tricia Davi, Director of Administration/Chief Financial Officer
Travis Kloetzke, Water Utility General Manager

Re: Resolution to Authorize Execution of DNR Safe Drinking Water Loans
for Lead Service Line Replacement

Back in March, Council adopted changes to Chapter 643 of our Municipal Code regarding lead service line replacements, to provide more flexibility in administering the program and providing financial assistance. We're now at the next step in the process of administering the program.

The City applied to the State of Wisconsin Department of Natural Resources (DNR) for three Safe Drinking Water Loans (SDWL) to assist property owners with the costs of replacing private lead service laterals. The major advantage in securing this type of funding is that a portion of the loan can be forgiven based upon meeting certain criteria of the SDWL program. We were awarded three such loans – one for 100% principal forgiveness, one for 75% forgiveness, and one for 50% forgiveness.

Closing on the 100% forgiveness loans was authorized under a separate resolution that only required City Council to authorize the proper City officials to enter into the Financial Assistance Agreement with the DNR.

Since 75% and 50% forgiveness loans require a payback component by the City, the City engages Bond Counsel to prepare the necessary resolutions. The City's Bond Counsel, Quarles & Brady, provided the attached resolution documents to cover various required components of bond covenants. These resolutions also authorize the proper City officials to enter into the final Financial Assistance Agreements with the DNR.

Please feel free to contact either of us with questions or for more information.

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE ISSUANCE AND
SALE OF UP TO \$230,694 TAXABLE PRIVATE LSL REPLACEMENT LOAN PROGRAM
REVENUE BONDS, SERIES 2025B,
AND PROVIDING FOR OTHER DETAILS AND
COVENANTS WITH RESPECT THERETO

WHEREAS, the City of Fond du Lac, Fond du Lac County, Wisconsin (the "Municipality") has established a loan program (the "Program") pursuant to which it makes loans pursuant to Section 66.0627(8)(ag), Wisconsin Statutes, to owners of property in the Municipality for the purpose of replacing private customer-side water service lines containing lead ("Loans"), which Program is hereby found and determined to be a revenue producing enterprise operated for a public purpose as a public utility by the Municipality within the meaning of Section 66.0621, Wisconsin Statutes; and

WHEREAS, additional funding to conduct, operate and manage the Program to finance additional Loans is necessary to meet the needs of the Municipality and the residents thereof, consisting of Loans to be made for the construction of a project (the "Project") assigned Safe Drinking Water Loan Program Project No. 5142-17 by the Department of Natural Resources; and

WHEREAS, under the provisions of Chapter 66, Wisconsin Statutes any municipality may, by action of its governing body, provide for purchasing, acquiring, constructing, extending, adding to, improving, operating and managing a public utility from the proceeds of bonds, which bonds are to be payable only from the revenues received from any source by such utility, including all rentals and fees; and

WHEREAS, the Municipality deems it to be necessary, desirable and in its best interest to authorize and sell revenue bonds (the "Bonds") of the Municipality payable solely from the revenues of the Program, pursuant to the provisions of Section 66.0621, Wisconsin Statutes, to pay the cost of the Project; and

WHEREAS, due to certain provisions of the Internal Revenue Code of 1986, as amended, it is necessary to issue such bonds on a taxable basis, and the State of Wisconsin Safe Drinking Water Loan Program has determined to allow such bonds to be issued on a taxable basis; and

WHEREAS, simultaneously with the issuance of the Bonds, the Municipality proposes to issue its Taxable Private LSL Replacement Loan Program Revenue Bonds, Series 2025A (the "2025A Bonds") pursuant to a resolution to be adopted on the date hereof (the "2025A Resolution"), in the amount of up to \$156,187, and which 2025A Bonds are intended to be issued on the same date as the Bonds and on a parity with the Bonds; and

WHEREAS, the State of Wisconsin Safe Drinking Water Loan Program will be the registered owner of 100% of both the 2025A Bonds and the Bonds and has consented to the issuance of the Bonds and the 2025A Bonds on a parity with each other as evidenced by the consent attached hereto as Exhibit B; and

WHEREAS, no bonds or obligations payable from the revenues of the Program are now outstanding.

NOW, THEREFORE, be it resolved by the Governing Body of the Municipality that:

Section 1. Definitions. The following terms shall have the following meanings in this Resolution unless the text expressly or by implication requires otherwise:

- (a) "Act" means Section 66.0621, Wisconsin Statutes;
- (b) "Bond Registrar" means the Municipal Treasurer which shall act as Paying Agent for the Bonds;
- (c) "Bonds" means the \$230,694 Taxable Private LSL Replacement Loan Program Revenue Bonds, Series 2025B, of the Municipality dated their date of issuance, authorized to be issued by this Resolution;
- (d) "Bond Year" means the twelve-month period ending on each May 1;
- (e) "Current Expenses" means the reasonable and necessary costs of operating, maintaining, administering and conducting the Program, including salaries, wages, costs of materials and supplies, insurance and audits, but shall exclude depreciation, debt service, tax equivalents and capital expenditures;
- (f) "Debt Service Fund" means the Debt Service Fund of the Municipality, which shall be the "special redemption fund" as such term is defined in the Act;
- (g) "Financial Assistance Agreement" means the Financial Assistance Agreement by and between the State of Wisconsin by the Department of Natural Resources and the Department of Administration and the Municipality pursuant to which the Bonds are to be issued and sold to the State, substantially in the form attached hereto and incorporated herein by this reference;
- (h) "Fiscal Year" means the twelve-month period ending on each December 31;
- (i) "Governing Body" means the City Council, or such other body as may hereafter be the chief legislative body of the Municipality;
- (j) "Gross Earnings" means the gross earnings of the Program, including earnings of the Program derived from any payments made to the Municipality under any Loans, any fees or charges imposed by the Municipality with respect to the Program or Loans, any service agreements between the Municipality and any contract users of the Program, and any other monies received by the Program from any source including all rentals and fees, any tax incremental district revenues or other revenues of the Municipality pursuant to Section 9 appropriated by the Governing Body to the Program, and any special assessments and Special Charges levied or imposed and collected in connection with the Loans or the Project (for the avoidance of doubt, "Gross Earnings" does not include revenues of the water system or utility of

the Municipality except for any water system or utility revenues which may in the future be appropriated to the Program with Public Service Commission approval);

(k) "Lead Service Line" or "LSL" means (i) all or a portion of a water Service Line constructed of lead, and/or (ii) all or a portion of a water Service Line constructed of galvanized material that is or was downstream of lead;

(l) "Loans" mean loans made by the Municipality pursuant to Section 66.0627(8)(ag), Wisconsin Statutes, or any successor provisions, to owners of property in the Municipality for the purpose of replacing private customer-side Lead Service Lines;

(m) "Municipal Treasurer" means the Treasurer of the Municipality who shall act as Bond Registrar and Paying Agent;

(n) "Municipality" means the City of Fond du Lac, Fond du Lac County, Wisconsin;

(o) "Net Revenues" means the Gross Earnings of the Program after deduction of Current Expenses;

(p) "Parity Bonds" means bonds payable from the revenues of the Program other than the Bonds but issued on a parity and equality with the Bonds pursuant to the restrictive provisions of Section 11 of this Resolution;

(q) "Program" means the entire Private Lead Service Line Replacement Loan Program established and conducted by the Municipality for the purpose of making Loans, specifically including all funds or property of every nature now or hereafter owned by the Municipality for the purpose of making and administering Loans, including all improvements and extensions thereto made by the Municipality while any of the Bonds and Parity Bonds remain outstanding, including all real and personal property of every nature comprising part of or used or useful in connection with such loan program and including all appurtenances, contracts, leases, franchises, and other intangibles. All elements of the Program are to be owned and operated by the Municipality as part of the Program as described in the preamble hereto;

(r) "Project" means the Project described in the preamble to this Resolution;

(s) "Record Date" means the close of business on the fifteenth day of the calendar month next preceding any principal or interest payment date;

(t) "Service Line" means the water service piping from the corporation stop of the municipally-owned water main or service line to the meter, isolation valve, or other water utility service terminal on the served property;

(u) "Special Charges" means the special charges the Municipality imposes pursuant to Section 66.0627(8), Wisconsin Statutes, or any successor provisions, to collect loan repayments for the Loans;

(v) "2025A Bonds" means the Municipality's Taxable Private LSL Replacement Loan Program Revenue Bonds, Series 2025A, to be issued simultaneously with the Bonds; and

(w) "2025A Resolution" means a resolution adopted by the Governing Body on the date hereof authorizing the issuance of the 2025A Bonds.

Section 2. Authorization of the Bonds and the Financial Assistance Agreement. For the purpose of providing funding for the Program to make Loans to pay the cost of the Project (including legal, fiscal, engineering and other expenses), there shall be borrowed on the credit of the income and revenue of the Program up to the sum of \$230,694; and fully registered revenue bonds of the Municipality are authorized to be issued in evidence thereof and sold to the State of Wisconsin Safe Drinking Water Loan Program in accordance with the terms and conditions of the Financial Assistance Agreement, which is incorporated herein by this reference and the City Manager and City Clerk of the Municipality are hereby authorized, by and on behalf of the Municipality, to execute the Financial Assistance Agreement.

Section 3. Terms of the Bonds. The Bonds shall be designated "Taxable Private LSL Replacement Loan Program Revenue Bonds, Series 2025B" (the "Bonds"); shall be dated their date of issuance; shall be numbered one and upward; shall bear interest at the rate of 0.250% per annum; shall be issued in denominations of \$0.01 or any integral multiple thereof; and shall mature on the dates and in the amounts as set forth in Exhibit B of the Financial Assistance Agreement and in the Bond form attached hereto as Exhibit A as it is from time to time adjusted by the State of Wisconsin based upon the actual draws made by the Municipality. Interest on the Bonds shall be payable commencing on November 1, 2025 and semiannually thereafter on May 1 and November 1 of each year. The Bonds shall not be subject to redemption prior to maturity except as provided in the Financial Assistance Agreement.

The schedule of maturities of the Bonds is found to be such that the amount of annual debt service payments is reasonable in accordance with prudent municipal utility practices.

Section 4. Form, Execution, Registration and Payment of the Bonds. The Bonds shall be issued as registered obligations in substantially the form attached hereto as Exhibit A and incorporated herein by this reference.

The Bonds shall be executed in the name of the Municipality by the manual signatures of the City Manager and City Clerk, and shall be sealed with its official or corporate seal, if any.

The principal of, premium, if any, and interest on the Bonds shall be paid by the Municipal Treasurer, who is hereby appointed as the Municipality's Bond Registrar.

Both the principal of and interest on the Bonds shall be payable in lawful money of the United States of America by the Bond Registrar. Payment of principal of the final maturity on the Bond will be payable upon presentation and surrender of the Bond to the Bond Registrar. Payment of principal on the Bond and each installment of interest shall be made to the registered owner of each Bond who shall appear on the registration books of the Municipality, maintained by the Bond Registrar, on the Record Date and shall be paid by electronic transfer or by check or draft of the Municipality (as directed by the registered owner) and if by check or draft, mailed to such registered owner at his or its address as it appears on such registration books or at such other address may be furnished in writing by such registered owner to the Bond Registrar.

Section 5. Security for the Bonds. The Bonds, together with interest thereon, shall not constitute an indebtedness of the Municipality nor a charge against its general credit or taxing power. The Bonds, together with interest thereon, shall be payable only out of the Debt Service Fund hereinafter created and established, and shall be a valid claim of the registered owner or owners thereof only against such Debt Service Fund and the revenues of the Program pledged to such fund on a parity with the pledge granted to the holders of the 2025A Bonds. Sufficient revenues are hereby pledged to said Debt Service Fund, and shall be used for no other purpose than to pay the principal of, premium, if any, and interest on the Bonds, the 2025A Bonds and any Parity Bonds as the same becomes due.

Section 6. Funds and Accounts. In accordance with the Act, for the purpose of the application and proper allocation of the revenues of the Program, and to secure the payment of the principal of and interest on the Bonds, the 2025A Bonds and Parity Bonds, certain funds of the Program are hereby created and established which shall be used solely for the following respective purposes:

- (a) Private LSL Replacement Loan Program Revenue Fund (the "Revenue Fund"), into which shall be deposited as received the Gross Earnings of the Program, which money shall then be divided among the Debt Service Fund, the Operation and Maintenance Fund and the Surplus Fund in the amounts and in the manner set forth in Section 7 hereof and used for the purposes described below.
- (b) Private LSL Replacement Loan Program Debt Service Fund (the "Debt Service Fund"), which shall be used for the payment of the principal of, premium, if any, and interest on the Bonds, the 2025A Bonds and Parity Bonds as the same becomes due, and which may contain a Reserve Account established by a future resolution authorizing the issuance of Parity Bonds to secure such Parity Bonds.
- (c) Private LSL Replacement Loan Program Operation and Maintenance Fund (the "Operation and Maintenance Fund"), which shall be used for the payment of Current Expenses.
- (d) Private LSL Replacement Loan Program Surplus Fund (the "Surplus Fund"), which shall first be used whenever necessary to pay principal of, premium, if any, or interest on the Bonds, the 2025A Bonds and Parity Bonds when the Debt Service Fund shall be insufficient for such purpose, and thereafter shall be disbursed as follows: (i) at any time, to remedy any deficiency in any of the Funds provided in this Section 6 hereof; and (ii) money thereafter remaining in the Surplus Fund at the end of any Fiscal Year may be transferred to any of the funds or accounts created herein or to reimburse the general fund of the Municipality for advances made by the Municipality to the Program.

Section 7. Application of Revenues. After the delivery of the Bonds, the Gross Earnings of the Program shall be deposited as collected in the Revenue Fund and shall be transferred monthly to the funds listed below in the following order of priority and in the manner set forth below:

- (a) to the Debt Service Fund, until the amount on deposit therein is equal to the amount needed to pay the remaining installments of interest and principal coming due on the Bonds, the 2025A Bonds and any Parity Bonds then outstanding during such Fiscal Year (after giving effect to available amounts in said Fund from accrued interest, any premium or any other source), and any amount required by a future resolution authorizing the issuance of Parity Bonds to fund a Reserve Account established therein;
- (b) to the Operation and Maintenance Fund, until the amount on deposit therein is equal to the remaining estimated Current Expenses for such Fiscal Year (after giving effect to available amounts in said Fund from prior deposits); and
- (c) to the Surplus Fund, any amount remaining in the Revenue Fund after the monthly transfers required above have been completed.

Transfers from the Revenue Fund to the Debt Service Fund, the Operation and Maintenance Fund and the Surplus Fund shall be made monthly not later than the tenth day of each month, and such transfer shall be applicable to monies on deposit in the Revenue Fund as of the last day of the month preceding. Any other transfers and deposits to any fund required or permitted by subsection (a) through (c) of this Section, except transfers or deposits which are required to be made immediately or annually, shall be made on or before the tenth day of the month. Any transfer or deposit required to be made at the end of any Fiscal Year shall be made within sixty (60) days after the close of such Fiscal Year. If the tenth day of any month shall fall on a day other than a business day, such transfer or deposit shall be made on the next succeeding business day.

It is the express intent and determination of the Governing Body that the amounts transferred from the Revenue Fund and deposited in the Debt Service Fund shall be sufficient in any event to pay the interest on the Bonds, the 2025A Bonds and any Parity Bonds as the same accrues and the principal thereof as the same matures, and to fund the Reserve Account as required in connection with future Parity Bonds.

Section 8. Deposits and Investments. The Debt Service Fund shall be kept apart from monies in the other funds and accounts of the Municipality and the same shall be used for no purpose other than the prompt payment of principal of and interest on the Bonds, the 2025A Bonds and any Parity Bonds as the same becomes due and payable. All monies therein shall be deposited in special and segregated accounts in a public depository selected under Chapter 34, Wisconsin Statutes and may be temporarily invested until needed in legal investments subject to the provisions of Section 66.0603(1m), Wisconsin Statutes. The other funds herein created (except the Private LSL Replacement Loan Program SDWLP Project Fund) may be combined in a single account in a public depository selected in the manner set forth above and may be

temporarily invested until needed in legal investments subject to the provisions of Section 66.0603(1m), Wisconsin Statutes.

Section 9. Service to the Municipality. In recognition of and consideration for the public health benefit rendered to the Municipality by the Program by financing the elimination of lead from the public drinking water supply for public purposes, the Municipality agrees that it shall be charged and shall make payments to the Program in monthly installments as the service and benefit accrues, out of the current revenues of the Municipality collected or in the process of collection, exclusive of the revenues derived from the Program; that is to say, out of the tax levy of the Municipality made by it to raise money to meet its necessary current expenses. The amount of the charge and payment for the service and benefit provided to the Municipality in each year shall be equal to an amount which, together with other revenues of the Program, will produce in each Fiscal Year Net Revenues equivalent to not less than 100% of the annual principal and interest requirements on the Bonds, the 2025A Bonds, any Parity Bonds and any other obligations payable from the revenues of the Program then outstanding. However, such payment out of the tax levy shall be subject to (a) approval of the Public Service Commission, or successors to its function, if applicable, (b) yearly appropriations therefor, and (c) applicable levy limitations, if any; and neither this Resolution nor such payment shall be construed as constituting an obligation of the Municipality to make any such appropriation over and above the reasonable cost and value of the service and benefit rendered to the Municipality and its inhabitants or to make any subsequent payment over and above such reasonable cost and value.

Section 10. Operation of Program; Municipality Covenants. It is covenanted and agreed by the Municipality with the owner or owners of the Bonds, and each of them, that the Municipality will perform all of the obligations of the Municipality as set forth in the Financial Assistance Agreement.

Section 11. Additional Bonds. The Bonds are issued on a parity with the 2025A Bonds. No bonds or obligations payable out of the revenues of the Program may be issued in such manner as to enjoy priority over the Bonds or with a lien and pledge that is junior and subordinate to that of the Bonds. Parity Bonds may be issued only under the following circumstances:

(a) Additional Parity Bonds may be issued for the purpose of completing the Project and for the purpose of financing costs of the Project which are ineligible for payment under the State of Wisconsin Safe Drinking Water Loan Program. However, such additional Parity Bonds shall be in an aggregate amount not to exceed 20% of the face amount of the Bonds; or

(b) Additional Parity Bonds may also be issued if all of the following conditions are met:

(1) The State of Wisconsin Safe Drinking Water Loan Program has consented in writing to the issuance of such additional bonds on a parity with the Bonds.

(2) The payments required to be made into the funds enumerated in Section 6 of this Resolution must have been made in full.

(3) The additional bonds must have principal maturing on May 1 of each year and interest falling due on May 1 and November 1 of each year.

(4) The proceeds of the additional bonds must be used only for the purpose of providing additional funding for the Program to make Loans, or to refund obligations issued for such purpose.

Section 12. Sale of Bonds. The sale of the Bonds to the State of Wisconsin Safe Drinking Water Loan Program for the purchase price of up to \$230,694 and at par, is ratified and confirmed; and the officers of the Municipality are authorized and directed to do any and all acts, including executing the Financial Assistance Agreement and the Bonds as hereinabove provided, necessary to conclude delivery of the Bonds to said purchaser, as soon after adoption of this Resolution as is convenient. The purchase price for the Bonds shall be paid upon requisition therefor as provided in the Financial Assistance Agreement, and the officers of the Municipality are authorized to prepare and submit to the State requisitions and disbursement requests in anticipation of the execution of the Financial Assistance Agreement and the issuance of the Bonds.

Section 13. Application of Bond Proceeds. The proceeds of the sale of the Bonds shall be deposited by the Municipality into a special fund designated as "Private LSL Replacement Loan Program SDWLP Project Fund." The Private LSL Replacement Loan Program SDWLP Project Fund shall be used solely for the purpose of paying the costs of the Project as more fully described in the preamble hereof and in the Financial Assistance Agreement. Moneys in the Private LSL Replacement Loan Program SDWLP Project Fund shall be disbursed within three (3) business days of their receipt from the State of Wisconsin and shall not be invested in any interest-bearing account.

Section 14. Amendment to Resolution. After the issuance of any of the Bonds, no change or alteration of any kind in the provisions of this Resolution may be made until all of the Bonds have been paid in full as to both principal and interest, or discharged as herein provided, except: (a) the Municipality may, from time to time, amend this Resolution without the consent of any of the owners of the Bonds, but only to cure any ambiguity, administrative conflict, formal defect, or omission or procedural inconsistency of this Resolution; and (b) this Resolution may be amended, in any respect, with a written consent of the owners of not less than two-thirds (2/3) of the principal amount of the Bonds then outstanding, exclusive of Bonds held by the Municipality; provided, however, that no amendment shall permit any change in the pledge of revenues derived from the Program or the maturity of any Bond issued hereunder, or a reduction in the rate of interest on any Bond, or in the amount of the principal obligation thereof, or in the amount of the redemption premium payable in the case of redemption thereof, or change the terms upon which the Bonds may be redeemed or make any other modification in the terms of the payment of such principal or interest without the written consent of the owner of each such Bond to which the change is applicable.

Section 15. Defeasance. When all Bonds have been discharged, all pledges, covenants and other rights granted to the owners thereof by this Resolution shall cease. The Municipality may discharge all Bonds due on any date by irrevocably depositing in escrow with a suitable bank or trust company a sum of cash and/or bonds or securities issued or guaranteed as to principal and interest of the U.S. Government, or of a commission, board or other instrumentality of the U.S. Government, maturing on the dates and bearing interest at the rates required to provide funds sufficient to pay when due the interest to accrue on each of said Bonds to its maturity or, at the Municipality's option, if said Bond is prepayable to any prior date upon which it may be called for redemption, and to pay and redeem the principal amount of each such Bond at maturity, or at the Municipality's option, if said Bond is prepayable, at its earliest redemption date, with the premium required for such redemption, if any, provided that notice of the redemption of all prepayable Bonds on such date has been duly given or provided for.

Section 16. Resolution a Contract. The provisions of this Resolution shall constitute a contract between the Municipality and the owner or owners of the Bonds, and after issuance of any of the Bonds no change or alteration of any kind in the provisions of this Resolution may be made, except as provided in Section 14, until all of the Bonds have been paid in full as to both principal and interest. The owner or owners of any of the Bonds shall have the right in addition to all other rights, by mandamus or other suit or action in any court of competent jurisdiction, to enforce such owner's or owners' rights against the Municipality, the Governing Body thereof, and any and all officers and agents thereof including, but without limitation, the right to require the Municipality, its Governing Body and any other authorized body, to establish and collect charges and other revenues fully adequate to carry out all of the provisions and agreements contained in this Resolution.

Section 17. Continuing Disclosure. The officers of the Municipality are hereby authorized and directed, if requested by the State of Wisconsin, to provide to the State of Wisconsin Safe Drinking Water Loan Program and to such other persons or entities as directed by the State of Wisconsin such ongoing disclosure regarding the Municipality's financial condition and other matters, at such times and in such manner as the Safe Drinking Water Loan Program may require, in order that securities issued by the Municipality and the State of Wisconsin satisfy rules and regulations promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended and as it may be amended from time to time, imposed on brokers and dealers of municipal securities before the brokers and dealers may buy, sell, or recommend the purchase of such securities.

Section 18. Conflicting Resolutions. All ordinances, resolutions, or orders, or parts thereof heretofore enacted, adopted or entered, in conflict with the provisions of this Resolution, are hereby repealed and this Resolution shall be in effect from and after its passage.

Passed: August 13, 2025

Approved: August 13, 2025

Tiffany Brault
Council President

Attest:

Margaret Hefter
City Clerk

City Attorney
Reviewed: _____

EXHIBIT A

(Form of Municipal Obligation)

REGISTERED
NO. _____

UNITED STATES OF AMERICA
STATE OF WISCONSIN
FOND DU LAC COUNTY
CITY OF FOND DU LAC

REGISTERED
\$ _____

TAXABLE PRIVATE LSL REPLACEMENT LOAN PROGRAM
REVENUE BOND, SERIES 2025B

Final
Maturity Date

May 1, 2037

Date of
Original Issue

_____, 20__

REGISTERED OWNER: STATE OF WISCONSIN SAFE DRINKING WATER LOAN
PROGRAM

FOR VALUE RECEIVED the City of Fond du Lac, Fond du Lac County, Wisconsin (the "Municipality") hereby acknowledges itself to owe and promises to pay to the registered owner shown above, or registered assigns, solely from the fund hereinafter specified, the principal sum of an amount not to exceed _____ DOLLARS (\$_____) (but only so much as shall have been drawn hereunder, as provided below) on May 1 of each year commencing May 1, 2026 until the final maturity date written above, together with interest thereon (but only on amounts as shall have been drawn hereunder, as provided below) from the dates the amounts are drawn hereunder or the most recent payment date to which interest has been paid, at the rate of 0.250% per annum, calculated on the basis of a 360-day year made up of twelve 30-day months, such interest being payable on the first days of May and November of each year, with the first interest being payable on November 1, 2025.

The principal amount evidenced by this Bond may be drawn upon by the Municipality in accordance with the Financial Assistance Agreement entered by and between the Municipality and the State of Wisconsin by the Department of Natural Resources and the Department of Administration (the "Financial Assistance Agreement") including capitalized interest transferred (if any). The principal amounts so drawn shall be repaid in installments on May 1 of each year commencing on May 1, 2026 in an amount equal to an amount which when amortized over the remaining term of this Bond plus current payments of interest (but only on amounts drawn hereunder) at Zero and 250/1000ths percent (0.250%) per annum shall result in equal annual payments of the total of principal and the semiannual payments of interest. The State of Wisconsin Department of Administration shall record such draws and corresponding principal repayment schedule on a cumulative basis in the format shown on the attached Schedule A.

Both principal and interest hereon are hereby made payable to the registered owner in lawful money of the United States of America. On the final maturity date, principal of this Bond shall be payable only upon presentation and surrender of this Bond at the office of the Municipal Treasurer. Principal hereof and interest hereon shall be payable by electronic transfer or by check or draft dated on or before the applicable payment date (as directed by the registered owner) and if by check or draft, mailed from the office of the Municipal Treasurer to the person in whose name this Bond is registered at the close of business on the fifteenth day of the calendar month next preceding such interest payment date.

This Bond shall not be redeemable prior to its maturity, except as set forth in the Financial Assistance Agreement.

This Bond is transferable only upon the books of the Municipality kept for that purpose at the office of the Municipal Treasurer, by the registered owner in person or its duly authorized attorney, upon surrender of this Bond, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Municipal Treasurer, duly executed by the registered owner or its duly authorized attorney. Thereupon a replacement Bond shall be issued to the transferee in exchange therefor. The Municipality may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal or interest hereof and for all other purposes. This Bond is issuable solely as a negotiable, fully-registered bond, without coupons, and in denominations of \$0.01 or any integral multiple thereof.

This Bond is issued for the purpose of providing funding for the Private Lead Service Line ("LSL") Replacement Loan Program of the Municipality (the "Program") to make loans to owners of property within the Municipality for the purpose of replacing private customer-side water service lines containing lead, pursuant to Article XI, Section 3, of the Wisconsin Constitution, Section 66.0621, Wisconsin Statutes, and a resolution adopted August 13, 2025, and entitled: "Resolution Authorizing the Issuance and Sale of Up to \$230,694 Taxable Private LSL Replacement Loan Program Revenue Bonds, Series 2025B, and Providing for Other Details and Covenants With Respect Thereto" and is payable only from the income and revenues of the Program. The Bonds are issued on a parity with the Municipality's Taxable Private LSL Replacement Loan Program Revenue Bonds, Series 2025A, dated August 27, 2025, as to the pledge of income and revenues of the Program. This Bond does not constitute an indebtedness of said Municipality within the meaning of any constitutional or statutory debt limitation or provision.

It is hereby certified, recited and declared that all acts, conditions and things required to exist, happen, and be performed precedent to and in the issuance of this Bond have existed, have happened and have been performed in due time, form and manner as required by law; and that sufficient of the income and revenue to be received by said Municipality from the operation of the Program has been pledged to and will be set aside into a special fund for the payment of the principal of and interest on this Bond.

IN WITNESS WHEREOF, the Municipality has caused this Bond to be signed by the signatures of its City Manager and City Clerk, and its corporate seal to be impressed hereon, all as of the date of original issue specified above.

CITY OF FOND DU LAC,
WISCONSIN

(SEAL)

By: _____
Joseph P. Moore
City Manager

By: _____
Margaret Hefter
City Clerk

COPY

(Form of Assignment)

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

(Please print or typewrite name and address, including zip code, of Assignee)

Please insert Social Security or other identifying number of Assignee

the within Bond and all rights thereunder, hereby irrevocably constituting and appointing

Attorney to transfer said Bond on the books kept for the registration thereof with full power of substitution in the premises.

Dated: _____

NOTICE: The signature of this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

Signature(s) guaranteed by

SCHEDULE A

\$230,694

CITY OF FOND DU LAC, WISCONSIN
TAXABLE PRIVATE LSL REPLACEMENT LOAN PROGRAM REVENUE
BONDS, SERIES 2025B

<u>Amount of Disburse- ment</u>	<u>Date of Disbursement</u>	<u>Series of Bonds</u>	<u>Principal Repaid</u>	<u>Principal Balance</u>

SCHEDULE A (continued)
PRINCIPAL REPAYMENT SCHEDULE

<u>Date</u>	<u>Principal Amount</u>
May 1, 2026	\$18,961.59
May 1, 2027	19,009.00
May 1, 2028	19,056.52
May 1, 2029	19,104.16
May 1, 2030	19,151.92
May 1, 2031	19,199.80
May 1, 2032	19,247.80
May 1, 2033	19,295.92
May 1, 2034	19,344.16
May 1, 2035	19,392.52
May 1, 2036	19,441.00
May 1, 2037	19,489.61



Exhibit B

STATE OF WISCONSIN DEPARTMENT OF ADMINISTRATION

Tony Evers, Governor
Kathy Blumenfeld, Secretary
Brian Pahnke, Division Administrator

City of Fond du Lac

Consent to Issue Taxable Private LSL Replacement Loan Program Revenue Bonds on Parity Consent

WHEREAS, pursuant to resolutions to be adopted on August 27, 2025 (the "2025 Resolutions"), the City of Fond du Lac (the "City") will be selling \$156,187 Taxable Private LSL Replacement Loan Program Revenue Bonds, Series 2025A, dated August 27, 2025 (the "2025A Bonds") and \$230,694 Taxable Private LSL Replacement Loan Program Revenue Bonds, Series 2025B, dated August 27, 2025 (the "2025B Bonds"); and

NOW, THEREFORE, the State, will be the sole registered owner of all the 2025A Bonds and 2025B Bonds and hereby consents to the issuance of the 2025A Bonds and the 2025B Bonds on a parity with each other. This consent shall apply prejudice in connection with the issuance of the 2025A Bonds and the 2025B Bonds and shall not extend to the issuance of any additional bonds or prejudice any rights or remedies whatever that the State may have with respect to the issuance of any additional bonds.

Dated as of August 13th, 2025

State of Wisconsin Environmental Improvement Fund

ACCEPTED by:
City of Fond du Lac

By: Katherine C. Miller
Katherine Miller
Deputy Capital Finance Director

By: _____
Joseph. P Moore
City Manager

Attest: _____
Margaret Hefter
City Clerk

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

Title: Resolution No. 9198

Subject: A Resolution Authorizing Execution Of The Department Of
Natural Resources Principal Forgiven Financial
Assistance Agreement
Introduction: Director of Administration

Initiator:

Recommendation:

ATTACHMENTS:

File Name

100%_PF_Resolution_Memo.pdf

9198_Resolution_LSL_100%_FINAL.pdf

CITY OF FOND DU LAC - Memorandum

Date: August 7, 2025

To: Joseph Moore, City Manager
City Council

From: Tricia Davi, Director of Administration/Chief Financial Officer
Travis Kloetzke, Water Utility General Manager

Re: Resolution to Authorize Execution of DNR Safe Drinking Water Loans
for Lead Service Line Replacement

Back in March, Council adopted changes to Chapter 643 of our Municipal Code regarding lead service line replacements, to provide more flexibility in administering the program and providing financial assistance. We're now at the next step in the process of administering the program.

The City applied to the State of Wisconsin Department of Natural Resources (DNR) for three Safe Drinking Water Loans (SDWL) to assist property owners with the costs of replacing private lead service laterals. The major advantage in securing this type of funding is that a portion of the loan can be forgiven based upon meeting certain criteria of the SDWL program. We were awarded three such loans – one for 100% principal forgiveness, one for 75% forgiveness, and one for 50% forgiveness.

A 100% forgiveness loan does not require formal Bond Counsel review, as there is not a payback component required on the part of the City. The only requirement is for City Council to authorize the proper City officials to enter into the Financial Assistance Agreement with the DNR. Upon adoption of this Resolutions, City staff will work with the DNR to close on this loan. Authorization for closing on the 75% and 50% forgiveness loans will occur under separate resolutions.

Please feel free to contact either of us with questions or for more information.

RESOLUTION NO. 9198

A RESOLUTION AUTHORIZING EXECUTION OF THE DEPARTMENT OF NATURAL RESOURCES PRINCIPAL FORGIVEN FINANCIAL ASSISTANCE AGREEMENT

WHEREAS, the City of Fond du Lac (the "Municipality") wishes to undertake a project to replace private lead service lines, as identified as DNR No. 5142-18 (the "Project"); and

WHEREAS, the Municipality has applied to the Safe Drinking Water Loan Program (the "SDWLP") for financial assistance in the form of a loan made by the SDWLP to the Municipality of which all of the principal will be forgiven at the time that loan disbursements are made to the Municipality, pursuant to the DNR Financial Assistance Agreement; and

WHEREAS, the SDWLP has determined that it can provide a loan with principal forgiveness in an amount up to \$1,159,286 that it has identified as being eligible for SDWLP funding;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fond du Lac that the proper City officials are hereby authorized and directed to execute the Principal Forgiven Financial Assistance Agreement that contains the terms and conditions of the SDWLP award for the Project. The Principal Forgiven Financial Assistance Agreement is incorporated herein by this reference.

ADOPTED:

Tiffany Brault, President
Fond du Lac City Council

Attest:

City Attorney:

Margaret Hefter, City Clerk

Reviewed DSM

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

Title: Resolution No. 9199

Subject: A Resolution Authorizing Waiver Of The Prohibition
Against Possession Of Alcoholic Beverages On Sheboygan
Street For Envision Greater Fond du Lac's Member
Appreciation Event On September 4, 2025
Introduction: City Clerk

Initiator:

Recommendation:

ATTACHMENTS:

File Name

9199_Resolution_Envision_Member_Appreciation_Event_Alcohol_Wavier_FINAL.pdf

Thelma_Request_for_Open_Intoxicants.pdf

EGF_Member_Appreciation_Event_Map.pdf

RESOLUTION NO. 9199

A RESOLUTION AUTHORIZING WAIVER OF THE PROHIBITION AGAINST POSSESSION OF ALCOHOLIC BEVERAGES ON SHEBOYGAN STREET FOR ENVISION GREATER FOND DU LAC'S MEMBER APPRECIATION EVENT ON SEPTEMBER 4, 2025

WHEREAS, Envision Greater Fond du Lac will be hosting its annual Member Appreciation Event on September 4, 2025, which is a private, invite only event. This event will take place in Envision's parking lot.

WHEREAS, Section 400-15, of the Code of the City of Fond du Lac, Wisconsin, allows the City Council to grant permission to waive the prohibition against public consumption of alcoholic beverages in City streets.

WHEREAS, Envision Greater Fond du Lac is requesting to waive the prohibition against public consumption contained in Code Section 400-15., between 4:00 p.m. and 7:00 p.m. on September 4, 2025 on Sheboygan Street between South Main Street and South Portland Street, as depicted in the attached map.

WHEREAS, the above-described waiver for Envision Greater Fond du Lac's event is contingent upon Envision obtaining a Special Event permit pursuant to Chapter 562 of the Code of the City of Fond du Lac and complying with all regulations contained within and related to Chapter 562 for Special Events.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fond du Lac that prohibition against public consumption is hereby waived in the area and for the hours listed above and is contingent upon Envision Greater Fond du Lac obtaining a Special Event permit pursuant to Chapter 562 of the Code of the City of Fond du Lac and complying with all regulations contained within and related to Chapter 562 for Special Events; and the same is hereby authorized and waived except as provided below.

BE IT FURTHER RESOLVED that approval of this waiver is also contingent upon Envision Greater Fond du Lac's Member Appreciation Event being a private, invite only event.

BE IT FURTHER RESOLVED that notwithstanding anything in this Resolution, no glass containers or carry-ins are permitted in the area where the public consumption prohibition hereby waived would otherwise apply,

meaning that the prohibition contained in Code Section 400-15., shall continue to apply to glass containers and carry-ins.

BE IT FURTHER RESOLVED that proper City officials and/or City staff are hereby authorized and directed to take any and all actions in furtherance hereof and in furtherance of such event.

ADOPTED:

Tiffany Brault, President
Fond du Lac City Council

Attest:

City Attorney:

Margaret Hefter, City Clerk

Reviewed 

*We inspire our community to work in partnership
and cultivate a vibrant economic future.*



To: Fond du Lac City Council

From: Sadie Howell, President & CEO of Envision Greater Fond du Lac, Inc.

Date: July 1, 2025

Re: Open Intoxicants Waiver for Member Appreciation Event

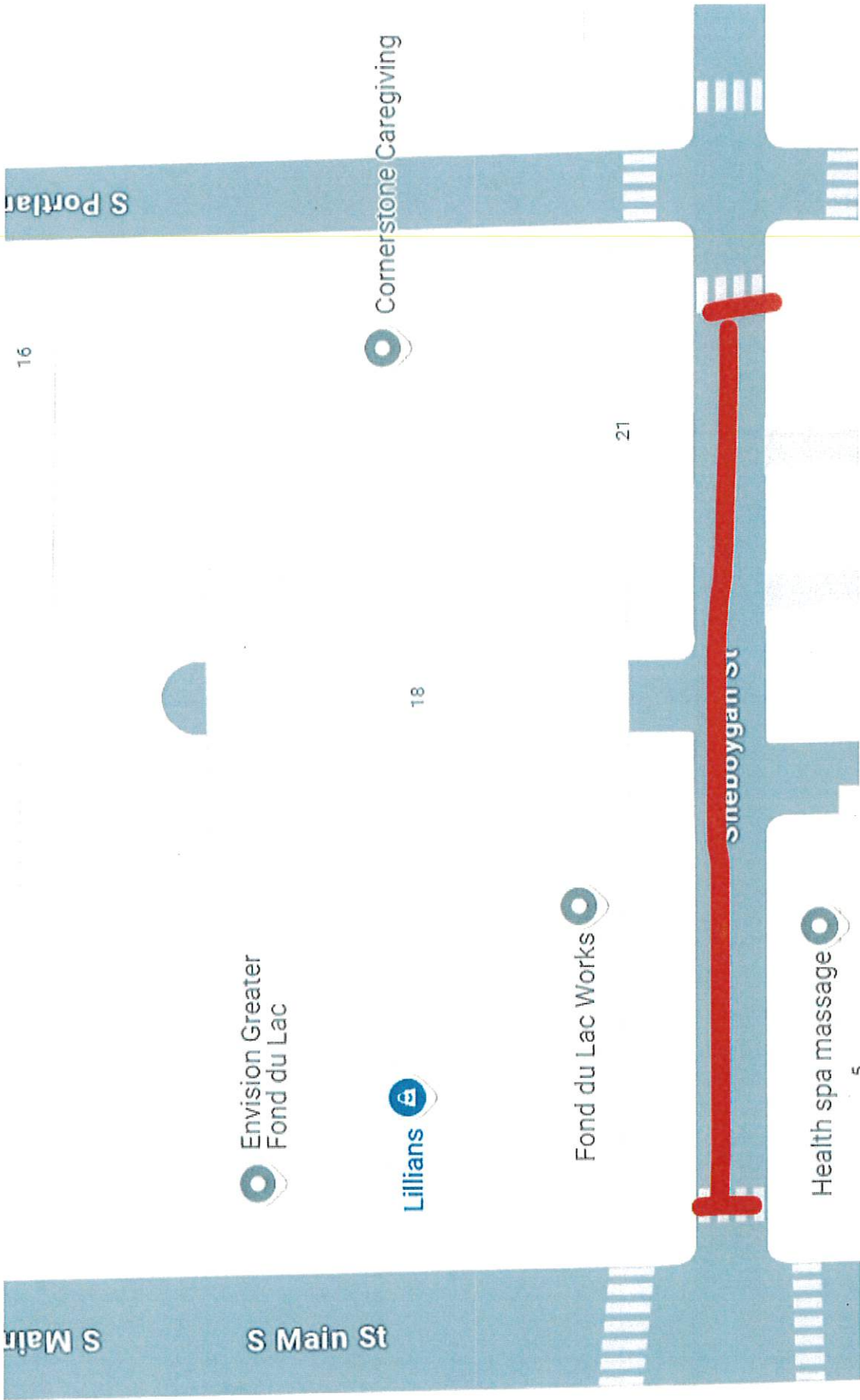
Envision Greater Fond du Lac is requesting a Waiver of the Open Intoxicants Ordinance for the dates of September 4, 2025, for our Member Appreciation Event. The event will run from 4:00 p.m. – 7:00 p.m. and we request the Waiver for those active times.

For our event, Sheboygan Street will be closed from Main Street to Portland Street. Envision Greater Fond du Lac requests the waiver cover the entire area as reflected on the site map submitted to the City Clerk.

Envision Greater Fond du Lac thanks the City and the Council for their time in this matter.

A handwritten signature in black ink that reads 'Sadie Howell'.

Sadie Howell
President & CEO



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

Title: Ordinance No. 3813

Subject: An Ordinance Annexing Property To The City Of Fond du
Lac And Change Limits To Include Property Along The
Southside Of West STH 23 And East Of Wisconsin American
Drive
Introduction: Community Development Director

Initiator:

Recommendation:

ATTACHMENTS:

File Name

3813_Ordinance_Annexation_FINAL.pdf

Annex_ORD_Exhibit_B.pdf

ANNEX_ORD_Exhibit_B_Cont.pdf

ORDINANCE NO. 3813

**AN ORDINANCE ANNEXING PROPERTY
TO THE CITY OF FOND DU LAC AND
CHANGE LIMITS TO INCLUDE PROPERTY
ALONG THE SOUTHSIDE OF WEST STH 23
AND EAST OF WISCONSIN AMERICAN
DRIVE**

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

Section 1. Property Annexed. In accordance with Wisconsin Statutes Section 66.0217(2) with a unanimous consent petition signed by all of the electors residing in the territory proposed to be annexed and the owners of all of the real property in the territory proposed to be annexed and consistent with the Cooperative Plan, the following described territory, which is contiguous to the City of Fond du Lac, Fond du Lac County, Wisconsin, is hereby annexed to the City of Fond du Lac:

City Attorney
160 S. Macy St
Fond du Lac WI 54935

See attached Exhibit "B"

Section 2. Effect of Annexation. From and after the date of adoption of this Ordinance, the property described in Section 1 hereof shall be part of the City of Fond du Lac for any and all purposes provided by law, and all persons coming or residing within such property shall be subject to all ordinances, rules and regulations governing the City of Fond du Lac.

Section 3. Ward Designation. The property described in Section 1 is hereby designated and made a part of Ward 16 and the poll location for Ward 16 is the Fond du Lac County Campus, 400 University Drive, Fond du Lac, Wisconsin.

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

ADOPTED:

Tiffany Brault, President
Fond du Lac City Council

Attest:

City Attorney:

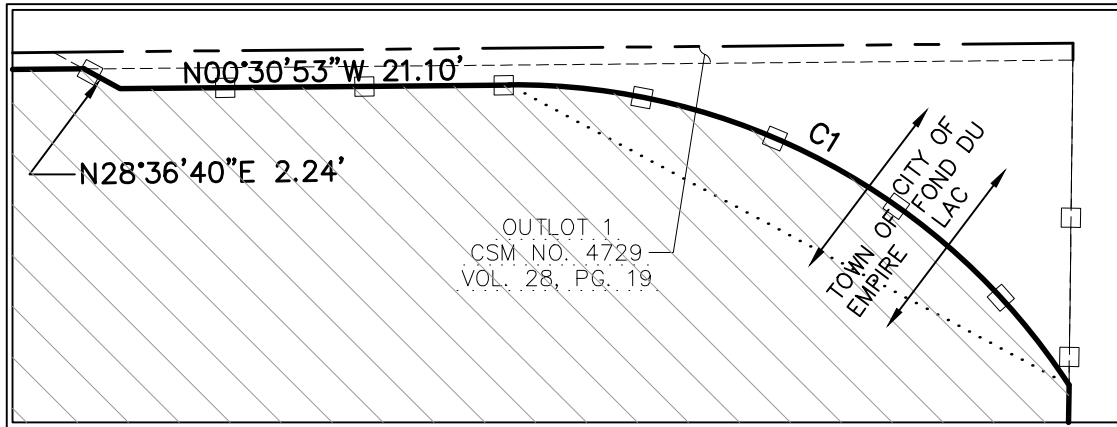
Margaret Hefter, City Clerk

Reviewed 

JOHN SNIDER, NICOLE KOEPKE & MARVIN OELKE

PART OF LOT 1, ALL OF LOTS 2 & 3, HILLVIEW SUBDIVISION
BEING PART OF THE NE 1/4-SW 1/4 OF SECTION 7, T. 15 N.-R. 18 E.,
TOWN OF EMPIRE, FOND DU LAC COUNTY, WISCONSIN

DETAIL



Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	35.94'	35.88'	57°23'02"	N28°10'38"E	34.45'

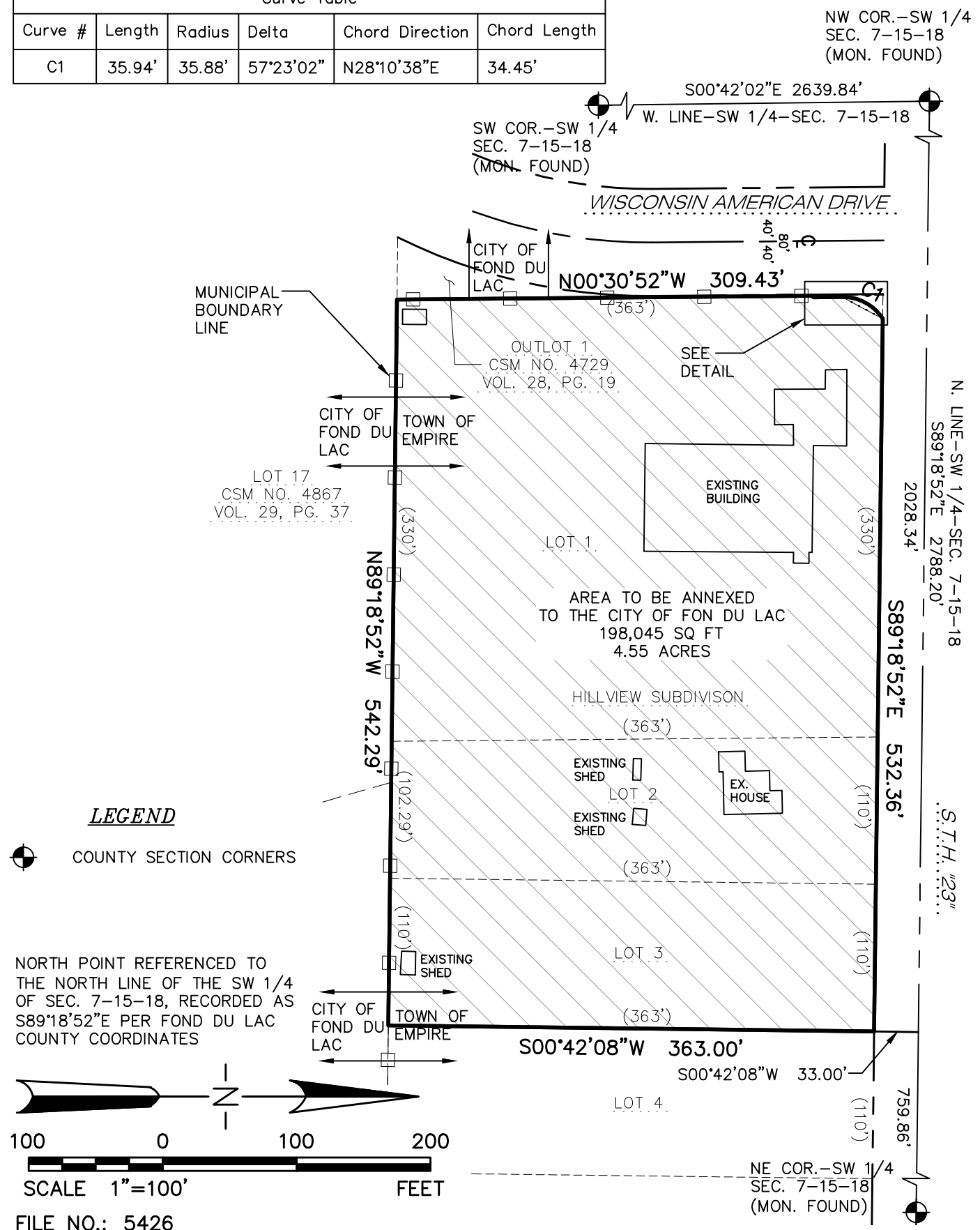


EXHIBIT B CONTINUED



548 Prairie Road
Fond du Lac, WI 54935
Phone: 920.922.5703
www.jeaaa.com

Project No. 107.5426

Revised: August 1, 2025

AREA TO BE ANNEXED TO THE CITY OF FOND DU LAC
PART OF LOT 1, ALL OF LOTS 2 AND 3, HILLVIEW SUBDIVISION, BEING PART
OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 7, T. 15 N.-R. 18 E.,
TOWN OF EMPIRE, FOND DU LAC COUNTY, WISCONSIN

Commencing at the Northwest corner of the Southwest 1/4 of said Section 7; thence South 89°-18'-52" East along the North line of the Southwest 1/4 of said Section 7, 2028.34 feet; thence South 00°-42'-08" West, 33.00 feet to the Northeast corner of said Lot 3 and to the point of beginning; thence continuing South 00°-42'-08" West along the East line of said Lot 3, 363.00 feet to the Southeast corner of said Lot 3; thence North 89°-18'-52" West along the South line of said Hillview Subdivision, 542.29 feet to the Southwest corner of said Lot 1; thence North 00°-30'-52" West along the West line of said Lot 1, 309.43 feet to a point on the East right of way line of Wisconsin American Drive; thence North 28°-36'-40" East along said East right of way line, 2.24 feet; thence North 00°-30'-53" West along said East right of way line, 21.10 feet; thence along said East right of way line on a curve to the right having a radius of 35.88 feet, 35.94 feet along curve to a point which is North 28°-10'-38" East, 34.45 feet from the last described point and to a point on the South right of way line of S.T.H. "23"; thence South 89°-18'-52" East along said South right of way line, 532.36 feet to the point of beginning and containing 4.55 acres (198,045 sq. ft.) of land, more or less.

CITY COUNCIL MEETING AGENDA
CITY OF FOND DU LAC, WISCONSIN

Title: Ordinance No. 3814

Subject: A Zoning Ordinance To Zone Annexed Property To C-2
(General Commercial Residential) 4.55 Acres Of Land -
West STH 23
Introduction: Community Development Director

Initiator:

Recommendation:

ATTACHMENTS:

File Name

3814_Zoning_Annexation_FINAL.pdf

Zoning_Exhibit_A.pdf

7-14-25_Plan_Commission_Excerpt_Zoning_Annexation_W4786_State_Road_23.pdf

ORDINANCE NO. 3814

**A ZONING ORDINANCE TO ZONE ANNEXED
PROPERTY TO C-2 (GENERAL COMMERCIAL RESIDENTIAL)
4.55 ACRES OF LAND – WEST STH 23**

WHEREAS, this annexation and zoning is authorized pursuant to section 66.0217(2) and Section 66.0307, Wis. Stats.; and

WHEREAS, the property to be annexed desires to access City services, specifically sewer and water.

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

Section 1. Chapter 720, CITY ZONING, Section 720-8., **Zoning Map; district boundaries.**, of the Code of the City of Fond du Lac is hereby amended by zoning the following parcel of land in the City of Fond du Lac to C-2 (General Commercial) District:

Approximately 4.55 acres of land more or less as shown on the attached Exhibit A incorporated herein by reference.

Section 2. This Ordinance shall take effect and be in force upon its passage and publication as provided by law.

ADOPTED:

Tiffany Brault, President
Fond du Lac City Council

Attest:

City Attorney:

Margaret Hefter, City Clerk

Reviewed 

EXHIBIT A

PROJECT NUMBER: 107.5426

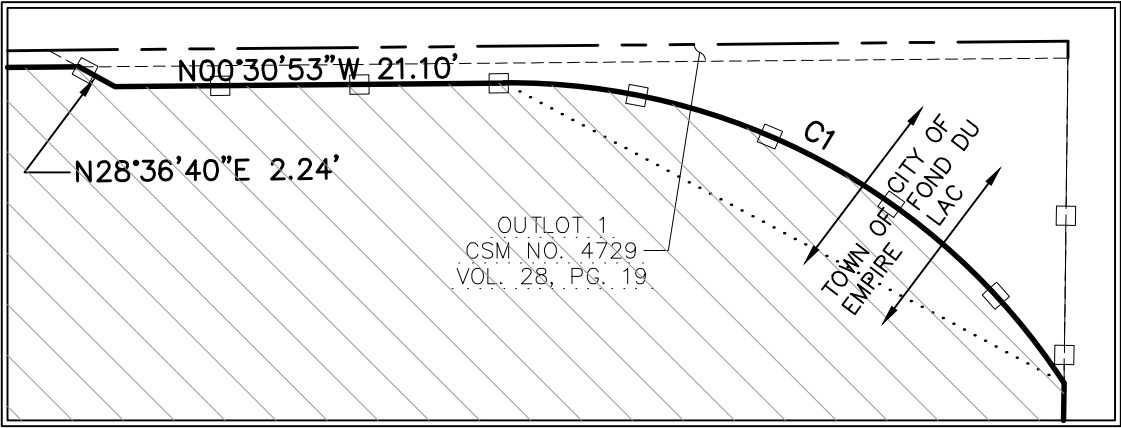
ANNEXATION MAP FOR

DATE: MAY 21, 2025
REVISED: AUGUST 1, 2025

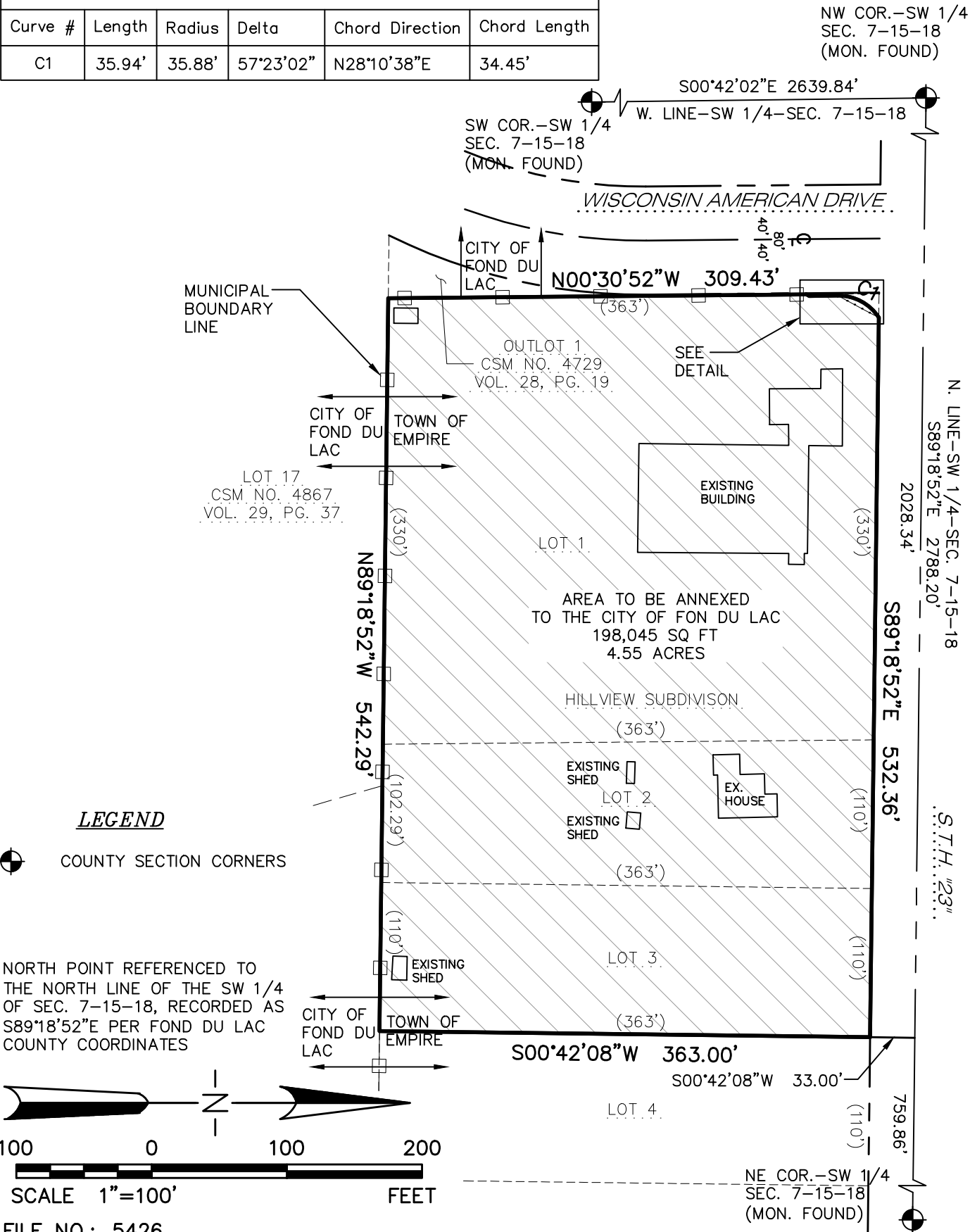
JOHN SNIDER, NICOLE KOEPKE & MARVIN OELKE

PART OF LOT 1, ALL OF LOTS 2 & 3, HILLVIEW SUBDIVISION
BEING PART OF THE NE 1/4-SW 1/4 OF SECTION 7, T. 15 N.-R. 18 E.,
TOWN OF EMPIRE, FOND DU LAC COUNTY, WISCONSIN

DETAIL



Curve Table					
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PLAN COMMISSION MINUTES

160 S Macy Street Fond du Lac, Wisconsin
Meeting Room A
Monday, July 14, 2025
5:30 P.M.

OPENING CEREMONIES

Attendance

Present

Jo Ann Giese-Kent
Alicia Hans
Craig Much
Derek TerBeest
Bradley Leonhard (Arrival 5:34 p.m.)

Absent

Patrick Mullen

Declaration Quorum Present

Hans declared a quorum present at 5:30 p.m.

*****Other Business*****

III. PUBLIC HEARING

A. Zoning Upon Annexation

Effect: Zone land to be annexed C-2 District (General Commercial)

Location: W4786 State Road 23 (T08-15-18-99-HV-016-00);
T08-15-18-99-HV-010-00; W4770 State Road 23 (T08-15-18-99-HV-020-00); T08-15-18-99-HV-030-00

Initiator: Snider, Koepke, and Oelke.

A Motion was made by TerBeest to approve the zoning upon annexation as C-2 (General Commercial) and seconded by Giese-Kent. Motion **Passed**.

ROLL CALL VOTE: Aye - Giese-Kent, Hans, Leonhard, Much,
 TerBeest
 Nay - None

Carried.

*****Other Business*****

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

Title: Presentation Of Annual Comprehensive Financial Report
(ACFR)

Subject: Presented By: Bryan Gruenwald, Principal,
CliftonLarsonAllen LLP

Link to ACFR:
<https://www.fdl.wi.gov/administration/finance/financial-reports-plans/>

Initiator:

Recommendation:

CITY COUNCIL MEETING AGENDA
CITY OF FOND DU LAC, WISCONSIN

Title: Department of Public Works 2026 Budget Presentation

Subject: Presented By: Director of Public Works

Initiator:

Recommendation:

CITY COUNCIL MEETING AGENDA
CITY OF FOND DU LAC, WISCONSIN

Title: Community Development 2026 Budget Presentation

Subject: Presented By: Community Development Director

Initiator:

Recommendation: