

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

Legislative Chambers
160 S Macy Street

September 13, 2017
6:00 PM

CALL TO ORDER

Roll Call

Present

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

Absent

None

Administrative Staff

Joe Moore, City Manager
Dyann Benson, Dir of Comm Dev
Tracy Salter, Dir of Administration
Tricia Davi, Dpty Comptroller/Treasurer
Deb Hoffmann, City Attorney
Alexandra Klimko, Asst City Attorney
Jordan Skiff, Dir of Public Works
Paul DeVries, City Engineer
Richard Flynn, Operations Director
Jennifer Chitwood, Asst HR Director
Jon Mark Bolthouse, Library Director
Steve Klein, Asst Police Chief, Operations
Steve Thiry, Asst Police Chief, Administration
Peter O'Leary, Fire Chief

Declaration a Quorum Is Present

President Merkel declared a quorum present.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Silent Reflection

A moment of silent reflection of observed.

Proclamation Recognizing National Night Out

A proclamation was presented, thanking the Fond du Lac Police Department, its law enforcement officers, and the National Night

Out sponsors and partners that contributed their time, funding, and hard work to make this year's National Night Out another great success.

Proclamation Recognizing Holiday Automotive Community Support

A proclamation of was presented to Holiday Automotive on behalf of the citizens of Fond du Lac and the men and women of our Police Department as an expression of gratitude and appreciation for their extraordinary donation of the SWAT Transport vehicle.

CONSENT AGENDA

List Of Claims Dated September 6, 2017

August 23, 2017 Regular Council Minutes

A Motion was made by Brian Kolstad to approve the Consent Agenda and seconded by Lee Ann Lorrigan, and the motion was **Passed**.

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

INPUT

Audience Comments

Spoke in regards to traffic control on Scott Street and Park Avenue

Charles Mauch, 515 Northgate St, Fond du Lac

2018 Proposed Budget

City Manager, Joe Moore, presented the proposed 2018 Budget. In his presentation, Mr. Moore explained municipal operating per capita and property tax levy per capita in comparison to other peer municipalities. Financial forecasting and the upcoming budget schedule was briefly discussed. Mr. Moore went on to outline the Operating Budget and Tax Levy Allocation, highlighting expenditure areas and how they will be funded. CIP items were discussed as well, with note that some of the currently proposed projects are generational projects and unique to the upcoming year. Budget discussions will continue in the coming weeks.

Review Of City Fireworks Ordinance

Assistant City Attorney, Alexandra Klimko, and Fire Chief Peter O'Leary presented a review of the City Fireworks Ordinance. Ms. Klimko explained the State Statutes defining fireworks and the legal sale and use of fireworks and how the statute applies to City Code, e.g. what is required on the fireworks dealer application and who fireworks can be sold to. Recent issues with

fireworks vendor compliance were also discussed. Chief O'Leary explained the legal use and sale of fireworks, as well as the safety precautions taken by the Fire Department and licensed pyrotechnicians for public firework displays that are not taken by amateur users causing very dangerous situations. In the interest of the safety of our residents, it was requested that vendors be compliant and sell only what is appropriate according to State Statute and City Code.

ACTIONS

Disallowance of Claim

A Motion was made by Greg Giles to approve denial of the claim for Jacqueline Smet and seconded by Brian Kolstad, and the motion was **Passed**.

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

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

A Motion was made by Derek TerBeest to approve a Class "B" Fermented and "Class B" Intoxicating Liquor License for 2.0 Ale House at 65 N Main Street and seconded by Kay Miller, and the motion was **Passed**.

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

Resolution No. 8698

2017-081

A Motion was made by Brian Kolstad to approve Resolution No. 8698, approving the project plan for and creating Tax Incremental District Number Twenty-Two, City of Fond du Lac and seconded by Lee Ann Lorrigan, and the motion was **Passed**.

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

Resolution No. 8699

2017-089

A Motion was made by Greg Giles to approve Resolution No. 8699, authorizing the issuance and sale of \$7,050,000 General Obligation Refunding Bonds, Series 2017B and seconded by Derek TerBeest, and the motion was **Passed**.

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

Resolution No. 8700

2017-003

A Motion was made by Lee Ann Lorrigan to approve Resolution No. 8700, making an appointment to the Downtown Architectural Review Board and seconded by Kay Miller, and the motion was **Passed**.

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

Resolution No. 8701

2017-090

A Motion was made by Catherine Block to approve Resolution No. 8701, authorizing purchase of parcel T09-15-17-05-14-001-00 for the future site of the Public Safety Training Center and seconded by Kay Miller, and the motion was **Passed**.

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

Ordinance No. 3638

2017-091

A Motion was made by Brian Kolstad to approve Ordinance No. 3638, annexing property to the City of Fond du Lac and change limit to include property south of Hwy 151 between Scott Road and South Hickory Street and seconded by Lee Ann Lorrigan, and the motion was **Passed**.

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

Ordinance No. 3639

2017-091

A Motion was made by Lee Ann Lorrigan to approve Ordinance No. 3639, to zone annexed property to M-1 (Manufacturing) at South Hickory Street and seconded by Greg Giles, and the motion was **Passed**.

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

Ordinance No. 3640

2017-092

A Motion was made by Derek TerBeest to approve Ordinance No. 3640A, as recommended by the Advisory Parking and Traffic Board, amending Chapter 630, Traffic, of the Code of the City of Fond du Lac to revise parking restrictions on Scott Street east of Park Avenue and seconded by Catherine Block, and the motion was **Passed**.

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

Ordinance No. 3641

2017-093

A Motion was made by Brian Kolstad to approve Ordinance No. 3641, amending Chapter 630, Vehicles and Traffic, of the code of the City of Fond du Lac to revise parking restrictions on Park Avenue south of Scott Street and seconded by Kay Miller, and the motion was **Passed.**

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

Ordinance No. 3642

2017-094

A Motion was made by Catherine Block to approve Ordinance No. 3642, amending Chapter 630, Vehicles and Traffic, of the Code of the City of Fond du Lac, to revise bus loading zone on south side of Scott Street and seconded by Brian Kolstad, and the motion was **Passed.**

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

Ordinance No. 3643

2017-095

A Motion was made by Kay Miller to approve Ordinance No. 3643, amending Chapter 630, Vehicles and Traffic, of the Code of the City of Fond du Lac to remove parking restrictions on Forest Avenue between Military Road and Brooke Street and seconded by Derek TerBeest, and the motion was **Passed.**

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

Ordinance No. 3644

2017-096

A Motion was made by Catherine Block to approve Ordinance No. 3644, amending Chapter 630, Vehicles and Traffic, of the Code of the City of Fond du Lac to remove metered parking and add a 2-hour restriction on Western Avenue between Macy Street and Main Street along with cleaning up various conflicting parking restrictions on the Code and seconded by Derek TerBeest, and the motion was **Passed.**

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

ADJOURN

A Motion was made by Lee Ann Lorrigan to adjourn at 7:33 PM and seconded by Catherine Block, and the motion was **Passed.**

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

Margaret Hefter

City Clerk

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

Title: Proclamation Recognizing National Night Out

Subject: Proclamation Recognizing National Night Out

Initiator:

Recommendation:

ATTACHMENTS:

File Name

[National Night Out 2017.pdf](#)



Proclamation



Whereas, the Fond du Lac Police Department and Officer Erik Foster, along with community partners, Fox Valley Savings Bank, Agnesian Healthcare, Target, Pastor Maurice Craine, FDL Fire/Rescue, the Fond du Lac Boys and Girls Club and Co-Chair Karissa Schneider, host an annual event entitled “National Night Out”; and

Whereas, National Night Out is an annual community-building campaign that promotes police-community partnerships and neighborhood camaraderie to make our neighborhoods safer, more caring places to live; and

Whereas, National Night Out enhances the relationship between neighbors and law enforcement while bringing back a true sense of community and is a great opportunity to bring police and neighbors together under positive circumstances; and

Whereas, National Night Out would not continue to rise in popularity and success without the hardworking public safety officers, sponsors, and partners that spend many hours planning, organizing, and promoting this community event each year.

Now, Therefore, I, Karyn Merkel, Fond du Lac City Council President, by my signature affixed, do hereby thank the Fond du Lac Police Department, its law enforcement officers, and the National Night Out sponsors and partners that contributed their time, funding, and hard work to make this year’s National Night Out another great success.

Dated: August 2017

*Karyn Merkel
City Council President*

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

Title: Proclamation Recognizing Holiday Automotive Community Support

Subject: Proclamation Recognizing Holiday Automotive Community Support

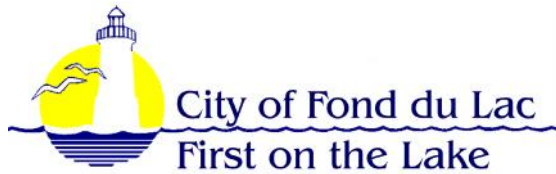
Initiator:

Recommendation:

ATTACHMENTS:

File Name

[SWAT Transport - Holiday Automotive.pdf](#)



Proclamation

Whereas, the Fond Du Lac Police Department identified a need to expand its tactical response vehicle fleet as part of an internal review and assessment of preparedness and improving SWAT Team response to critical incidents; and

Whereas, Holiday Automotive very graciously stepped forward and donated a Ford Transit vehicle to transport SWAT Team members; and

Whereas, the SWAT Transport vehicle will aid the Police Department in ensuring that Team members are moved to the scene of critical incidents more quickly, and in a manner where they remain together in one vehicle where incident briefing can be continuously updated and expedited;

Whereas, the generosity of Holiday Automotive not only provides enhanced response of our City's SWAT Team, but also provides them the ability to more rapidly, safely, and effectively protect the citizens of our community.

Now, Therefore, I, Karyn Merkel, President of the Fond du Lac City Council, by my signature affixed, do on behalf of the citizens of Fond du Lac and the men and women of our Police Department, hereby express sincere gratitude and appreciation to Holiday Automotive for their extraordinary donation of the SWAT Transport vehicle.

Thank you!

*Karyn Merkel
Fond du Lac City Council*

Dated: September 2017

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

Title: List Of Claims Dated September 6, 2017

Subject: List Of Claims Dated September 6, 2017

Initiator:

Recommendation:

ATTACHMENTS:

File Name

[List of Claims 9-6-17.pdf](#)

CITY OF FOND DU LAC - Memorandum

Department of Administration

Date: September 6, 2017

To: City Council

From: Tracy Salter, Director of Administration

Re: List of Claims

The list of claims for goods and services for the payment periods August 12, 2017 through September 1, 2017 for all funds total \$1,792,550.34. 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: August 23, 2017 Regular Council Minutes

Subject: August 23, 2017 Regular Council Minutes

Initiator:

Recommendation:

ATTACHMENTS:

File Name

[Minutes 2017 8 23 Meeting\(362\).pdf](#)

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

Legislative Chambers
160 S Macy Street

August 23, 2017
6:00 PM

CALL TO ORDER

Roll Call

Present

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

Absent

None

Administrative Staff

Joseph Moore, City Manager
Dyann Benson, Dir of Comm Development
Tracy Salter, Dir of Administration
Tricia Davi, Dpty Comptroller/Treasurer
Deb Hoffmann, City Attorney
Jordan Skiff, Dir of Public Works
Autumn Fisher, WCTS Operations Mgr
Jon Mark Bolthouse, Library Director
Bill Lamb, Chief of Police
Steven Thiry, Asst Police Chief
Peter O'Leary, Fire Chief

Declaration a Quorum Is Present

President Merkel declared a quorum present.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Silent Reflection

A moment of silent reflection was observed.

PUBLIC HEARINGS

FY2017 Justice Assistance Grant (JAG) Program

There were no comments regarding the FY2017 Justice Assistance Grant (JAG) Program fund request for local law enforcement needs.

CONSENT AGENDA

List Of Claims Dated August 15, 2017

August 9, 2017 Regular Council Minutes

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

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

INPUT

Audience Comments

Appeared in opposition of Resolution No. 8696 Granting a Special Use Permit at 1212 Ducharme Pkwy

Mallory Gilbertson, 1119 Spring Lake Dr, Fond du Lac

Thor Gilbertson, 1119 Spring Lake Dr, Fond du Lac

Tom Harmsen, 1079 Spring Lake Dr, Fond du Lac

Ann Bartelt, 441 N Country Ln, Fond du Lac

Amy Harmsen, 1079 Country Ln, Fond du Lac

Kathleen Kohlman, 401 W Country Ln, Fond du Lac

Bonnie Redding, 383 N Country Ln, Fond du Lac

Spoke in opposition of Resolution No. 8696 Granting a Special Use Permit at 1212 Ducharme Pkwy

Larry Heller, 1153 Ducharme Pkwy, Fond du Lac

Debra Heller, 1153 Ducharme Pkwy, Fond du Lac

David Washkoviak, 339 E Division St, Fond du Lac

John Redding, 383 N Country Ln, Fond du Lac

Douglas Kohlman, 401 N Country Ln, Fond du Lac

Spoke in support of Resolution No. 8696 Granting a Special Use Permit at 1212 Ducharme Pkwy

Dale Hansen, N7652 Cty Rd WH, #11, Fond du Lac

George Rawson, N7650 Cty Rd WH, #8, Fond du Lac

Joe Ziegler, W2875 Golf Course Dr, Mt Calvary

Presentation Of Comprehensive Annual Financial Report (CAFR)

Tom Karman, VP, and Brian Gruenwald of Schenck, SC presented a Comprehensive Annual Financial Report (CAFR), including auditors opinions of financial statements, internal control and compliance, and the financial condition of the City.

Debt Issues -- 2017B Go Refunding Bonds Debt Issue Preliminary Interest Rates and Debt Repayment Schedules

Paul Thompson, Senior VP of Htuchinson, Shockey, Erley & Co.

discussed the 2017B Go Refunding Bonds Debt and offered recommendations for refinancing using the concept of present value and debt service comparison to show the gross savings and net present value savings that would occur.

Community Development 2018 Budget Update

Dyann Benson, Director of Community Development, presented the 2018 Community Development Budget. Discussion included residential construction growth, code enforcement improvement, and the housing loan program. Inspection department improvements were highlighted, including software upgrades, increased inspector credentials and the plumbing plan approval designation that will allow for a faster permit approval process and improved customer service. The 50th Anniversary of the Senior Center and its importance was discussed as well as plans to expand programs and partnerships to increase connection and services to those who may have mobility issues. Ms. Benson went on to discuss capital improvement projects, including parking ramp and parking lot improvements, the bike sharing program, the Convent of the Holy Nativity raze or repair, and downtown investment programs i.e. building improvement grants and façade design assistance.

ACTIONS

Resolution No. 8691

2017-083

A Motion was made by Catherine Block to approve Resolution No. 8691 naming authorized representative to file applications for financial assistance from State of Wisconsin Environmental Improvement Fund and seconded by Greg Giles, and the motion was **Passed.**

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

Resolution No. 8692

2017-084

A Motion was made by Kay Miller to approve Resolution No. 8692 declaring official intent to reimburse expenditures from proceeds of borrowing and seconded by Brian Kolstad, and the motion was **Passed.**

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

Resolution No. 8694

2017-003

A Motion was made by Brian Kolstad to approve Resolution No. 8694

making appointments to Downtown Architectural Review Board, Art Board, and Library Board and seconded by Lee Ann Lorrigan, and the motion was **Passed**.

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

Resolution No. 8695

2017-085

A Motion was made by Derek TerBeest to approve Resolution No. 8695 reviewing and approving grant application from The Edward Byrne Memorial Justice Assistance Grant (JAG) Program and seconded by Brian Kolstad, and the motion was **Passed**.

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

Resolution No. 8696

2017-086

A Motion was made by Derek TerBeest to approve Resolution No. 8696 granting a Special Use Permit to Joe Ziegler to allow residential development at 1212 Ducharme Pkwy and seconded by Lee Ann Lorrigan, and the motion was **Failed**.

Ayes: Lorrigan, Merkel, TerBeest

Nays: Giles, Kolstad, Miller

Abstain: Block

Resolution No. 8697

2017-077

A Motion was made by Derek TerBeest to approve Resolution No. 8697 authorizing the use of public streets and waiving the Prohibition Against Possession of Alcoholic Beverages on Public Ways for an additional outdoor concert at The Thelma on August 31, 2017 and seconded by Kay Miller, and the motion was **Passed**.

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

ADJOURN

A Motion was made by Kay Miller to adjourn at 7:33 PM and seconded by Brian Kolstad, and the motion was **Passed**.

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

Margaret Hefter
City Clerk

CITY COUNCIL MEETING AGENDA
CITY OF FOND DU LAC, WISCONSIN

Title: Audience Comments

Subject:

Initiator:

Recommendation:

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

Title: 2018 Proposed Budget

Subject: Presented By: City Manager And Director Of Administration

Initiator:

Recommendation:

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

Title: Review Of City Fireworks Ordinance
Subject: Presented By: Assistant City Attorney and Fire Chief
Initiator:
Recommendation:

ATTACHMENTS:

File Name

[Firework Ordinance Memo INPUT 9 7 17.pdf](#)

CITY OF FOND DU LAC - Memorandum

Fire Department; City Attorney's Office

Date: September 7, 2017

To: Joe Moore, City Manager; City Council

From: Pete O'Leary, Fire Chief
Alexandra A. Klimko, Assistant City Attorney

Re: Fireworks Ordinance Changes

Recently, the City has encountered difficulties gaining compliance from fireworks dealers licensed to sell fireworks within the City of Fond du Lac. The following information discusses Wisconsin state law and the City's current fireworks ordinances, ultimately identifying a need to update the City's approach to fireworks.

Wisconsin's Fireworks Law

Wisconsin state law defines "fireworks" as "anything manufactured, processed or packaged for exploding, emitting sparks or combustion which does not have another common use." *See* Wis. Stat. Sec. 167.10(1). Importantly, things like sparklers, smoke bombs, and other explosive devices with less of a safety risk have been excluded from the statutory definition.

Individuals wishing to light off fireworks in Wisconsin must first obtain a user permit from the local municipality where the fireworks will be used. *See* Wis. Stat. Sec. 167.10(3). No person may possess or use a firework in Wisconsin without securing this permit. Moreover, firework dealers can only sell fireworks to individuals who possess a valid user permit. No restrictions exist on the ability to buy or sell items not defined as "fireworks", and a permit is not required for use.

Wisconsin municipalities can regulate and prohibit the sale of fireworks within a municipality, so long as any resulting ordinance is not less restrictive than state law. Wis. Stat. Sec. 167.10(5).

Fond du Lac's Fireworks Dealer License

In February 2003, the City Council created Chapter 347 of the City of Fond du Lac Municipal Code to regulate the sale of fireworks within the City. This chapter remains in place today. Under the current system, individuals and/or businesses wanting to sell fireworks within the City must obtain a firework dealer's license. Firework dealer's license applications are submitted and approved by the City Clerk with the assistance of the Police Department. Every license application must include a detailed list of fireworks intended to be sold, the ingredients of each type of firework, and a sworn statement affirming compliance with Chapter 347 and state law.

The City of Fond du Lac has a long-standing policy of not issuing user's permits for fireworks. However, other municipalities do issue such permits (e.g., City of Green Bay, Town of Vernon, Town of Hull, Town of Arena, Town of Wascott, and Town of Drummond).

Additionally, the City has a pyrotechnic display permit for use of fireworks during City-sanctioned displays, but no City ordinance currently specifies what is required for either the pyrotechnic display or application process.

Problems with the Current City Ordinance

In multiple past occasions, fireworks dealers in the City have sold fireworks not approved by the City or included in the license application process. Dealers have also been selling fireworks to individuals without first confirming that buyers have valid user permits.

The illegal sale of fireworks poses significant safety threats to the community by increasing the potential for fires to occur in the City, as well as serious injuries to users and bystanders.

The Fire Department has been approached in the past regarding pyrotechnic displays held in the City. Display permits have been granted, including to Fond du Lac Festivals for their Walleye Weekend event. Fire staff has been on scene for all displays. A physical site inspection, subsequent inspection once mortars are in place, and insurance naming the City as an insured party is also required. Entities holding pyrotechnic displays are charged for this service.

Proposed Changes to the City's Fireworks Ordinance

1. Define "fireworks" by reference to Wis. Stat. Sec. 167.10(1).
2. Prohibit the sales of fireworks in the City.
3. Define things excluded from the state statutory definition of "fireworks" as "seasonal novelties."
4. Require a license to sell seasonal novelties in the City. This license process and application would largely resemble the current firework dealer's license.
5. Clarify the seasonal novelty license application process and requirements to resolve issues from past problem experiences.
6. Create a permit for pyrotechnic displays in the City. Things included in this new section would include:
 - a. A permit process that goes through City staff, followed by City Council for approval.
 - b. Insurance on all displays naming the City as an insured party for pyrotechnic displays.
 - c. Fire staff would be required to be on the scene during all pyrotechnic displays and would conduct pre-display inspections. Permit holders would pay for these costs.

- d. Fire and safety regulations placed on all display launch sites and viewing sites.

Staff is looking for input from the City Council on this topic.

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

Title: Disallowance of Claim

Subject: Claimant: Jacqueline Smet
Introduction: City Attorney

Initiator:

Recommendation:

ATTACHMENTS:

File Name

[MCouncil Disallowance of Claim Smet.pdf](#)

CITY OF FOND DU LAC - Memorandum

City Attorney/Human Resources Department

Date: September 7, 2017

To: City Council

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

Re: Denial of Claims
Claimant: Jacqueline Smet
Date of Incident: May 27, 2016

This claim was investigated by the City's insurance adjuster. It involved a claim of bodily injury(s), for an alleged trip and fall filed against the City dated August 3, 2017.

The City's insurance adjuster recommends that this claim be denied. I accept and join in this recommendation. As this matter may possibly 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 "B" Fermented Malt & "Class B" Intoxicating Liquor License

Subject: Limited Liability Co: Ale House, LLC
Agent Name: Ron Boda
Agent Address: 440 Satterlee St, Fond du Lac
d/b/a: 2.0 Ale House
Location of Premises: 65 N Main St, Fond du Lac
Introduction: City Clerk

Initiator:

Recommendation: Alcohol License Committee Recommendation: **Approve**

ATTACHMENTS:

File Name

[FD Memo - 2.0 All House.pdf](#)

[2.0 Ale House Application Redacted.pdf](#)

[08-28-17 ALC Minutes.pdf](#)



Memo

To: City Manager Moore

From: Chief Lamb

Date: 08-21-17

Re: Change of Entity/ Owner for 2.0 Ale House, 65 N. Main Street

The City has received a request for a change of entity/owner of 2.0 Ale House located at 65 N. Main St. Ron Boda is purchasing the business from Brian Perl. Mr. Boda has shared his plans for this location with City staff.

Mr. Boda does not anticipate major changes to the current operation and plans on keeping the same name for the business. He is looking at making some improvements to the restaurant operations. In addition, he has already installed enhanced security features including ID-card scanners at the entrance points which help keep those who are underage or having fake ID's from entering the establishment. He has also implemented rules and policies that set the tone that they do not tolerate unruly or disruptive behavior in the establishment.

Mr. Boda has been a resident of Fond du Lac for over 50 years. Mr. Boda owns a number of businesses including a soda fountain distribution business which supplies a number of restaurants and bars. He recently was approved as the licensed agent for this establishment and also for a Class B combination license at Nette's Bar and Grill. Mr. Boda has over 13 years of experience of working within the Hospitality industry.

Background checks on Mr. Boda both in-house and NCIC/CIB, indicate no prior criminal history that would preclude granting this request. The Police Department has no objections to the approval of this request and recommends approval.

ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning July 1 20 17 ;
ending June 30 20 18

TO THE GOVERNING BODY of the: ☐ Town of
☐ Village of } FOND DU LAC
☒ City of

County of FOND DU LAC Aldermanic Dist. No. _____ (if required by ordinance)

1. The named ☐ INDIVIDUAL ☐ PARTNERSHIP ☒ LIMITED LIABILITY COMPANY
☐ CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): ALE HOUSE LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

	Title	Name	Home Address	Post Office & Zip Code
President/Member		<u>RONALD E BODA</u>	<u>440 SATTERLEE ST.</u>	<u>FOND DU LAC WI 54935</u>
Vice President/Member				
Secretary/Member				
Treasurer/Member				
Agent		<u>RONALD E BODA</u>	<u>"</u>	<u>"</u>
Directors/Managers				

3. Trade Name 2.0 ALE HOUSE Business Phone Number _____
4. Address of Premises 65 N MAIN ST Post Office & Zip Code FOND DU LAC 54935
5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? ☒ Yes ☐ No
6. Is the applicant an employee or agent of, or acting on behalf of anyone except the named applicant? ☐ Yes ☒ No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? ☐ Yes ☒ No
8. (a) Corporate/limited liability company applicants only: Insert state WISCONSIN and date 7/13/17 of registration.
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? ☐ Yes ☒ No
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? ☒ Yes ☐ No
(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)
9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) ENTIRE BUILDING
10. Legal description (omit if street address is given above): _____
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? ☒ Yes ☐ No
(b) If yes, under what name was license issued? 65 MAIN PUB LLC
12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] ☒ Yes ☐ No
13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776] ☒ Yes ☐ No
14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ☒ Yes ☐ No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME

this 8th day of August, 20 17

[Signature]
(Clerk/Notary Public)

My commission expires _____

[Signature]
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>8-8-17</u>	Date reported to council/board <u>09-13-17</u>	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

Control #: 2674 OL Rec#: 40129

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)		(middle name)	
BODA		RONALD		EDWARD	
Home Address (street/route)		Post Office	City	State	Zip Code
440 SATTERLEE DR.		FOL	FOL	WI	54935
Home Phone Number		Age	Date of Birth	Place of Birth	

The above named individual provides the following information as a person who is (check one):

☐ Applying for an alcohol beverage license as an **individual**.

☐ A member of a **partnership** which is making application for an alcohol beverage license.

☒ MEMBER of ALZ HOUSE LLC
(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 50 YEARS
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? ☒ Yes ☐ No
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
2004 DUI 1ST
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? ☐ Yes ☒ No
If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? ☒ Yes ☐ No
If yes, identify. NETTE'S BAR+GRILL AT 211 S MILITARY RD - FOL
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employee of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? ☐ Yes ☒ No
If yes, identify.
(Name of Wholesale Licensee or Permittee) (Address By City and County)
- Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
SELF EMPLOYED	SINCE 1988		
Employer's Name	Employer's Address	Employed From	To

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Subscribed and sworn to before me

this 8th day of August, 2017

[Signature]
(Clerk/Notary Public)

[Signature]
(Signature of Named Individual)

My commission expires _____



Printed on
Recycled Paper

**SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION/NONPROFIT
ORGANIZATION OR LIMITED LIABILITY COMPANY**

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

To the governing body of: ☐ Town ☐ Village ☒ City of FOND DU LAC County of FOND DU LAC

The undersigned duly authorized officer(s)/members/managers of ALE HOUSE LLC
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as

2.0 ALE HOUSE
(trade name)

located at 65 W MAIN ST IN FDC. WI 54935

appoints RONALD E BODA
(name of appointed agent)

440 SATTERLEE ST. FDC WI 54935
(home address of appointed agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

☒ Yes ☐ No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

211 S MILITARY LLC IN FOND DU LAC

Is applicant agent subject to completion of the responsible beverage server training course? ☐ Yes ☐ No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 50 years

Place of residence last year 440 SATTERLEE ST. FDC WI 54935

For: ALE HOUSE LLC
(name of corporation/organization/limited liability company)

By: Ronald E Boda / member
(signature of Officer/Member/Manager)

And: _____
(signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, RONALD E BODA, hereby accept this appointment as agent for the
(print/type agent's name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

Ronald E Boda 8/8/17
(signature of agent) (date)
440 SATTERLEE ST. FDC WI 54935
(home address of agent)

Agent's age

Date of birth

**APPROVAL OF AGENT BY MUNICIPAL AUTHORITY
(Clerk cannot sign on behalf of Municipal Official)**

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on 08/21/17 by Steven J Klei Title ASST. POLICE CHIEF
(date) (signature of proper local official) (town chair, village president, police chief)

Dear City of Fond du Lac,

I am happy to announce that I am purchasing the current establishment know as 2.0 Ale House from Bryan Perl and have actually taken management control as of July 10, 2017. At present we are just keeping with the current menu and hours of operation but that will be changing in the near future. Under my operation it will be a family ran business.

In September the new hours of operation will extend to Sundays with the following times

Monday	Only open for Packer games
Tuesday	CLOSED
Wednesday	3:30pm to 12:00am
Thursday	3:30pm to 12:00am
Friday	3:30pm to 2:30am
Saturday	3:30pm to 2:30am
Sunday	11:00am to 12:00am

We will be changing the menu over time now that the kitchen will be managed my daughter Samantha Boda. Sam for the last nine years has worked for the Applebees' corporation. She started as a hostess at age 16 and when she left to manage the 2.0 Ale House kitchen she was a general manager for the Fond du lac location. Sam brings considerable experience and consistency.

The bar will be managed by my brother Gary Boda, after 35 years in the Army he knows how to get things done. In his younger days he managed multiple clubs around Fond du Lac. Gary has the organizational skills needed to manage the large selection of craft beers. With 52 tap selections and over 375 bottle selection it will be challenge to keep the coolers stocked and organized.

My mother, Bette Boettcher, who has worked in the service industry for a large part of her life will hostess from time to time along with my wife Jeanette. My mother spent many year working for Petri's Restaurant in it's prime days. My wife Jeanette was a waitress going to school to be a nurse when I met her.

On Good Friday this year sadly my Step Father Woody Boettcher past away and I decided that we needed to start a business for sure that would be a place for all our family to have a job if so desired so we can have more time together. When Bryan called me to ask me to take this over for him it seemed like the perfect place for a family ran business.

We look forward to offering Fond du lac a nice place to relax and enjoy a meal in a sports bar environment without costing an arm and leg. We will be maintaining the \$2.00 all day domestic beer prices that people have became to value. Every Friday and

Saturday we will continue to have DJ services for people to come and dance on the best dance floor and light show in town.

People should keep on eye on our facebook page for future updates and soon to come our own website to let people know of the upcoming craft beers to be put on and food specials. Thank you.

CITY OF FOND DU LAC, WISCONSIN

SURRENDER OF ALCOHOL BEVERAGE LICENSE

This is to advise that, as licensee, I (We) hereby surrender a Combination "Class B" Intoxicating Liquor & Fermented Malt Beverage license for the premise located at 65 N MAIN ST, on the condition that it be granted to the applicant (future licensee).

65 MAIN PUB LLC, d/b/a 2.0 ALE HOUSE
(Current licensee) (Current business name)

and Ale House LLC, as applicant, make a
(Future licensee)
concurrent application for that license.

Licensee/Applicant Information

CURRENT LICENSEE

Please print the following information:

Name 65 N MAIN PUB LLC
Home Address 463 CEDAR ST.
City FOND DU LAC, WI 54935
Phone (920) 286-1979
Signature [Signature] Date 8/8/17

NEW APPLICANT FUTURE LICENSEE

Please print the following information:

Name ALE HOUSE LLC
Home Address 440 SHOTWELL ST. #
City FOND DU LAC, WI 54935
Phone (920) 923-3517
Signature [Signature] Date 8/8/17

**ALCOHOL LICENSE COMMITTEE
MEETING MINUTES
CITY OF FOND DU LAC, WISCONSIN**
Meeting Room A & B
160 S Macy Street

August 28, 2017
4:00 PM

ROLL CALL

Attendance

Present

Shawn Anhalt
Peter Doll
Mark Otterstatter

Absent

Jacob Lehman (excused)
Karen Merkel
Kerry Ann Strupp
Travis Vandynhoven

Administrative Staff

Deb Hoffmann, City Attorney
Steve Thiry, Asst Police Chief

Declaration Quorum Present

Chairperson Anhalt declared a quorum present.

CONSENT AGENDA

Approval of Meeting Minutes - July 31st, 2017

A Motion was made by Peter Doll to approve the minutes of July 31, 2017 and seconded by Mark Otterstatter, and the motion was **Passed**.

Ayes: Anhalt, Doll, Otterstatter

Absent: Lehman, Merkel, Strupp, VanDynHoven

INPUT

Audience Comments

Presiding officer shall limit comments to items noticed only on the agenda.

No audience comments were made at this meeting.

ACTIONS

Class "B" Fermented Malt & "Class B" Intoxicating Liquor License
Limited Liability Co: Ale House, LLC
Agent Name: Ron Boda
Agent Address: 440 Satterlee St, Fond du Lac
d/b/a: 2.0 Ale House
Location of Premises: 65 N Main St, Fond du Lac

A Motion was made by Peter Doll to approve a Class "B" Fermented Malt & "Class B" Intoxicating Liquor License for 2.0 Ale House at 65 North Main Street and seconded by Mark Otterstatter, and the motion was **Passed.**

Ayes: Anhalt, Doll, Otterstatter

Absent: Lehman, Merkel, Strupp, VanDynHoven

ADJOURN

A Motion was made by Peter Doll to adjourn at 4:05 PM and seconded by Mark Otterstatter, and the motion was **Passed.**

Ayes: Anhalt, Doll, Otterstatter

Absent: Lehman, Merkel, Strupp, VanDynHoven

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

Title: Resolution No. 8698

Subject: A Resolution Approving The Project Plan For And Creating Tax Incremental
District Number Twenty-Two, City of Fond du Lac
Introduction: Community Development Director

Initiator:

Recommendation:

ATTACHMENTS:

File Name

[8698 Res TID No 22.pdf](#)

[TID 22 Memo to Council.pdf](#)

[TID 22 Plan Commission Memo.pdf](#)

[TID 22 PROJECT PLAN.pdf](#)

RESOLUTION NO. 8698

A RESOLUTION APPROVING THE PROJECT PLAN FOR AND CREATING TAX INCREMENTAL DISTRICT NUMBER TWENTY-TWO, CITY OF FOND DU LAC

WHEREAS, Section 66.1105 of the Wisconsin Statutes provides the authority and procedure for creating tax incremental districts; and

WHEREAS, the City of Fond du Lac has complied with those procedures in a timely manner by:

- a. Holding properly noticed public hearings regarding the creation of proposed Tax Incremental District Number Twenty-Two (the "District") and the proposed project plan therefor (the "Project Plan");
- b. Giving required notices to the Chief Executive Officer or Administrator of all local government entities having the power to levy taxes on property located within the District; and
- c. Convening a Joint Review Board.

WHEREAS, the Plan Commission has adopted the Project Plan for the District and has favorably recommended to this City Council that the District be created; and

WHEREAS, the public hearing on the Project Plan has been held at least 14 days prior to this date; and

WHEREAS, this City Council hereby makes the following findings regarding the District, to wit:

- a. No less than 50% by area of the real property within the District is blighted; and
- b. Improvement of such area is likely to enhance significantly the value of substantially all the real property in the District; and
- c. The project costs relate directly to rehabilitation, blight elimination and promoting development within the District; and

- d. The equalized value of taxable property of the District plus all existing districts within the City does not exceed 12% of the total equalized value of taxable property within the City; and
- e. The rehabilitation and blight elimination described in the Project Plan for Tax Incremental District Number Twenty-Two would not occur without the creation of the district.

WHEREAS, the City will assess the property within the District as one or more whole units of property for general property tax purposes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fond du Lac that:

- 1. Tax Increment District Number Twenty-Two is a blighted area within the meaning found in Section 66.1105, Wisconsin Statutes. The creation of a tax incremental district in the area in question for the purpose of promoting redevelopment is deemed to be in the public interest and a proper public purpose; and
- 2. The Project Plan for the District is feasible, in conformity with the Comprehensive Plan of the City, and is hereby approved; and
- 3. The District is hereby created and named "Tax Incremental District Number Twenty-Two, City of Fond du Lac"; and
- 4. The boundaries of the District as set forth in the Project Plan are accepted and adopted; and
- 5. January 1, 2017 is established as the date of creation of the District.

ADOPTED:

Karyn Merkel, President
Fond du Lac City Council

Attest:

City Attorney:

Margaret Hefter, City Clerk

Reviewed 

CITY OF FOND DU LAC - Memorandum

Department of Community Development

Date: August 22, 2017

To: Joe Moore, City Manager

From: Dyann Benson, Community Development Director

Re: Tax Incremental District Number Twenty-Two

Attached please find a copy of the proposed Project Plan for Tax Incremental District Number Twenty-Two (TID 22) for submittal to City Council. The resolution is planned for adoption at the September 13 City Council meeting. A copy of the memo to the Plan Commission discussing TID 22 is attached for reference.

The Plan Commission approved the TID on August 14. The Joint Review Board had its initial meeting on July 27, and has another meeting scheduled for September 19. As you know, it is important to stay on schedule in the creation of any Tax Incremental District because of statutory deadlines. For this reason, I ask that questions about the proposed TID be referred to us as soon as possible, so that we can address them and remain on schedule.

TID 22 will be utilized to assist in the redevelopment of the Retlaw Hotel at 1 N. Main Street. The developer, Hotel Retlaw, LLC, will redevelop the property into an independent full service hotel with approximately 125 hotel rooms and various amenities, including meeting facilities, spa, pool and restaurant. These improvements will result in a \$24 million investment in the property. The public investment proposed as part of the TID is a \$2.3 million forgivable loan that will be provided upon certificate of occupancy.

Staff recommends approval of the proposed TID. Should there be any questions, please contact me. Thank you.

CITY OF FOND DU LAC - Memorandum

Department of Community Development

Date: August 9, 2017

To: City Plan Commission

From: Dyann Benson, Community Development Director

Re: Tax Incremental District Number Twenty-Two

Enclosed is the proposed Project Plan for Tax Incremental District Number Twenty-Two (TID 22), which will be the subject of a public hearing the August 14 meeting.

TID 22 will be utilized to assist in the redevelopment of the property at Retlaw Hotel, 1 North Main Street. Hotel Retlaw, LLC will redevelop the property into a 125 room independent, full service affordable luxury hotel. The redevelopment of the hotel will require a significant investment in order to restore the historic character and update the amenities. These improvements will result in a \$25 million investment in the property.

In order to help make the project financially feasible, the City will provide a public investment to the developer of \$2.3 million. As part of the project, \$300,000 from the investment will go towards courtyard improvements. Increment generated by the project will be used to repay the debt which should take between 18-20 years. The investment is provided to the developer only upon completion of the project and issuance of a certificate of occupancy. The investment is structured as a forgivable loan, enabling the City to secure a mortgage against the property. A development agreement detailing these terms is included as part of the process.

Tax Incremental Financing (TIF) has been used successfully in the City to fund the creation of industrial parks, the business park and a number of redevelopments. The City was able to pay off and close several TIDs early because they were successful in fostering development. The City of Fond du Lac has been careful and successful in the use of Tax Incremental Financing.

TIF is authorized in state law and has been in use in Wisconsin since the 1970s. The creation of a TID requires the approval of the Plan Commission, the City Council, and the Joint Review Board. The Joint Review Board includes representatives of the taxing jurisdictions: the County, the City, the School

District and MPTC. Once a TID is created, the additional taxes generated within the district are used to pay back the costs of the district.

Please note that the Plan Commission is charged with three tasks in the creation of a Tax Incremental District: to designate the TID boundaries, to adopt the project plan, and to recommend to the City Council that the district be created. The recommended motion for the TID is:

-) to designate the boundaries of the Tax Incremental District as set forth in the project plan;
-) to adopt the Project Plan;
-) to recommend to the City Council that the Tax Incremental District be created.

Should you have any questions regarding the proposed TID, please contact me at dbenson@fdl.wi.gov or 322-3440. Thank you.

TAX INCREMENTAL DISTRICT NUMBER TWENTY-TWO



PROJECT PLAN

JULY 2017

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TIMELINE

TID NO. 22

ACTION	DATE	NOTES
Notice to taxing authorities	July 7	Mail out copy of Public Notice – include cash grants statement
Blight letter and Public Hearing Notice	July 17	To owners
Public Hearing Notice #1 for Plan Commission	July 31	Publish Reporter
Public Hearing Notice #2 for Plan Commission	Aug. 7	Publish Reporter
Public Notice – Class 1 – for JRB meeting	July 17-18	Must be at least 5 days prior to JRB
Joint Review Board – initial meeting	July 24-28	Include Development Agreement
Plan Commission – combined public hearings	Aug. 14	Send Project Plan early Public Hearing – Project Plan and TIF Boundaries
City Council adoption	Sept. 13	1. Requires 14 day waiting period. 2. Approve Project Plan 3. Create District
Public Notice – Class 1 – for JRB	Sept. 14	Must be at least 5 days prior to JRB
Notice to Joint Review Board	Sept. 14	Immediately after Council adoption
Joint Review Board – certification meeting	Sept. 18-25	Depends on Council adoption date – also check with board members – must be within 30 days after receiving resolution JRB to approve Creation resolution
JRB notification to City	Sept. 25	Must be within 7 days of JRB decision

**City of Fond du Lac
TID No. 22 – Joint Review Board**

School District Representative	County Representative
Michael Gerlach	Erin Gerred
Director of Business Services	Director of Administration
Fond du Lac School District	Fond du Lac County
72 W 9 th Street	160 S Macy Street
Fond du Lac, WI 54935	Fond du Lac, WI 54935
906-6442	929-3156
gerlachm@fonddulac.k12.wi.us	erin.gerred@fdlco.wi.gov
MPTC Representative	City Representative
Vicky Fitzgerald	Joe Moore
Director of Finance	City Manager
Moraine Park Technical College	City of Fond du Lac
235 N National Avenue, PO Box 1940	160 S Macy Street, P.O. Box 150
Fond du Lac, WI 54935	Fond du Lac, WI 54936-0150
929-3236	322-3408
vfitzgerald@morainepark.edu	jmoore@fdl.wi.gov
Citizen Representative	City Staff
Randy Mittelstaedt	Tracy Salter, Director of Administration
Vice President	322-3452
National Exchange Bank & Trust	tsalter@fdl.wi.gov
P.O. Box 988	Dyann Benson, Community Development Director
Fond du Lac, WI 54936-0988	322-3440
924-2244	dbenson@fdl.wi.gov
rmittels@nebat.com	

City of Fond du Lac
Notice of Public Hearing
Regarding the Proposed Creation of Tax Incremental District
Number Twenty-Two and the Proposed Project Plan Therefor

Notice is hereby given that the City of Fond du Lac Plan Commission will hold a public hearing on Monday, August 14, 2017 at 5:30 pm in Room A of the City-County Government Center, 160 South Macy Street, Fond du Lac, Wisconsin, regarding the proposed creation of Tax Incremental District Number Twenty-Two and the proposed Project Plan for the District. Copies of the proposed Project Plan are available upon request at the Community Development Office, City-County Government Center, 160 South Macy Street, Fond du Lac, Wisconsin, or by calling 920-322-3440, or on the web at www.fdl.wi.gov.

Most of the proceeds of the proposed Tax Incremental District will be paid to Hotel Retlaw, LLC, the developers of the Hotel Retlaw, to assist in the redevelopment of the property located at 1 N. Main Street into a full-service independent hotel within the City. The project represents a key property within the City's historic downtown.

Tax Key No.: FDL 15-17-10-44-816-00

Address: 1 N. Main Street, Fond du Lac, Wisconsin

That part of Lots 10, 11, 12, 13 and the South 20.00 feet of Lot 14 in Block 3 in Van Renselaer's Addition to the City of Fond du Lac, being a part of the East ½ of the Southeast ¼ of Section 10, Township 15 North, Range 17 East, in the City of Fond du Lac, Fond du Lac County, Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Block 3; Thence North 01 degree 39' 40" West along the East line of Block 3 aforesaid 158.98 feet to a point; Thence North 89 degrees 37' 43" West along the North line of Lot 10 aforesaid 53.90 feet to the Northeast corner of lands described in Volume 890, Page 65 and 66 as Document No. 406192 recorded on December 13, 1984 in the Register of Deeds Office, Fond du Lac County; Thence South 00 degrees 01' 30" West along the East line of said lands 0.36 feet to a point; Thence North 89 degrees 58' 30" West along the South line of said lands 61.54 feet to a point; Thence South 00 degrees 01' 30" West along the East line of said lands 33.50 feet to a point; Thence North 89 degrees 58' 30" West along the South line of said lands 3.57 feet to a point on the West line of said Lot 10; Thence South 01 degree 39' 30" East along said West line 54.10 feet to the Northeast corner of lands described in Volume 889 on page 736 as Document No. 405591 recorded on December 6, 1984 in the Register of Deeds Office, Fond du Lac County; Thence North 89 degrees 38' 30" West along the North line of said lands 15.39 feet to a point; Thence South 01 degree 46' 00" East along the West line of said lands 11.63 feet to a point; Thence North 89 degrees 37' 43" West along the North line of the South 20.00 feet of Lot 14 aforesaid 104.65 feet to a point on the West line of said Block 3; Thence South 01 degree 39' 30" East along the said West line 60.10 feet to a point; Thence South 89 degrees 53' 45" East along the South line of Block 3 aforesaid 240.00 feet to the point of beginning.

The district can generally be described as the land located at 1 N. Main Street or the property known as the Retlaw Hotel in Fond du Lac.

Publish July 31 and August 7, 2017.

GOAL AND OBJECTIVES

The goal of Tax Incremental District Number Twenty-Two (TID 22) is to assist in the redevelopment of the property at 1 North Main Street, the Retlaw Hotel, into a full-service independent hotel providing affordable luxury with modern amenities, a restaurant and event meeting space. This redevelopment will require substantial renovation of the hotel to restore the building's historic character and implement the vision for this cornerstone property.

The Retlaw Hotel represents one of the most important commercial buildings constructed in the City during the 1920s and was the second hotel constructed by Walter Schroeder, a prominent hotelier in Milwaukee. His Schroeder Hotel Company was one of the largest hotel chains in Wisconsin during the 1920s. (Other Schroeder Hotels include the Hotel Astor in Milwaukee, Hotel Northland in Green Bay, Hotel Wausau in Wausau and Hotel Loraine in Madison.) From the day it opened until the 1970s, the Retlaw Hotel was the only first-class hotel in the City.

In the early 1920s, the City experienced both population and manufacturing growth, however this growth was not reflected in other areas of the City. The community was looking for modern institutions to reflect the City's growth and ambitions. The new Retlaw Hotel would fill that gap. An editorial in the Daily Commonwealth, the local newspaper, pointed out the impression a hotel would make on visitors to the city. From its opening in 1923 to the 1970s, the Retlaw Hotel served as the City's premier hotel, hosting such dignitaries as John F. Kennedy, Hubert Humphrey and Eleanor Roosevelt.

The hotel was sold in the 1950s, which was the start of the hotel's slow progression from a premier facility to mediocre lodging until, in 2016, it went to auction after foreclosure. Hotel Retlaw, LLC in conjunction with its partners, acquired in the hotel property in summer 2016 with plans to restore the historic character and the hotel as an integral part of the City's commercial and social fabric.

The downward spiral of the Retlaw Hotel as it moved towards foreclosure and auction was a significant concern for the City. The lack of reinvestment by previous owners impacted the overall condition of the property, and the long-term vacancy is a blighting influence on the downtown and on Downtown Fond du lac Partnership's efforts to attract new businesses and individuals to the area. The redevelopment of this property by Hotel Retlaw, LLC will remove downtown blight and restore the historic character of the Main Street frontage.

The goal of TID 22 will be realized by attaining the following objectives:

1. To financially assist a developer with the redevelopment of the property into a independent hotel with approximately 125 rooms.
2. To facilitate the expansion of the tax base of the City through the redevelopment of a property which is presently vacant, underutilized and in need of reinvestment.

3. To attract new economic opportunities to the downtown and to facilitate tourism development throughout the community.

DECLARATION

State law requires that the basis for creation of a Tax Incremental District be clearly stated out of the several potential types of districts which may be authorized. Tax Incremental District Number 22 is an area at least 50% of which is a blighted area, as stated in Section 66.1105, Wisconsin Statutes.

The hotel was sold in the 1950s, which was the start of the hotel's slow progression from a premier facility to mediocre lodging until, in 2016, it went to auction after foreclosure. Hotel Retlaw, LLC in conjunction with its partners, acquired in the hotel property in summer 2016 with plans to restore the historic character and the hotel as an integral part of the City's commercial and social fabric.

The downward spiral of the Retlaw Hotel as it moved towards foreclosure and auction was a significant concern for the City. The lack of reinvestment by previous owners impacted the overall condition of the property, and the long-term vacancy is a blighting influence on the downtown and on Downtown Fond du lac Partnership's efforts to attract new businesses and individuals to the area.

The planned investment will address the blighted conditions and redevelop the property into a viable project that will contribute to the tax base.

PROJECT SUMMARY AND SCHEDULE

Tax Incremental District Number Twenty-Two (TID 22) is made up entirely of an underutilized and blighted property at 1 North Main Street. See the TID 22 Boundary Map for the exact boundaries of the TID. The developer intends to renovate the property into a full-service independent hotel with approximately 125 rooms.

The purpose of TID 22 is to provide a method for the City of Fond du Lac to assist in the redevelopment of the property described above. The property is presently blighted and needs rehabilitation to convert this property into a viable development. The redevelopment and renovation of the property into a use that can contribute to the community beyond its previous standing and use requires a significant financial investment to meet building code requirements and address years of failing reinvestment into the property. The City of Fond du Lac wishes to help redevelop the property, but it would not be financially feasible for the City to do so without the creation of this Tax Increment District.

The proceeds of TID 22 will be used to subsidize the redevelopment of the property, providing up to a total of \$2,300,000. The funds will be provided to Hotel Retlaw, LLC

or the appropriate designee, upon certificate of occupancy. Tax increment created by the redevelopment of the property will be used by the City to repay the debt borrowing.

Renovation of the interior and exterior of the existing building is expected to begin late summer of 2017, and to be completed in by late summer of 2018.

CREATION DATE

The date of creation for capture of all new taxable value created within TID 22 shall be January 1, 2017. This shall be used as the base in computing any increments that may accrue in the tax base for the District.

LIST OF PUBLIC IMPROVEMENTS

There will be public improvements financed or constructed as part of Tax Incremental District Number Twenty-Two. Project costs will include \$2,300,000 in cash payments made to the owners of the property at 1 N. Main Street to assist in the redevelopment of the property into an independent affordable luxury hotel with approximately 125 rooms. The public improvement includes \$70,000 in investment in the Portland Ramp for upgrading the elevators. The total cost for the work is \$100,000, however, based upon ramp usage, only 70% of the ramp is reserved for use by hotels guests and staff while the remaining 30% is used by other individuals, residents or employees in the downtown. In addition to the public improvements, minor administrative costs will be charged to the TID.

DESCRIPTION OF TIMING AND METHODS OF FINANCING

The City will borrow funds for TID 22 to enable the cash payment to the developer upon certificate of occupancy. The cash assistance payment will be financed with long-term borrowing in the form of General Obligation debt. City administrative costs, such as State of Wisconsin fees, The City of Fond du Lac conducts its annual borrowing in February of each year making funds available no earlier than March of 2018.

ESTIMATED NON-PROJECT COSTS

There will be no non-project costs charged to TID 22.

RELOCATION

There will be no residents displaced by TID 22, and thus there will be no need for residential relocation.

MASTER PLAN, ZONING, BUILDING AND OTHER CODE CONSIDERATIONS

TID 22 is consistent with the goals, objectives and strategies of the City of Fond du Lac Comprehensive Plan. The Comprehensive Plan specifically identifies the need to give attention to the redevelopment of the older areas of the city. In addition, the Comprehensive Plan states that properties must be deteriorated, economically obsolescent and/or marginally underutilized before it will become involved in the redevelopment of those properties. The Comprehensive Plan also encourages developers to look at redevelopment opportunities versus development of agricultural or open space land. Appropriate zoning designations and regulations are in place to manage revitalization of this property. No changes to zoning or building codes are anticipated.

In 2015, Envision FDL began, which started with a team of community partners embarking on a visioning and strategic planning effort to answer the question, “What should the Fond du Lac area look like in 10-20 years, and how do we get there?” The redevelopment of the Retlaw Hotel into a modern property bringing population, foot traffic and economic activity to the downtown was identified as Strategic Objective No. 5 in the Envision Fond du Lac final report.

In 2016, the City Council created the Downtown Exploratory Committee (DEC) to identify areas for improvement within the downtown. As part of these efforts, the DEC identified two (2) recommendations supporting the redevelopment of the Retlaw Hotel. First, the DEC recommended targeted redevelopment of priority/opportunity properties. The acquisition of the Retlaw Hotel by Hotel Retlaw, LLC supports the recommendation and will facilitate the redevelopment of other properties in the downtown by drawing more traffic and economic activity to the downtown. The second recommendation supports additional investment in the Arts & Entertainment District. The location of the Retlaw Hotel within the Arts & Entertainment District provides a key opportunity to further that recommendation. The restoration of the Retlaw Hotel’s facilities and historic character will create opportunities to attract and support events and initiatives in the District, as well as support established facilities such as the Thelma Sadoff Center for the Arts.

ECONOMIC FEASIBILITY STUDY

No funds will be advanced or paid until after the developer obtains a certificate of occupancy. This means that the renovation of the hotel, an approximately \$14 million investment, will be completed prior to the distribution of funds to the developer. This approach minimizes the risk to the City and ensures that the hotel is completed prior to the investment of public dollars. The City will also have a mortgage against the property to further protect the public investment.

The Tax Increment Revenue Projection spreadsheet indicates the tax increments which will be received throughout the life of the TID. The Annual Cash Flow Projection

spreadsheet shows how these taxes are distributed to debt service and administrative costs. These spreadsheets demonstrate the economic feasibility of TID 22.

ORDERLY DEVELOPMENT

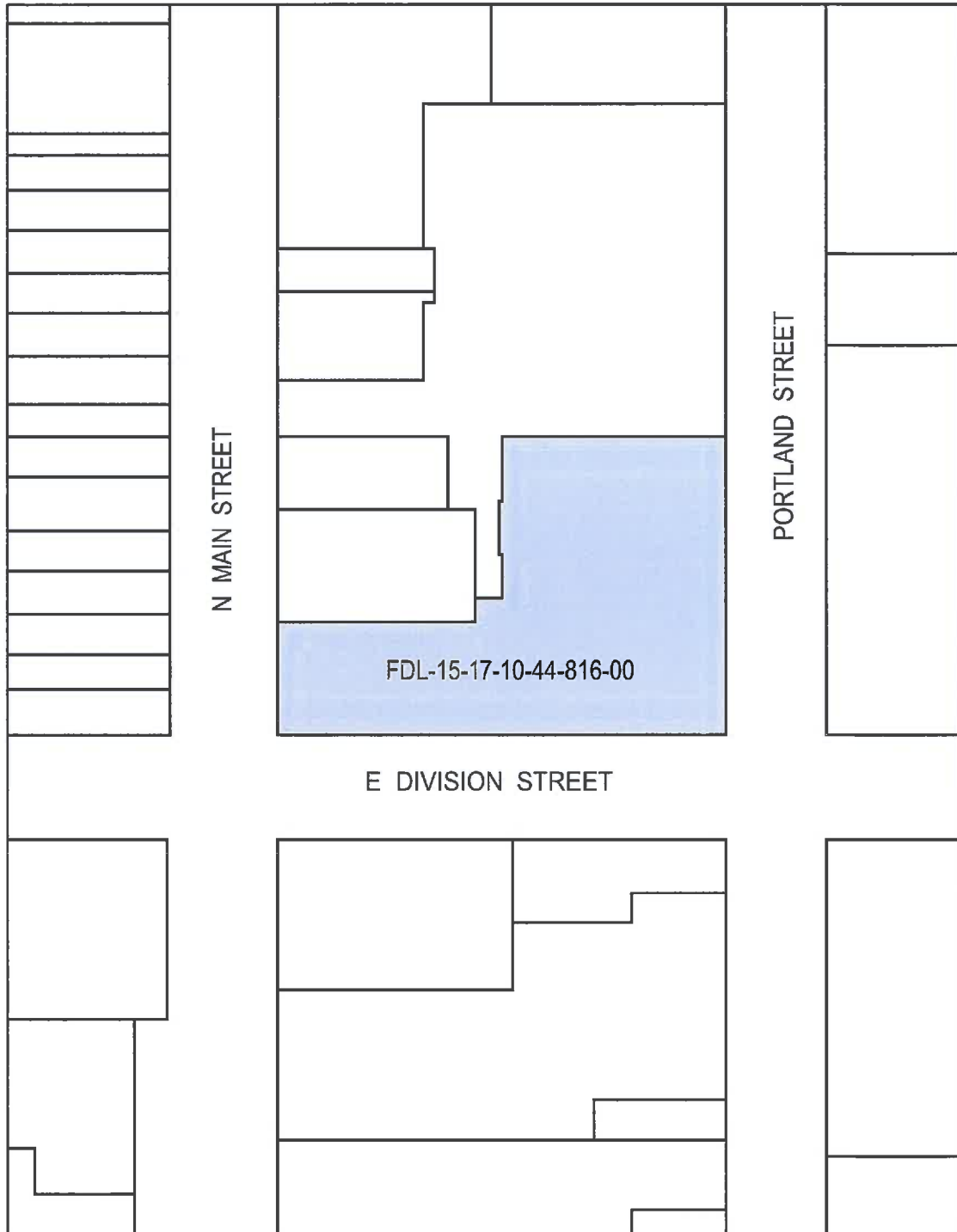
The creation of Tax Incremental District Number Twenty-Two promotes the City's goal of orderly, sustained redevelopment and revitalization of older areas of the City. By supporting efforts to continue revitalizing this area and encouraging reinvestment, the City will help ensure a healthy tax base and economy for the entire community.

FINDINGS

-) Within TID 22, properties meeting the blighted area designation represent more than 50%, by area, of all real property.
-) The redevelopment and revitalization of property within TID 22 will significantly enhance the value of all property in the District. Supporting private investment will increase property values District-wide.
-) It is estimated that as of January 1, 2017, using equalized values, that the base value of TID 22 plus the values of existing TIDs within the City, does not exceed 12% of the total equalized value of taxable property within the City.
-) The blight removal and rehabilitation described herein for TID 22 would not occur without the creation of the district.

City of Fond du Lac

TID No. 22

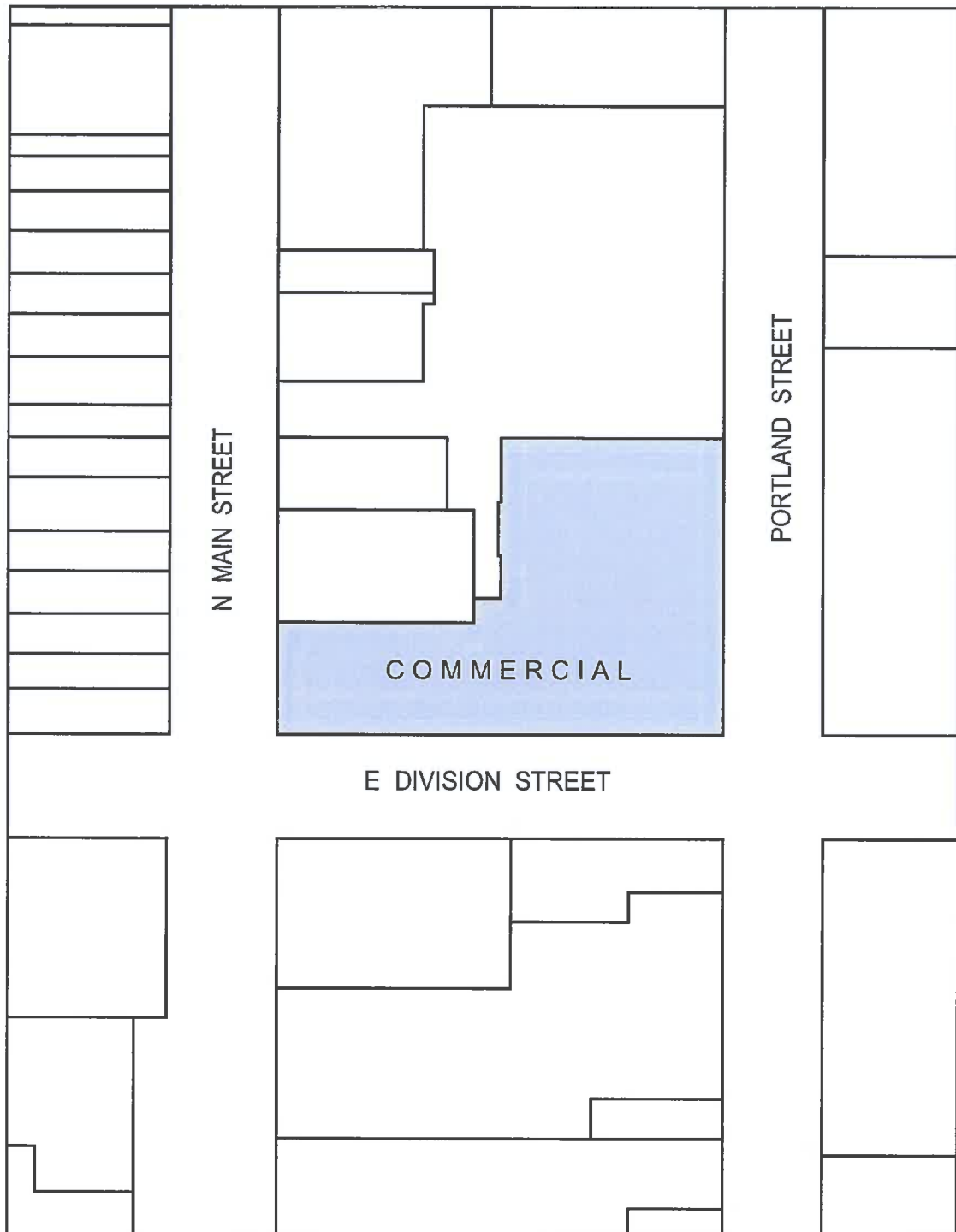


TID NO. 22 BOUNDARY



City of Fond du Lac
TID No. 22

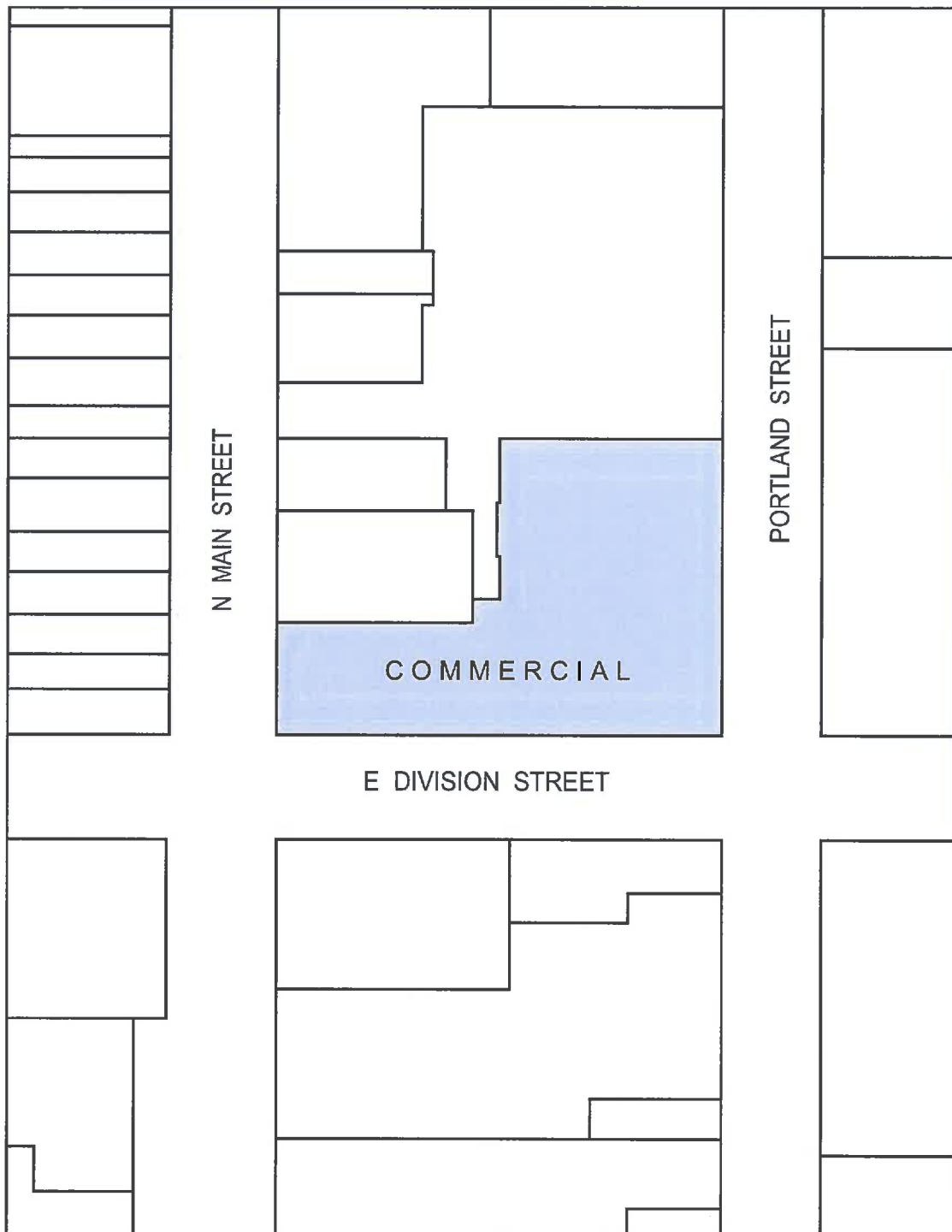
EXISTING LAND USE



TID NO. 22 BOUNDARY



City of Fond du Lac
TID No. 22
PROPOSED LAND USE



TID NO. 22 BOUNDARY



City of Fond du Lac
Tax Incremental District Number Twenty-Two
Tax Increment Revenue Projection

<u>Year Assessed</u>	<u>Year Available</u>	<u>Increment Value</u>	<u>Tax Rate</u>	<u>Projected Tax Increment</u>
2018	2019	\$ -	\$ 24.00	\$ -
2019	2020	8,818,100	24.00	211,634.40
2020	2021	8,818,100	24.00	211,634.40
2021	2022	8,818,100	24.00	211,634.40
2022	2023	8,818,100	24.00	211,634.40
2023	2024	8,818,100	24.00	211,634.40
2024	2025	8,818,100	24.00	211,634.40
2025	2026	8,818,100	24.00	211,634.40
2026	2027	8,818,100	24.00	211,634.40
2027	2028	8,818,100	24.00	211,634.40
2028	2029	8,818,100	24.00	211,634.40
2029	2030	8,818,100	24.00	211,634.40
2030	2031	8,818,100	24.00	211,634.40
2031	2032	8,818,100	24.00	211,634.40
2032	2033	8,818,100	24.00	211,634.40
2033	2034	8,818,100	24.00	211,634.40
2034	2035	8,818,100	24.00	211,634.40
2035	2036	8,818,100	24.00	211,634.40
				<u>\$ 3,597,784.80</u>

Assumptions:

- 1) Property value remains the same throughout projection period.
- 2) Tax rate remains the same throughout the life of the district.

City of Fond du Lac
Tax Incremental District Number Twenty-Two
Annual Cash Flow Projection

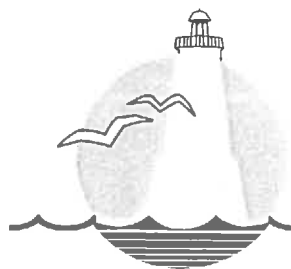
<u>Year</u>	<u>Tax Increment Revenue</u>	<u>Debt Service</u>	<u>Legal & Admin Costs</u>	<u>Debt Proceeds</u>	<u>Project Costs</u>	<u>Annual Cash Increase (Decrease)</u>	<u>Cash Balance (Deficit)</u>
2018	\$ -	\$ -	\$ (1,000)	\$ 2,460,000	\$ (2,370,000)	\$ 89,000	\$ 89,000
2019	-	(86,100)	(3,500)			(89,600)	(600)
2020	211,634	(186,100)	(3,500)			22,034	21,434
2021	211,634	(207,600)	(3,500)			534	21,969
2022	211,634	(203,225)	(3,500)			4,909	26,878
2023	211,634	(198,850)	(3,500)			9,284	36,163
2024	211,634	(194,475)	(3,500)			13,659	49,822
2025	211,634	(215,100)	(3,500)			(6,966)	42,856
2026	211,634	(209,850)	(3,500)			(1,716)	41,141
2027	211,634	(204,600)	(3,500)			3,534	44,675
2028	211,634	(199,350)	(3,500)			8,784	53,460
2029	211,634	(194,100)	(3,500)			14,034	67,494
2030	211,634	(213,850)	(3,500)			(5,716)	61,778
2031	211,634	(207,725)	(3,500)			409	62,188
2032	211,634	(201,600)	(3,500)			6,534	68,722
2033	211,634	(195,475)	(3,500)			12,659	81,382
2034	211,634	(214,350)	(3,500)			(6,216)	75,166
2035	211,634	(217,350)	(3,500)			(9,216)	65,950
2036	211,634	0	(3,500)			208,134	274,085
	<u>\$ 3,597,785</u>	<u>\$ (3,349,700)</u>	<u>\$ (64,000)</u>	<u>\$ 2,460,000</u>	<u>\$ (2,370,000)</u>	<u>\$ 274,085</u>	<u>\$ 274,085</u>

City of Fond du Lac
Tax Incremental District Number Twenty-Two
Debt Payment Schedule

Year	Principal	Interest	Total	Balance
2018				2,460,000
2019	-	86,100	86,100	2,460,000
2020	100,000	86,100	186,100	2,360,000
2021	125,000	82,600	207,600	2,235,000
2022	125,000	78,225	203,225	2,110,000
2023	125,000	73,850	198,850	1,985,000
2024	125,000	69,475	194,475	1,860,000
2025	150,000	65,100	215,100	1,710,000
2026	150,000	59,850	209,850	1,560,000
2027	150,000	54,600	204,600	1,410,000
2028	150,000	49,350	199,350	1,260,000
2029	150,000	44,100	194,100	1,110,000
2030	175,000	38,850	213,850	935,000
2031	175,000	32,725	207,725	760,000
2032	175,000	26,600	201,600	585,000
2033	175,000	20,475	195,475	410,000
2034	200,000	14,350	214,350	210,000
2035	210,000	7,350	217,350	-
Totals	2,460,000	889,700	3,349,700	

Assumptions:

- 1) 16-year debt repayment term.
- 2) Interest rate of 3.5% per year.
- 3) Debt includes project costs of \$2,370,000 and one year capitalized interest.



City of Fond du Lac First on the Lake

Website: www.fdl.wi.gov

City-County Government Center
160 S. Macy Street~P.O. Box 150~Fond du Lac, WI 54936-0150

July 27, 2017

Joint Review Board
Fond du Lac City Council
Plan Commission of the City of Fond du Lac Wisconsin
Director of Community Development
160 South Macy Street
Fond du Lac WI 54935

RE: Legal Opinion on Project Plan of TID 22 – 1 N. Main Street.

Ladies and Gentlemen:

I am the attorney for the City of Fond du Lac, Fond du Lac County, Wisconsin. I have examined the Project Plan for TID 22 for the above-referenced property generally encompassing 1 N Main Street, Fond du Lac, Wisconsin, and such other documents as I considered appropriate and necessary to enable me to render this opinion.

Based on the foregoing, pursuant to Section 66.1105(4)(f), *Wis. Stats.*, I am of the opinion that:

- (1) The TID 22 Project Plan is complete.
- (2) The TID 22 Project Plan complies with the requirements of Section 66.1105(4), *Wis. Stats.* The property within TID 22 contains blight. Further, this redevelopment project would not occur without the funding coming from this TID.

Very truly yours,

Deborah Hoffmann
City Attorney
City of Fond du Lac
(920)322-3423

JOINT REVIEW BOARD RESOLUTION

A Resolution Approving the Project Plan and Creation Resolution for Tax Incremental District Number Twenty-Two, City of Fond du Lac

WHEREAS, Section 66.1105 of the Wisconsin Statutes provides the authority and procedure for creating tax incremental districts; and

WHEREAS, the City of Fond du Lac has complied with those procedures in a timely manner by:

- a. Holding properly noticed public hearings regarding the creation of proposed Tax Incremental District Number Twenty-Two (the "District") and the proposed project plan therefor (the "Project Plan");
- b. Giving required notices to the appropriate officials of all local government entities having the power to levy taxes on property located within the District; and
- c. Convening a Joint Review Board.

WHEREAS, the Plan Commission has adopted the Project Plan for the District as has the City Council; and

WHEREAS, this Joint Review Board hereby makes the following findings regarding the District:

- a. No less than 50% by area of the real property within the District is blighted or in need of rehabilitation or conservation work;
- b. Improvement of such area is likely to enhance significantly the value of substantially all the other real property in the District;
- c. The project costs relate directly to blight elimination, rehabilitation and promoting development within the District;
- d. The equalized value of taxable property of the District plus all existing districts within the City does not exceed 12% of the total equalized value of taxable property within the City; and
- e. The blight elimination work and rehabilitation described in the Project Plan for Tax Incremental District Number Twenty-Two would not occur without the creation of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE Joint Review Board for Tax Incremental District Number Twenty-Two of the City of Fond du Lac that:

1. Tax Incremental District Number Twenty-Two is a blighted area within the meaning found in Section 66.1105, Wisconsin Statutes. The creation of a tax incremental district in the area in question for the purpose of

rehabilitation or conservation is deemed to be in the public interest and a proper public purpose; and

2. The Project Plan for the District is feasible, in conformity with the Comprehensive Plan of the City, and is hereby approved; and
3. The blight elimination and rehabilitation described in the Project Plan for Tax Incremental District Number Twenty-Two would not occur without the creation of the District; and
4. The City Council Resolution dated September 13, 2017 Approving and Creating Tax Incremental District Number Twenty-Two is hereby approved.

ADOPTED: September____, 2017

JOINT REVIEW BOARD

REPRESENTING

Moraine Park Technical College

Fond du Lac School District

Fond du Lac County

City of Fond du Lac

Citizen Representative

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

Title: Resolution No. 8699

Subject: A Resolution Authorizing The Issuance And Sale Of \$7,050,000 General
Obligation Refunding Bonds, Series 2017B
Introduction: Director of Administration

Initiator:

Recommendation:

ATTACHMENTS:

File Name

[Fond du Lac C of - 2017B GORBs - Resolution and FAA.pdf](#)

[Refinancing of 2007 Refunding Bonds.pdf](#)

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF
\$7,050,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2017B

WHEREAS, the City Council hereby finds and determines that it is necessary, desirable and in the best interest of the City of Fond du Lac, Fond du Lac County, Wisconsin (the "City") to raise funds to pay the cost of refinancing certain outstanding obligations of the City, to wit: General Obligation Refunding Bonds, dated October 1, 2007 (the "Refunded Obligations") (hereinafter the refinancing of the Refunded Obligations shall be referred to as the "Refunding");

WHEREAS, the City Council deems it to be necessary, desirable and in the best interest of the City to refund the Refunded Obligations for the purpose of achieving debt service savings;

WHEREAS, the City is authorized by the provisions of Section 67.04, Wisconsin Statutes, to borrow money and issue general obligation refunding bonds to refinance its outstanding obligations; and

WHEREAS, it is the finding of the City Council that it is necessary, desirable and in the best interest of the City to sell such general obligation refunding bonds to Hutchinson, Shockey, Erley & Co. (the "Purchaser"), pursuant to the terms and conditions of its bond purchase proposal attached hereto as Exhibit A and incorporated herein by this reference (the "Proposal").

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City that:

Section 1. Authorization and Sale of the Bonds. For the purpose of paying the cost of the Refunding, there shall be borrowed pursuant to Section 67.04, Wisconsin Statutes, the principal sum of SEVEN MILLION FIFTY THOUSAND DOLLARS (\$7,050,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal is hereby accepted and the City Manager and City Clerk or other appropriate officers of the City are authorized and directed to execute an acceptance of the Proposal on behalf of the City. To evidence the obligation of the City, the City Manager and City Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the City, general obligation bonds aggregating the principal amount of SEVEN MILLION FIFTY THOUSAND DOLLARS (\$7,050,000) (the "Bonds") for the sum set forth on the Proposal, plus accrued interest to the date of delivery.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Refunding Bonds, Series 2017B"; shall be issued in the aggregate principal amount of \$7,050,000; shall be dated September 27, 2017; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on April 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit B-1 and incorporated herein by this reference. Interest shall be payable semi-annually on April 1 and October 1 of each year commencing on April 1, 2018. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Bonds is set forth on the Debt

Service Schedule attached hereto as Exhibit B-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Bonds shall not be subject to optional redemption.

[If the Proposal specifies that any of the Bonds are subject to mandatory redemption, the terms of such mandatory redemption shall be set forth on an attachment hereto as Exhibit MRP and incorporated herein by this reference. Upon the optional redemption of any of the Bonds subject to mandatory redemption, the principal amount of such Bonds so redeemed shall be credited against the mandatory redemption payments established in Exhibit MRP for such Bonds in such manner as the City shall direct.]

Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit C and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2017 through 2021 for payments due in the years 2018 through 2022 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Bonds remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Bonds, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Bonds when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously

issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Refunding Bonds, Series 2017B, dated September 27, 2017" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. The City Treasurer shall deposit in the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Bonds; (ii) any premium not used for the Refunding which may be received by the City above the par value of the Bonds and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Bonds have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the City Council directs otherwise.

Section 7. Proceeds of the Bonds; Segregated Borrowed Money Fund. The proceeds of the Bonds (the "Bond Proceeds") (other than any premium not used for the Refunding and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the City and disbursed solely for the purpose or purposes for which borrowed or for the payment of the principal of and the interest on the Bonds. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose or purposes for which the Bonds have been issued have been accomplished, and, at any time, any

monies as are not needed and which obviously thereafter cannot be needed for such purpose(s) shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Bonds and by the Refunded Obligations and the ownership, management and use of the projects will not cause the Bonds and the Refunded Obligations to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Bonds provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Execution of the Bonds; Closing; Professional Services. The Bonds shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the City Manager and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and

acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

Section 11. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by The Bank of New York Mellon Trust Company, N.A., which is hereby appointed as the City's registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes (the "Fiscal Agent"). The Fiscal Agency Agreement between the City and the Fiscal Agent shall be substantially in the form attached hereto as Exhibit D and incorporated herein by this reference.

Section 12. Persons Treated as Owners; Transfer of Bonds. The City shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the City Manager and City Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer.

The City shall cooperate in any such transfer, and the City Manager and City Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

Section 13. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the City at the close of business on the Record Date.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the City Clerk or other authorized representative of the City is authorized and directed to execute and deliver to DTC on behalf of the City to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the City Clerk's office.

Section 15. Official Statement. The City Council hereby approves the Preliminary Official Statement with respect to the Bonds and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda or final Official Statement. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda or final Official Statement to be distributed to the Purchaser.

Section 16. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

To the extent required under the Rule, the City Manager and City Clerk, or other officer of the City charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 17. Redemption of the Refunded Obligations. The Refunded Obligations are hereby called for prior payment and redemption on October 18, 2017 at a price of par plus accrued interest to the date of redemption.

The City hereby directs the City Clerk to work with the Purchaser to cause timely notice of redemption, in substantially the form attached hereto as Exhibit E and incorporated herein by this reference (the "Notice"), to be provided at the times, to the parties and in the manner set forth on the Notice. Any and all actions heretofore taken by the officers and agents of the City to effectuate the redemption of the Refunded Obligations are hereby ratified and approved.

Section 18. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

Section 19. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Bonds, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The City Manager and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the City Manager and City Clerk including provisions regarding

restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 20. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the City Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted and recorded September 13, 2017.

Karyn Merkel, President
Fond du Lac City Council

ATTEST:

Margaret Hefter
City Clerk

City Attorney:
Reviewed: _____

(SEAL)

EXHIBIT A

Bond Purchase Proposal

To be provided by the Purchaser and incorporated into the Resolution.

(See Attached)

DRAFT

EXHIBIT B-1

Pricing Summary

To be provided by the Purchaser and incorporated into the Resolution.

(See Attached)

DRAFT

EXHIBIT B-2

Debt Service Schedule and Irrepealable Tax Levies

To be provided by the Purchaser and incorporated into the Resolution.

(See Attached)

DRAFT

[EXHIBIT MRP

Mandatory Redemption Provision

The Bonds due on April 1, ____ and ____ (the "Term Bonds") are subject to mandatory redemption prior to maturity by lot (as selected by the Depository) at a redemption price equal to One Hundred Percent (100%) of the principal amount to be redeemed plus accrued interest to the date of redemption, from debt service fund deposits which are required to be made in amounts sufficient to redeem on April 1 of each year the respective amount of Term Bonds specified below:

For the Term Bonds Maturing on April 1, ____

<u>Redemption Date</u>	<u>Amount</u>
____	\$ ____
____	____
____	____ (maturity)

For the Term Bonds Maturing on April 1, ____

<u>Redemption Date</u>	<u>Amount</u>
____	\$ ____
____	____
____	____ (maturity)]

EXHIBIT C

(Form of Bond)

REGISTERED UNITED STATES OF AMERICA DOLLARS
STATE OF WISCONSIN
FOND DU LAC COUNTY
NO. R-____ CITY OF FOND DU LAC \$_____
GENERAL OBLIGATION REFUNDING BOND, SERIES 2017B

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP:
April 1, _____ September 27, 2017 _____% _____

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: _____ THOUSAND DOLLARS
(\$_____)

FOR VALUE RECEIVED, the City of Fond du Lac, Fond du Lac County, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest shall be payable semi-annually on April 1 and October 1 of each year commencing on April 1, 2018 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Bond are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Bond is registered on the Bond Register maintained by The Bank of New York Mellon Trust Company, N.A. (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding each interest payment date (the "Record Date"). This Bond is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

For the prompt payment of this Bond together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the City are hereby irrevocably pledged.

This Bond is one of an issue of Bonds aggregating the principal amount of \$7,050,000, all of which are of like tenor, except as to denomination, interest rate, and maturity date, issued by the City pursuant to the provisions of Section 67.04, Wisconsin Statutes, for the public purpose of refunding certain obligations of the City, as authorized by a resolution adopted on September 13, 2017. Said resolution is recorded in the official minutes of the City Council for said date.

This Bond is not subject to optional redemption.

【The Bonds maturing in the years _____ are subject to mandatory redemption by lot as provided in the resolution authorizing the Bonds, at the redemption price of par plus accrued interest to the date of redemption and without premium.

In the event the Bonds are redeemed prior to maturity, as long as the Bonds are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Bonds of a maturity are to be called for redemption, the Bonds of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation and date of the Bonds called for redemption, CUSIP number, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Bonds shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Bonds shall no longer be deemed to be outstanding.】

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Bond have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the City, including this Bond and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrepealable tax has been levied sufficient to pay this Bond, together with the interest thereon, when and as payable.

This Bond is transferable only upon the books of the City kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Bonds, and the City appoints another depository, upon surrender of the Bonds to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Bond in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the City for any tax, fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Bonds 【(i)】 after the Record Date. 【(ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Bonds, or (iii) with respect to any particular Bond, after such Bond has been called for redemption.】 The Fiscal Agent and City may treat and consider the Depository 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 redemption price hereof and interest due hereon and for all other purposes whatsoever. The Bonds are issuable solely as negotiable, fully-registered Bonds without coupons in the denomination of \$5,000 or any integral multiple thereof.

This Bond shall not be valid or obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Fiscal Agent.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

DRAFT

IN WITNESS WHEREOF, the City of Fond du Lac, Fond du Lac County, Wisconsin, by its governing body, has caused this Bond to be executed for it and in its name by the manual or facsimile signatures of its duly qualified City Manager and City Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

CITY OF FOND DU LAC,
FOND DU LAC COUNTY, WISCONSIN

By: _____
Joseph P. Moore
City Manager

(SEAL)

By: _____
Margaret Hefter
City Clerk

Date of Authentication: _____, _____

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds of the issue authorized by the within-mentioned resolution of the City of Fond du Lac, Wisconsin.

THE BANK OF NEW YORK MELLON
TRUST COMPANY, N.A.

By _____
Authorized Signatory

ASSIGNMENT

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

(Name and Address of Assignee)

(Social Security or other Identifying Number of Assignee)

the within Bond and all rights thereunder and hereby irrevocably constitutes and appoints _____, Legal Representative, to transfer said Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

(e.g. Bank, Trust Company
or Securities Firm)

(Depository or Nominee Name)

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

(Authorized Officer)

EXHIBIT D

Fiscal Agency Agreement

(See Attached)

DRAFT

FISCAL AGENCY AGREEMENT

THIS AGREEMENT, made as of the 27th day of September, 2017 between the City of Fond du Lac, Wisconsin (the "Municipality"), and The Bank of New York Mellon Trust Company, N.A. (the "Fiscal Agent").

WITNESSETH:

WHEREAS, the Municipality has duly authorized the issuance of its \$7,050,000 General Obligation Refunding Bonds, Series 2017B, dated September 27, 2017 (the "Obligations") pursuant to the applicable provisions of the Wisconsin Statutes and a resolution adopted on September 13, 2017 (the "Resolution"); and

WHEREAS, the Municipality is issuing the Obligations in registered form pursuant to Section 149 of the Internal Revenue Code of 1986, as amended, and applicable Treasury Regulations promulgated thereunder; and

WHEREAS, pursuant to the Resolution and Section 67.10(2), Wisconsin Statutes the Municipality has authorized the appointment of the Fiscal Agent as agent for the Municipality for any or all of the following responsibilities: payment of principal and interest on, registering, transferring and authenticating the Obligations as well as other applicable responsibilities permitted by Section 67.10(2), Wisconsin Statutes.

NOW, THEREFORE, the Municipality and the Fiscal Agent hereby agree as follows:

I. APPOINTMENT

The Fiscal Agent is hereby appointed agent for the Municipality with respect to the Obligations for the purpose of performing such of the responsibilities stated in Section 67.10(2), Wisconsin Statutes, as are delegated herein or as may be otherwise specifically delegated in writing to the Fiscal Agent by the Municipality.

II. INVESTMENT RESPONSIBILITY

The Fiscal Agent shall not be under any obligation to invest funds held for the payment of interest or principal on the Obligations.

III. PAYMENTS

At least one business day before each interest payment date (commencing with the interest payment date of April 1, 2018 and continuing thereafter until the principal of and interest on the Obligations should have been fully paid or prepaid in accordance with their terms) the Municipality shall pay to the Fiscal Agent, in good funds immediately available to the Fiscal Agent on the interest payment date, a sum equal to the amount payable as principal of, premium, if any, and interest on the Obligations on such interest payment date. Said interest and/or principal payment dates and amounts are outlined on Schedule A which is attached hereto and incorporated herein by this reference.

IV. CANCELLATION

In every case of the surrender of any Obligation for the purpose of payment, the Fiscal Agent shall cancel and destroy the same and deliver to the Municipality a certificate regarding such cancellation. The Fiscal Agent shall be permitted to microfilm or otherwise photocopy and record said Obligations.

V. REGISTRATION BOOK

The Fiscal Agent shall maintain in the name of the Municipality a Registration Book containing the names and addresses of all owners of the Obligations and the following information as to each Obligation: its number, date, purpose, amount, rate of interest and when payable. The Fiscal Agent shall keep confidential said information in accordance with applicable banking and governmental regulations.

VI. INTEREST PAYMENT

Payment of each installment of interest on each Obligation shall be made to the registered owner of such Obligation whose name shall appear on the Registration Book at the close of business on the 15th day of the calendar month next preceding each interest payment date and shall be paid by check or draft of the Fiscal Agent mailed to such registered owner at his address as it appears in such Registration Book or at such other address as may be furnished in writing by such registered owner to the Fiscal Agent.

VII. PAYMENT OF PRINCIPAL [AND NOTICE OF REDEMPTION]

(a) Principal Payments.] Principal shall be paid to the registered owner of an Obligation upon surrender of the Obligation on or after its maturity [or redemption] date.

[The Obligations due on April 1, 20__ and April 1, 20__ (the "Term Bonds") are subject to mandatory redemption prior to maturity by lot at a redemption price equal to One Hundred Percent (100%) of the principal amount to be redeemed plus accrued interest to the date of redemption, from deposits which are required to be made in amounts sufficient to redeem on April 1 of each year the respective amount of Term Bonds specified on the attached Schedule MRP.

The Municipality hereby directs and the Fiscal Agent hereby agrees to select the Term Bonds to be redeemed on the dates set forth above and to give notice of such redemption as set forth in substantially the form attached hereto as Schedule B by registered or certified mail, facsimile transmission, overnight express delivery, electronic transmission or in any other manner required by The Depository Trust Company at least thirty (30) days but not more than sixty (60) days prior to the date fixed for redemption to the registered owner of each Obligation selected to be redeemed, in whole or in part, at the address shown on the registration books as of the Record Date.

The Municipality, in accordance with Section III hereof, shall make payments sufficient for the Fiscal Agent to pay the amounts due on the Term Bonds subject to mandatory redemption.

(b) Official Notice of Redemption. In the event the Municipality exercises its option to redeem any of the Obligations, the Municipality shall, at least 35 days prior to the redemption date, direct the Fiscal Agent to give official notice of such redemption by sending an official notice thereof by registered or certified mail, facsimile transmission, overnight express delivery, electronic transmission or in any other manner required by The Depository Trust Company at least 30 days but not more than 60 days prior to the date fixed for redemption to the registered owner of each Obligation to be redeemed in whole or in part at the address shown in the Registration Book. Such official notice of redemption shall be dated and shall state (i) the redemption date and price; (ii) an identification of the Obligations to be redeemed, including the date of original issue of the Obligations; (iii) that on the redemption date the redemption price will become due and payable upon each such Obligation or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date; and (iv) the place where such Obligations are to be surrendered for payment of the redemption price, which place of payment shall be the principal office of the Fiscal Agent. Official notice of the redemption of Obligations subject to mandatory redemption shall be given in the same manner.

(c) Additional Notice of Redemption. In addition to the official notice of redemption provided in (b) above, further notice of any redemption shall be given by the Fiscal Agent on behalf of the Municipality to the Municipal Securities Rulemaking Board and The Depository Trust Company of New York, New York but neither a defect in this additional notice nor any failure to give all or any portion of such additional notice shall in any manner defeat the effectiveness of a call for redemption.

Each further notice of redemption given hereunder shall be sent at least 30 days before the redemption date by registered or certified mail, overnight delivery service, facsimile transmission or email transmission and shall contain the information required above for an official notice of redemption.

(d) Redemption of Obligations. The Obligations to be redeemed at the option of the Municipality shall be selected by the Municipality and, within any maturity, shall be selected by lot by the Depository described in Section VIII hereof. Obligations subject to mandatory redemption shall be selected as described in (a) above. The Obligations or portions of Obligations to be redeemed shall, on the redemption dates, become due and payable at the redemption price therein specified, and from and after such date such Obligations or portions of Obligations shall cease to bear interest. Upon surrender of such Obligations for redemption in accordance with the official notice of redemption, such Obligations shall be paid by the Fiscal Agent at the redemption price. Installments of interest due on or prior to the redemption date shall be payable as herein provided for payment of interest. Upon surrender for any partial redemption of any Obligation, there shall be prepared for the registered owner a new Obligation or Obligations of the same maturity in the amount of the unpaid principal. Each check or other transfer of funds issued in payment of the redemption price of Obligations being redeemed shall bear the CUSIP number identifying, by issue and maturity, the Obligations being redeemed with the proceeds of such check or other transfer.]

VIII. UTILIZATION OF THE DEPOSITORY TRUST COMPANY

The Depository Trust Company's Book-Entry-Only System is to be utilized for the Obligations. The Fiscal Agent, as agent for the Municipality, agrees to comply with the provisions of The Depository Trust Company's Operational Arrangements, as they may be amended from time to time referenced in the Blanket Issuer Letter of Representations executed by the Municipality. The provisions of the Operational Arrangements and this Section VIII supersede and control any and all representations in this Agreement.

IX. OBLIGATION TRANSFER AND EXCHANGE

The Fiscal Agent shall transfer Obligations upon presentation of a written assignment duly executed by the registered owner or by such owner's duly authorized representative. Upon such a transfer, new registered Obligation(s) of the same maturity, in authorized denomination or denominations in the same aggregate principal amount for each maturity shall be issued to the transferee in exchange therefor, and the name of such transferee shall be entered as the new registered owner in the Registration Book. No Obligation may be registered to bearer. The Fiscal Agent may exchange Obligations of the issue for a like aggregate principal amount of Obligations of the same maturity if in authorized whole multiples of \$5,000.

The Obligations shall be numbered R-1 and upward. Upon any transfer or exchange, the Obligation or Obligations issued shall bear the next highest consecutive unused number or numbers.

The Municipality shall cooperate in any such transfer, and the appropriate officers of the Municipality are authorized to execute any new Obligation or Obligations necessary to effect any such transfer.

X. AUTHENTICATION, IF REQUIRED

The Fiscal Agent shall sign and date the Certificate of Authentication, if any, on each Obligation on the date of delivery, transfer or exchange of such Obligation. The Fiscal Agent shall distribute and/or retain for safekeeping the Obligations in accordance with the direction of the registered owners thereof.

XI. STATEMENTS

The Fiscal Agent shall furnish the Municipality with an accounting of interest and funds upon reasonable request.

XII. FEES

The Municipality agrees to pay the Fiscal Agent fees for its services hereunder in the amounts set forth on Schedule [B/C] hereto.

XIII. MISCELLANEOUS

(a) Nonpresentment of Checks. In the event the check or draft mailed by the Fiscal Agent to the registered owner is not presented for payment within five years of its date, then the monies representing such nonpayment shall be returned to the Municipality or to such board, officer or body as may then be entitled by law to receive the same together with the name of the registered owner of the Obligation and the last mailing address of record and the Fiscal Agent shall no longer be responsible for the same.

(b) Resignation and Removal; Successor Fiscal Agent. (i) Fiscal Agent may at any time resign by giving not less than 60 days written notice to Municipality. Upon receiving such notice of resignation, Municipality shall promptly appoint a successor fiscal agent by an instrument in writing executed by order of its governing body. If no successor fiscal agent shall have been so appointed and have accepted appointment within 60 days after such notice of resignation, the resigning fiscal agent may petition any court of competent jurisdiction for the appointment of a successor fiscal agent. Such court may thereupon, after such notice, if any, as it may deem proper and prescribes, appoint a successor fiscal agent. The resignation of the fiscal agent shall take effect only upon appointment of a successor fiscal agent and such successor fiscal agent's acceptance of such appointment.

(ii) The Fiscal Agent may also be removed by the Municipality at any time upon not less than 60 days' written notice. Such removal shall take effect upon the appointment of a successor fiscal agent and such successor fiscal agent's acceptance of such appointment.

(iii) Any successor fiscal agent shall execute, acknowledge and deliver to Municipality and to its predecessor fiscal agent an instrument accepting such appointment hereunder, and thereupon the resignation or removal of the predecessor fiscal agent shall become effective and such successor fiscal agent, without any further act, deed or conveyance, shall become vested with all the rights, powers, trusts, duties and obligations of its predecessor, with like effect as if originally named as fiscal agent herein; but nevertheless, on written request of Municipality, or on the request of the successor, the fiscal agent ceasing to act shall execute and deliver an instrument transferring to such successor fiscal agent, all the rights, powers, and trusts of the fiscal agent so ceasing to act. Upon the request of any such successor fiscal agent, Municipality shall execute any and all instruments in writing for more fully and certainly vesting in and confirming to such successor fiscal agent all such rights, powers and duties. Any predecessor fiscal agent shall pay over to its successor fiscal agent any funds of the Municipality.

(iv) Any corporation, association or agency into which the Fiscal Agent may be converted or merged, or with which it may be consolidated, or to which it may sell or transfer its corporate trust business and assets as a whole or substantially as a whole, or any corporation or association resulting from any such conversion, sale, merger, consolidation or transfer to which it is a party, ipso facto, shall be and become successor fiscal agent under this Agreement and vested with all the trusts, powers, discretions, immunities and privileges and all other matters as was its predecessor, without the execution or filing of any instrument or any further act, deed or conveyance on the part of any of the parties hereto, anything herein to the contrary notwithstanding.

(v) Any successor fiscal agent shall be qualified pursuant to Sec. 67.10(2), Wisconsin Statutes, as amended.

(c) Termination. This Agreement shall terminate on the earlier of (i) the payment in full of all of the principal and interest on the Obligations to the registered owners of the Obligations or (ii) five years after (aa) the last principal payment on the Obligations is due (whether by maturity or earlier redemption) or (bb) the Municipality's responsibilities for payment of the Obligations are fully discharged, whichever is later. The parties realize that any funds hereunder as shall remain upon termination shall, except as may otherwise by law, be turned over to the Municipality after deduction of any unpaid fees and disbursements of Fiscal Agent or, if required by law, to such officer, board or body as may then be entitled by law to receive the same. Termination of this Agreement shall not, of itself, have any effect on Municipality's obligation to pay the outstanding Obligations in full in accordance with the terms thereof.

(d) Indemnification. Notwithstanding any provision contained herein to the contrary, the Fiscal Agent, including its officers, directors, employees and agents, shall:

(i) not be liable for any action taken or omitted under this Agreement so long as it shall have acted in good faith and without gross negligence;

(ii) have no responsibility to inquire into or determine the genuineness, authenticity, or sufficiency of any securities, checks, or other documents or instruments submitted to it in connection with its duties hereunder;

(iii) be entitled to deem the signatories of any documents or instruments submitted to it hereunder as being those purported to be authorized to sign such documents or instruments on behalf of the parties hereto, and shall be entitled to rely upon the genuineness of the signatures of such signatories without inquiry and without requiring substantiating evidence of any kind;

(iv) be, and hereby is, indemnified and saved harmless by the Municipality, to the extent permitted by law, from all losses, liabilities, costs and expenses, including attorney fees and expenses, which may be incurred by it as a result of its acceptance its appointment as Fiscal Agent or arising from the performance of its duties hereunder, unless such losses, liabilities, costs and expenses shall have been finally adjudicated to have resulted from the willful misconduct or gross negligence of the Fiscal Agent, and such indemnification shall survive its resignation or removal, or the termination of this Agreement;

(v) have only those duties as are specifically provided herein, and no implied duties shall be read into this Agreement against the Fiscal Agent. IN NO EVENT SHALL THE FISCAL AGENT BE LIABLE, DIRECTLY OR INDIRECTLY, FOR ANY (i) DAMAGES OR EXPENSES ARISING OUT OF THE SERVICES PROVIDED HEREUNDER, OTHER THAN DAMAGES WHICH RESULT FROM THE FISCAL AGENT'S FAILURE TO ACT IN ACCORDANCE WITH THE STANDARDS SET FORTH IN THIS AGREEMENT, OR (ii) SPECIAL OR CONSEQUENTIAL DAMAGES, EVEN IF THE FISCAL AGENT HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES;

(vi) not have any liability or obligation with respect to any failure or delay in the performance of its obligations under this Agreement arising out of or caused, directly or indirectly, by circumstances beyond its reasonable control, including, without limitation, acts of God; earthquakes; fires; floods; wars; civil or military disturbances; sabotage; epidemics; riots; interruptions, loss or malfunctions of utilities, computer (hardware or software) or communications services; accidents; labor disputes; acts of civil or military authority or governmental actions; it being understood that the Fiscal Agent shall use reasonable efforts which are consistent with accepted practices in the banking industry to resume performance as soon as practicable under the circumstances;

(vii) have the right, but not the obligation, to consult with counsel of choice and shall not be liable for action taken or omitted to be taken by Fiscal Agent either in accordance with the advice of such counsel or in accordance with any opinion of counsel to the Fiscal Agent addressed and delivered to the Fiscal Agent;

(viii) have the right to perform any of its duties hereunder through agents, attorneys, custodians or nominees; and

(ix) not be required to risk or expend its own funds.

(e) Fiscal Agent's Reliance on Instructions. The Fiscal Agent agrees to accept and act upon instructions or directions pursuant to this Agreement sent by unsecured e-mail, facsimile transmission or other similar unsecured electronic methods, provided, however, that the Municipality shall provide to the Fiscal Agent an incumbency certificate listing designated persons authorized to provide such instructions, which incumbency certificate shall be amended whenever a person is to be added or deleted from the listing. If the Municipality elects to give the Fiscal Agent e-mail or facsimile instructions (or instructions by a similar electronic method) and the Fiscal Agent in its discretion elects to act upon such instructions, the Fiscal Agent's understanding of such instructions shall be deemed controlling. The Fiscal Agent shall not be liable for any losses, costs or expenses arising directly or indirectly from the Fiscal Agent's reliance upon and compliance with such instructions notwithstanding such instructions conflict or are inconsistent with a subsequent written instruction. The Municipality agrees: (i) to assume all risks arising out of the use of such electronic methods to submit instructions and directions to the Fiscal Agent, including without limitation the risk of the Fiscal Agent acting on unauthorized instructions, and the risk of interception and misuse by third parties; (ii) that it is fully informed of the protections and risks associated with the various methods of transmitting instructions to the Fiscal Agent and that there may be more secure methods of transmitting instructions than the method(s) selected by the Municipality; and (iii) that the security procedures (if any) to be followed in connection with its transmission of instructions provide to it a commercially reasonable degree of protection in light of its particular needs and circumstances.

(f) Execution in Counterparts. This Agreement may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the parties have executed this Agreement, being duly authorized so to do, each in the manner most appropriate to it, on the date first above written.

CITY OF FOND DU LAC, FOND DU LAC
COUNTY, WISCONSIN

By: _____
Joseph P. Moore
City Manager

(SEAL)

Margaret Hefter
City Clerk

THE BANK OF NEW YORK MELLON
TRUST COMPANY, N.A.
Fiscal Agent

(SEAL)

By: _____
Title _____

Attest _____
Title _____

SCHEDULE A

Debt Service Schedule
\$7,050,000 General Obligation Refunding Bonds, Series 2017B
of the City of Fond du Lac, Wisconsin
dated September 27, 2017

(SEE ATTACHED)

DRAFT

[SCHEDULE MRP

Mandatory Redemption Provision

The Obligations due on April 1, ____ and ____ (the "Term Bonds") are subject to mandatory redemption prior to maturity by lot (as selected by the Depository) at a redemption price equal to One Hundred Percent (100%) of the principal amount to be redeemed plus accrued interest to the date of redemption, from debt service fund deposits which are required to be made in amounts sufficient to redeem on April 1 of each year the respective amount of Term Bonds specified below:

For the Term Bonds Maturing on April 1, 20__

<u>Redemption Date</u>	<u>Amount</u>
____	\$ ____
____	____
____	____ (maturity)

For the Term Bonds Maturing on April 1, 20__

<u>Redemption Date</u>	<u>Amount</u>
____	\$ ____
____	____
____	____ (maturity)]

[SCHEDULE B

NOTICE OF MANDATORY SINKING FUND REDEMPTION*

City of Fond du Lac, Wisconsin
General Obligation Refunding Bonds, Series 2017B
Dated September 27, 2017

NOTICE IS HEREBY GIVEN that a portion of the Bonds of the above-referenced issue which mature on April 1, 20____ shall be subject to mandatory sinking fund redemption on April 1 of the year set forth below, in the amount set forth below, at a redemption price equal to One Hundred Percent (100%) of the principal amount redeemed plus accrued interest to the date of redemption.

<u>Redemption Date</u>	<u>Principal Amount</u>	<u>CUSIP Number</u>
April 1, ____	\$____	_____

Such portion of the Bonds will cease to bear interest on the redemption date set forth above.

BY THE ORDER OF THE
CITY COUNCIL

CITY OF FOND DU LAC, WISCONSIN

Dated: _____

* To be provided by registered or certified mail, facsimile transmission, overnight express delivery, electronic transmission or in any other manner required by The Depository Trust Company, to The Depository Trust Company, Attn: Supervisor, Call Notification Department, 570 Washington Blvd., Jersey City, NJ 07310, not less than thirty (30) days nor more than sixty (60) days prior to the call date. At least thirty (30) days prior to the call date notice shall also be filed electronically with the Municipal Securities Rulemaking Board through the Electronic Municipal Market Access (EMMA) System website at www.emma.msrb.org.]

SCHEDULE C

(SEE ATTACHED)

DRAFT

EXHIBIT E

NOTICE OF FULL CALL*

CITY OF FOND DU LAC
FOND DU LAC COUNTY, WISCONSIN
GENERAL OBLIGATION REFUNDING BONDS, DATED OCTOBER 1, 2007

NOTICE IS HEREBY GIVEN that the Bonds of the above-referenced issue which mature on the dates and in the amounts; bear interest at the rates; and have CUSIP Nos. as set forth below have been called for prior payment on October 18, 2017 at a redemption price equal to 100% of the principal amount thereof plus accrued interest to the date of prepayment:

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>CUSIP No.</u>
4/1/2018	\$1,250,000	4.00%	3444606C9
4/1/2019	1,450,000	5.00	3444606D7
4/1/2020	1,250,000	5.00	3444606E5
4/1/2021	1,500,000	5.00	3444606F2
4/1/2022	1,600,000	5.00	3444606G0

Upon presentation and surrender of said Bonds to The Bank of New York Mellon Trust Company, N.A. (formerly known as The Bank of New York Trust Company, N.A.) the registrar and fiscal agent for said Bonds, the registered owners thereof will be paid the principal amount of the Bonds plus accrued interest to the date of prepayment.

Said Bonds will cease to bear interest on October 18, 2017.

By Order of the
City Council
City of Fond du Lac
City Clerk

Dated _____

* To be provided to The Bank of New York Mellon Trust Company, N.A. (formerly known as The Bank of New York Trust Company, N.A.) at least thirty-five (35) days prior to October 18, 2017. The registrar and fiscal agent shall be directed to give notice of such prepayment by registered or certified mail, overnight express delivery, facsimile transmission, or electronic transmission to The Depository Trust Company, Attn: Supervisor, Call Notification Department, 570 Washington Blvd., Jersey City, NJ 07310, not less than thirty (30) days nor more than sixty (60) days prior to October 18, 2017 and to the MSRB electronically through the Electronic Municipal Market Access (EMMA) System website at www.emma.msrb.org. Notice shall also be provided to Financial Guaranty Insurance Company, or any successor, the bond insurer of the Bonds.

CITY OF FOND DU LAC - Memorandum

Department of Administration

Date: September 7, 2017

To: Joseph P. Moore, City Manager
City Council

From: Tracy C. Salter, Director of Administration

Re: Interest Savings on Refunding 2007 General Obligation
Refunding Bonds

The 2007 General Obligation Refunding Bonds are currently callable. The remaining five years of principal payments totaling \$7,050,000 will be refinanced using the same principal repayment schedule, but a reduced interest rate.

The overall interest rate of the current 2007 General Obligation Refunding Bonds is 4.9% and the estimated average rate of these 2017 refunding bonds will be 2.09%. Estimated gross savings of \$525,388 or \$504,543 present value savings will be realized over the remaining five years. The anticipated savings for 2018 is estimated at \$180,000.

Paul Thompson from Hutchinson, Shockey, Erley and Co. will be at the Council meeting. Please contact me with any questions.

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

Title: Resolution No. 8700

Subject: A Resolution Making An Appointment To The Downtown Architectural Review Board
Introduction: City Manager

Initiator:

Recommendation:

ATTACHMENTS:

File Name

[8700_Res appintment DARB.docx](#)

[DARB Redacted.pdf](#)

RESOLUTION NO. 8700

A RESOLUTION MAKING AN APPOINTMENT TO THE DOWNTOWN ARCHITECTURAL REVIEW BOARD

BE IT RESOLVED by the City Council of the City of Fond du Lac that the following re-appointment by the City Manager to the Downtown Architectural Review Board is hereby confirmed:

<u>DOWNTOWN ARCHITECTURAL REVIEW</u>	<u>Beginning</u>	<u>Ending</u>
Jamie Molitor (1 st Reappointment)	9/14/2017	8/30/2020

ADOPTED:

Karyn Merkel, President
Fond du Lac City Council

Attest:

City Attorney:

Margaret Hefter, City Clerk

Reviewed 

**CITY OF FOND DU LAC
APPLICATION FOR APPOINTMENT TO
CITY BOARDS, COMMISSIONS, AND COMMITTEES**

DARB 8-22-17
Name of Board, Commission or Committee Date

Jamie Molitor [Redacted]
Full Name Address

Mom N/A
Occupation Employer

18 Years of Age or Older? Yes ☒ No ☐ Home Phone N/A Business Phone N/A

E-Mail Address [Redacted] Cellular Phone [Redacted]

Are you currently a resident of Fond du Lac? Yes ☒ No ☐ No. of Years: 6

Education: BA - sociology - UW - Whitewater

List potential conflicts of interest: N/A

List City boards, commissions or committees on which you have served:	Yrs	List other civic, church or club committees on which you have served:	Yrs
<u>DARB</u>	<u>2</u>		

I have read the information sheet outlining the desired qualifications for this board. My background and interests meet these desired qualifications as follows:

I was asked by staff to join board.
- See first sheet -

If selected, I would like to work towards bettering the community through my service in the following ways:

Improving the downtown for both locals
& share business outlets.

Please note: By filing this application with the City of Fond du Lac, applicant acknowledges that personal information on this form may be published in the annual Fond du Lac Boards and Commissions Directory and distributed to members, staff and the public.

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

Title: Resolution No. 8701

Subject: A Resolution Authorizing Purchase Of Parcel T09-15-17-05-14-001-00 For The
Future Site Of The Public Safety Training Center
Introduction: Community Development Director

Initiator:

Recommendation:

ATTACHMENTS:

File Name

[8701 Resolution Purchase PSTC.pdf](#)

[PSTC CC Memo.pdf](#)

[PSTC Site.pdf](#)

RESOLUTION NO. 8701

**A RESOLUTION AUTHORIZING PURCHASE OF
PARCEL T09-15-17-05-14-001-00 FOR THE FUTURE SITE OF THE
PUBLIC SAFETY TRAINING CENTER**

WHEREAS, the owner of the parcel T09-15-17-05-14-001-00 on North Rolling Meadows Drive has offered the property for sale; and

WHEREAS, the parcel is located within the Town of Fond du Lac and the Town has consented to the annexation of the parcel into the City of Fond du Lac; and

WHEREAS, the parcel will be the future site of the Public Safety Training Center.

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 purchase the parcel T09-15-17-05-14-001-00 at a purchase price of \$250,000.

ADOPTED:

Karyn Merkel, President
Fond du Lac City Council

Attest:

City Attorney:

Margaret L. Hefter, City Clerk

Reviewed: DSM

CITY OF FOND DU LAC - Memorandum

Department of Community Development

Date: September 11, 2017

To: Joe Moore, City Manager

From: Dyann Benson, Community Development Director

Re: Property Acquisition – Public Safety Training Center

The Fond du Lac Fire/Rescue and Police Departments have identified a need to provide training for department personnel and have included in the development of a Public Safety Training Center (PSTC) as part of the 2018 Capital Improvement Plan.

Initial discussions in 2016 regarding the PSTC indicated that a significant cost to the project would be property acquisition, with one site offered at \$1.5 million.

Since 2016, staff has evaluated alternative sites for the potential future PSTC considering both land suitability, access and cost. In 2017, staff identified parcel T09-15-17-05-14-001-00 as a potential location for the PSTC.

Preliminary assessments of the parcel, including soil conditions and wetland delineations, indicate a viable development location. The parcel is offered for sale at \$10,000/acre for the 25 acre site for a total sale price of \$250,000.

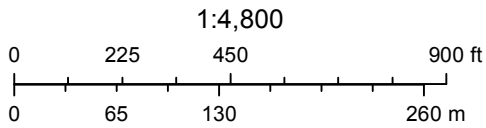
On September 11, 2017, the Town of Fond du Lac consented to the annexation of the parcel into the City of Fond du Lac.

Due to the site suitability, proposed sales price, the proximity to the City and with the concurrence of the Chiefs, staff requests City Council's approval authorizing the purchase of the parcel.

Fond du Lac County, WI



April 21, 2017



Fond du Lac County

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

Title: Ordinance No. 3638

Subject: An Ordinance Annexing Property To The City Of Fond du Lac And Change Limits To
Include Property South Of HWY 151 Between Scott Road And South Hickory Street
Introduction: Community Development Director

(Requires a 2/3 vote of the governing body)

Initiator:

Recommendation:

ATTACHMENTS:

File Name

[3638 annex Town of FDL property.pdf](#)

[annex \(2\).pdf](#)

[revised annexation approval letter.pdf](#)

ORDINANCE NO. 3638

AN ORDINANCE ANNEXING PROPERTY TO THE CITY OF FOND DU LAC AND CHANGE LIMITS TO INCLUDE PROPERTY SOUTH OF HWY 151 BETWEEN SCOTT ROAD AND SOUTH HICKORY ST

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

Section 1. Property Annexed. In accordance with Section 66.0217, Wis. Stats., and a Petition for Direct Annexation filed with the City Clerk's office, signed by all of the property owners, and there are no electors residing in the territory proposed to be annexed, 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:

A parcel of land being Certified Survey Map No. 55 of Volume 2 of Certified Survey Maps Pages 55 and 55A and also part of the N.W. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ and part of the N.E. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$, all in Section 33, Town 15 North, Range 17 East, in the Town of Fond du Lac, Fond du Lac County, Wisconsin and being more particularly described as follows:

Beginning at the North $\frac{1}{4}$ corner of said Section 33; thence South 89°42'52" East along the North line of the N.E. $\frac{1}{4}$ of said Section, 1323.05 feet; thence South 00°15'50" West along the East line of the N.W. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$, 1281.19 feet; thence North 89°40'34" West 1326.18 feet; thence North 89°41'04" West 33.00 feet; thence North 00°24'13" East 1280.22 feet; thence South 89°49'29" East along the North line of the N.W. $\frac{1}{4}$, 33.00 feet to the point of beginning. Parcel described contains 39.92 acres more or less.

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 29 and the poll location for Ward 29 is Fire Station No. 1, 815 South Main Street, 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:

Karyn Merkel, President
Fond du Lac City Council

Attest:

Margaret Hefter, City Clerk

City Attorney:

Reviewed 

Return to:

City Clerk
160 S. Macy Street
Fond du Lac WI 54935

Request for Annexation Review

Wisconsin Department of Administration

WI Dept. of Administration
Municipal Boundary Review
101 E. Wilson Street, 9th Floor
Madison WI 53703
608-264-6102 Fax: 608-264-6104
wimunicipalboundaryreview@wi.gov
<http://doa.wi.gov/municipalboundaryreview/>

Petitioner Information

Name: **FOND DU LAC COUNTY**

Address: **160 SOUTH MACY STREET**

FOND DU LAC, WI 54935

Email: **TOM.JANKE@FDLCO.WI.GOV**

Office use only:

1. Town where property is located: **TOWN OF FOND DU LAC**

2. Petitioned City or Village: **CITY OF FOND DU LAC**

3. County where property is located: **FOND DU LAC**

4. Population of the territory to be annexed: **0**

5. Area (in acres) of the territory to be annexed: **39.92**

6. Tax parcel number(s) of territory to be annexed
(if the territory is part or all of an existing parcel):

T09-15-17-33-02-001-00 & T09-15-17-33-02-002-00

Petitioners phone:

920-929-3488

Town clerk's phone:

(920) 923-1327

City/Village clerk's phone:

(920) 322-3433

Contact Information if different than petitioner:

Representative's Name and Address:

DYANN BENSON

CITY OF FOND DU LAC

PO BOX 150

FOND DU LAC, WI 54936-0150

Phone: **(920) 322-3440**

E-mail: **DBENSON@FDL.WI.GOV**

Surveyor or Engineering Firm's Name & Address:

FOND DU LAC COUNTY SURVEYOR

FOND DU LAC COUNTY HWY

COMMISSION

301 DIXIE STREET

FOND DU LAC, WI 54935

Phone: **(920) 929-3492**

E-mail:

PETER.KUEN@FDLCOUNTY.WI.GOV

Required Items to be provided with submission (to be completed by petitioner):

1. ☒ Legal Description meeting the requirements of s.66.0217 (1) (c) [see attached annexation guide]
2. ☒ Map meeting the requirements of s. 66.0217 (1) (g) [see attached annexation guide]
3. ☒ Signed Petition or Notice of Intent to Circulate is included
4. Indicate Statutory annexation method used:
 - ☒ Unanimous per s. 66.0217 (2), or,
OR
 - ☐ Direct by one-half approval per s. 66.0217 (3)
5. ☒ Check or money order covering review fee [see next page for fee calculation]

SIGNATURE

DATE

OWNER

ELECTOR

Allen Buechel

Allen Buechel,
Fond du Lac County Executive

160 South Macy Street
ADDRESS

Fond du Lac, WI 54935
CITY, STATE, ZIP CODE

NAME

ADDRESS

CITY, STATE, ZIP CODE

NAME

ADDRESS

CITY, STATE, ZIP CODE

NAME

ADDRESS

CITY, STATE, ZIP CODE

NAME

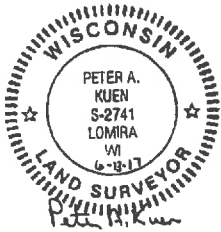
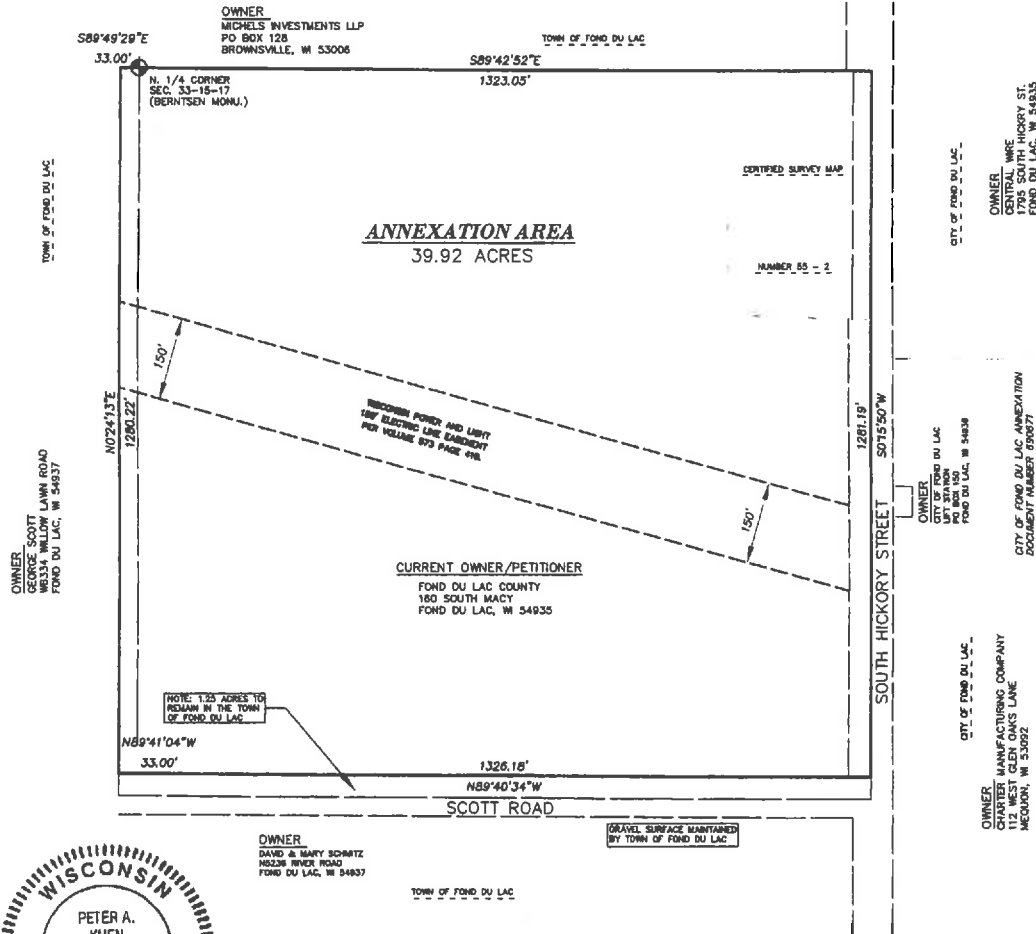
ADDRESS

CITY, STATE, ZIP CODE

X

ANNEXATION MAP

A PARCEL OF LAND BEING CERTIFIED SURVEY MAP NUMBER 55 OF VOLUME 2
OF CERTIFIED SURVEY MAPS PAGES 55 AND 55A AND ALSO PART OF THE
N.W. 1/4 OF THE N.E. 1/4 AND PART OF THE N.E. 1/4 OF THE N.W. 1/4,
ALL IN SECTION 33, TOWN 15 NORTH, RANGE 17 EAST, IN THE TOWN OF
FOND DU LAC, FOND DU LAC COUNTY WISCONSIN.



LEGAL DESCRIPTION

A PARCEL OF LAND BEING CERTIFIED SURVEY MAP NUMBER 55 OF VOLUME 2 OF CERTIFIED SURVEY MAPS PAGES 55 AND 55A AND ALSO PART OF THE N.W. 1/4 OF THE N.E. 1/4 AND PART OF THE N.E. 1/4 OF THE N.W. 1/4, ALL IN SECTION 33, TOWN 15 NORTH, RANGE 17 EAST, IN THE TOWN OF FOND DU LAC, FOND DU LAC COUNTY, WISCONSIN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH 1/4 CORNER OF SAID SECTION 33; THENCE SOUTH 89°42'52" EAST ALONG THE NORTH LINE OF THE N.E. 1/4 OF SAID SECTION, 1323.05 FEET; THENCE SOUTH 00°15'50" WEST ALONG THE EAST LINE OF THE N.W. 1/4 OF THE N.E. 1/4, 1281.19 FEET; THENCE NORTH 89°40'34" WEST 1326.18 FEET; THENCE NORTH 89°41'04" WEST 33.00 FEET; THENCE NORTH 00°24'13" EAST 1280.22 FEET; THENCE SOUTH 89°49'29" EAST ALONG THE NORTH LINE OF THE N.W. 1/4, 33.00 FEET TO THE POINT OF BEGINNING.

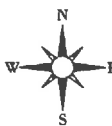
PARCEL DESCRIBED CONTAINS 39.92 ACRES MORE OR LESS.

SHEET 1 OF 1
JUNE 13, 2017

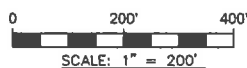
**FOND DU LAC COUNTY
SURVEYOR**

PETER A. KUEN PLS NO. 2741

**FOND DU LAC COUNTY
HIGHWAY COMMISSION
301 DIXIE ST.
FOND DU LAC, WI 54936
(920) 929-3492**



BEARINGS ARE REFERENCED TO THE NORTH LINE OF
THE N.E. 1/4 OF SECTION 33, WHICH BEARS SOUTH 89°42'52" EAST
ACCORDING TO THE FOND DU LAC COUNTY COORDINATE SYSTEM.



THIS DOCUMENT WAS DRAFTED BY PETER A. KUEN

PETITION FOR DIRECT ANNEXATION

To: City Council
City of Fond du Lac, Wisconsin

We, the undersigned electors and/or landowners, pursuant to Chapter 66 of the Wisconsin Statutes, respectfully petition the City of Fond du Lac for direct annexation to the City of Fond du Lac of the following described territory which is presently in the Town of Fond du Lac, Fond du Lac County, Wisconsin.

Legal Description of Territory to be Annexed

See Exhibit A

A scale map of the territory to be annexed is attached hereto and marked Exhibit A.

In support of this petition, the petitioners say to the City Council:

1. The total number of residents in the territory proposed to be annexed is 0.
2. Your petitioners constitute the owners of all of the land in area within such territory, and in assessed value.
3. There is 0 dwelling unit(s) on the property being annexed.
4. The area will be located in the 29th Ward of the City upon annexation.

We, the undersigned, elect that this annexation shall take affect to the full extent consistent with outstanding priorities of other annexations, incorporation or consolidation proceedings, if any.

We, the petitioners herein, do affirm that we have filed a copy of this petition with the Town Clerk of the town in which this territory is located, together with a scale map of such territory and that within five (5) days of the filing of this petition we will mail a copy of said scale map and description of such territory to be annexed to the State of Wisconsin Department of Administration.

We further respectfully request that the subject property be zoned M-1.



WISCONSIN DEPARTMENT OF
ADMINISTRATION

SCOTT WALKER

GOVERNOR

SCOTT A. NEITZEL

SECRETARY

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Voice (608) 264-6102 Fax (608) 264-6104

Email: wimunicipalboundaryreview@wi.gov

Web: <http://doa.wi.gov/municipalboundaryreview/>

August 21, 2017

PETITION FILE NO. 14043

MARGARET HEFTER, CLERK
CITY OF FOND DU LAC
160 S MACY ST
FOND DU LAC, WI 54936-4241

PATTI S. SUPPLE, CLERK
TOWN OF FOND DU LAC
N5256 COUNTY RD V
FOND DU LAC, WI 54937-9096

Subject: FOND DU LAC COUNTY ANNEXATION

The proposed annexation submitted to our office on July 31, 2017, has been reviewed and found to be in the public interest. In determining whether an annexation is in the public interest, s. 66.0217 (6), Wis. Stats. requires the Department to examine "[t]he shape of the proposed annexation and the homogeneity of the territory with the annexing village or city..." so as, to ensure the resulting boundaries are rational and compact. The statute also requires the Department to consider whether the annexing city or village can provide needed municipal services to the territory. The subject petition is for territory that is reasonably shaped and contiguous to the **CITY OF FOND DU LAC**, which is able to provide needed municipal services.

Note: The existing municipal boundary must be clearly shown and identified on the scale map included with the annexation ordinance (ref: s. 66.0217(1)(g) Wis. Stats.).

The Department reminds clerks of annexing municipalities of the requirements of s. 66.0217 (9)(a), Wis. Stats., which states:

"The clerk of a city or village which has annexed shall file immediately with the secretary of administration a certified copy of the ordinance, certificate and plat, and shall send one copy to each company that provides any utility service in the area that is annexed. The clerk shall record the ordinance with the register of deeds and file a signed copy of the ordinance with the clerk of any affected school district..."

State and federal aids based on population and equalized value may be significantly affected through failure to file with the Department of Administration. Please file a copy of your annexing ordinance, including a statement certifying the population of the annexed territory. **Please include your MBR number 14043 with your ordinance.** Ordinance filing checklist available at <http://mds.wi.gov/>, click on "Help on How to Submit Municipal Records". Email scanned copy of required materials (color scan maps with color) to mds@wi.gov or mail to: Wisconsin Department of Administration, Municipal Boundary Review, PO Box 1645, Madison WI 53701-1645.

The petition file is available for viewing at: <http://mds.wi.gov/View/Petition?ID=2114>
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner

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

Title: Ordinance No. 3639

Subject: A Zoning Ordinance To Zone Annexed Property To M-1 (Manufacturing) At South
Hickory Street
Introduction: Community Development Director

Initiator:

Recommendation: Plan Commission Recommendation: **Approve**

ATTACHMENTS:

File Name

[3639 Zoning S Hickory St.docx](#)

[Rezone.pdf](#)

ORDINANCE NO. 3639

**A ZONING ORDINANCE TO ZONE ANNEXED
PROPERTY TO M-1 (MANUFACTURING)
AT SOUTH HICKORY STREET**

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 is a Town of Fond du Lac parcel surrounded by the City of Fond du Lac whose owner wishes to annex into the City of Fond du lac.

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 M-1 (Manufacturing) District:

Approximately 39.92 acres of vacant 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:

Karyn Merkel, President
Fond du Lac City Council

Attest:

City Attorney:

Margaret Hefter, City Clerk

Reviewed 

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Plan Commission of the City of Fond du Lac, Wisconsin, will conduct a Public Hearing at 5:30 p.m. August 14, 2017 in Meeting Room A of the City-County Government Center, 160 South Macy Street, at the request of Fond du Lac County to zone property upon annexation to M-1 (Manufacturing). The land to be zoned upon annexation is described as follows:

A parcel of land being Certified Survey Map No. 55 of Volume 2 of Certified Survey Maps Pages 55 and 55A and also part of the N.W. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ and part of the N.E. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$, all in Section 33, Town 15 North, Range 17 East, in the Town of Fond du Lac, Fond du Lac County, Wisconsin and being more particularly described as follows:

Beginning at the North $\frac{1}{4}$ corner of said Section 33; thence South $89^{\circ}42'52''$ East along the North line of the N.E. $\frac{1}{4}$ of said Section, 1323.05 feet; thence South $00^{\circ}15'50''$ West along the East line of the N.W. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$, 1281.19 feet; thence North $89^{\circ}40'34''$ West 1326.18 feet; thence North $89^{\circ}41'04''$ West 33.00 feet; thence North $00^{\circ}24'13''$ East 1280.22 feet; thence South $89^{\circ}49'29''$ East along the North line of the N.W. $\frac{1}{4}$, 33.00 feet to the point of beginning. Parcel described contains 39.92 acres more or less.

All persons having an interest in the area are invited to participate in the hearing and express their opinion. Written communications will also be considered. For further information you are invited to contact the Community Development Department at (920) 322-3440. Published in accordance with Section 62.23, Wisconsin Statutes.

Dated this 26th day of July 2017

MARGARET HEFTER
City Clerk

Published: August 3rd, 2017 and August 6th, 2017

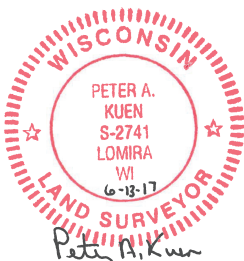
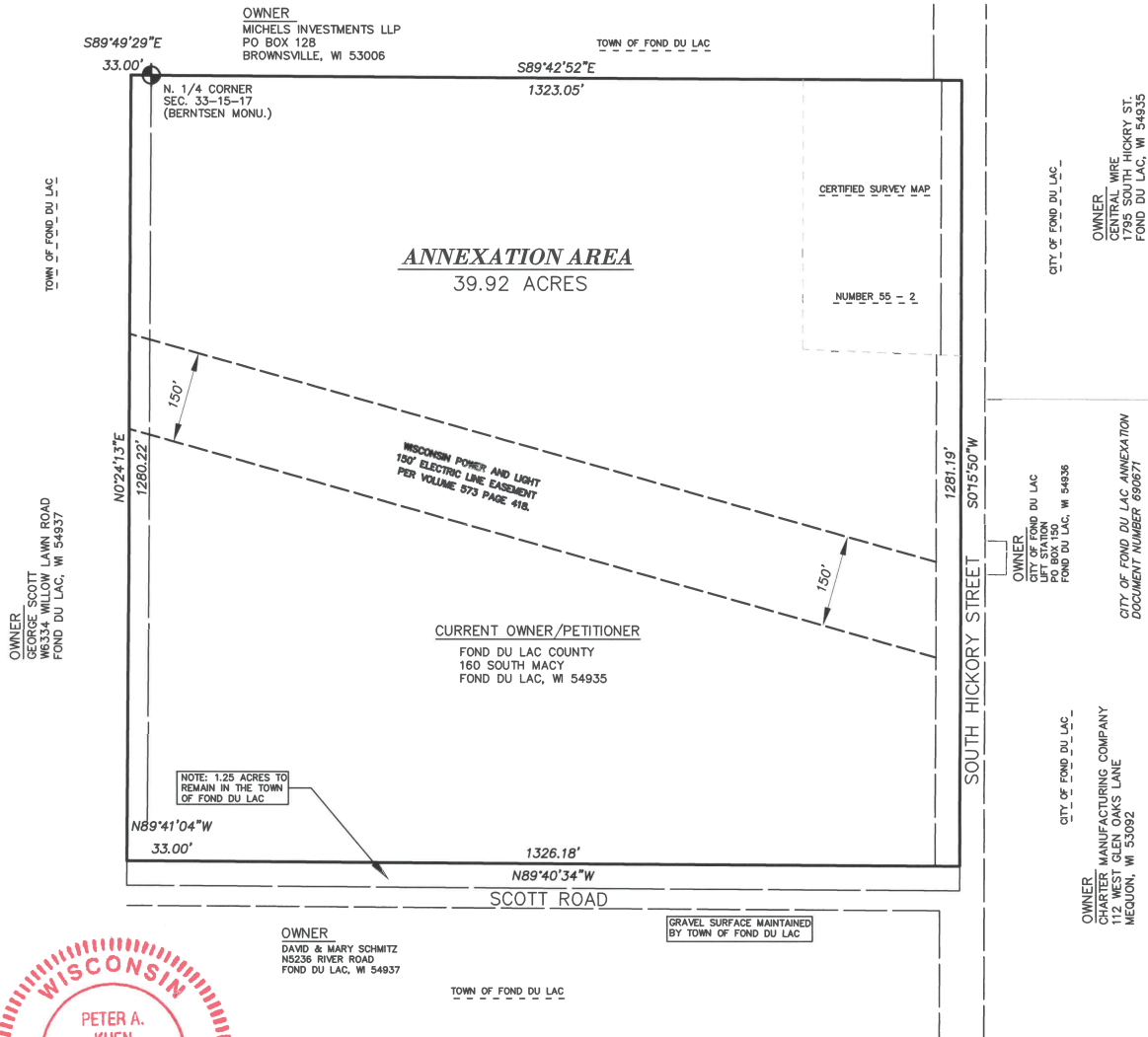
ZONING UPON ANNEXATION
RECOMMENDED ZONING: M – 1 (INDUSTRIAL)



SITE

ANNEXATION MAP

A PARCEL OF LAND BEING CERTIFIED SURVEY MAP NUMBER 55 OF VOLUME 2 OF CERTIFIED SURVEY MAPS PAGES 55 AND 55A AND ALSO PART OF THE N.W. 1/4 OF THE N.E. 1/4 AND PART OF THE N.E. 1/4 OF THE N.W. 1/4, ALL IN SECTION 33, TOWN 15 NORTH, RANGE 17 EAST, IN THE TOWN OF FOND DU LAC, FOND DU LAC COUNTY WISCONSIN.



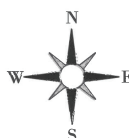
LEGAL DESCRIPTION

A PARCEL OF LAND BEING CERTIFIED SURVEY MAP NUMBER 55 OF VOLUME 2 OF CERTIFIED SURVEY MAPS PAGES 55 AND 55A AND ALSO PART OF THE N.W. 1/4 OF THE N.E. 1/4 AND PART OF THE N.E. 1/4 OF THE N.W. 1/4, ALL IN SECTION 33, TOWN 15 NORTH, RANGE 17 EAST, IN THE TOWN OF FOND DU LAC, FOND DU LAC COUNTY WISCONSIN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

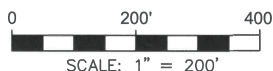
BEGINNING AT THE NORTH 1/4 CORNER OF SAID SECTION 33; THENCE SOUTH 89°42'52" EAST ALONG THE NORTH LINE OF THE N.E. 1/4 OF SAID SECTION, 1323.05 FEET; THENCE SOUTH 00°15'50" WEST ALONG THE EAST LINE OF THE N.W. 1/4 OF THE N.E. 1/4, 1281.19 FEET; THENCE NORTH 89°40'34" WEST 1326.18 FEET; THENCE NORTH 89°41'04" WEST 33.00 FEET; THENCE NORTH 00°24'13" EAST 1280.22 FEET; THENCE SOUTH 89°49'29" EAST ALONG THE NORTH LINE OF THE N.W. 1/4, 33.00 FEET TO THE POINT OF BEGINNING.

PARCEL DESCRIBED CONTAINS 39.92 ACRES MORE OF LESS.

SHEET 1 OF 1
JUNE 13, 2017



BEARINGS ARE REFERENCED TO THE NORTH LINE OF THE N.E. 1/4 OF SECTION 33, WHICH BEARS SOUTH 89°42'52" EAST ACCORDING TO THE FOND DU LAC COUNTY COORDINATE SYSTEM.



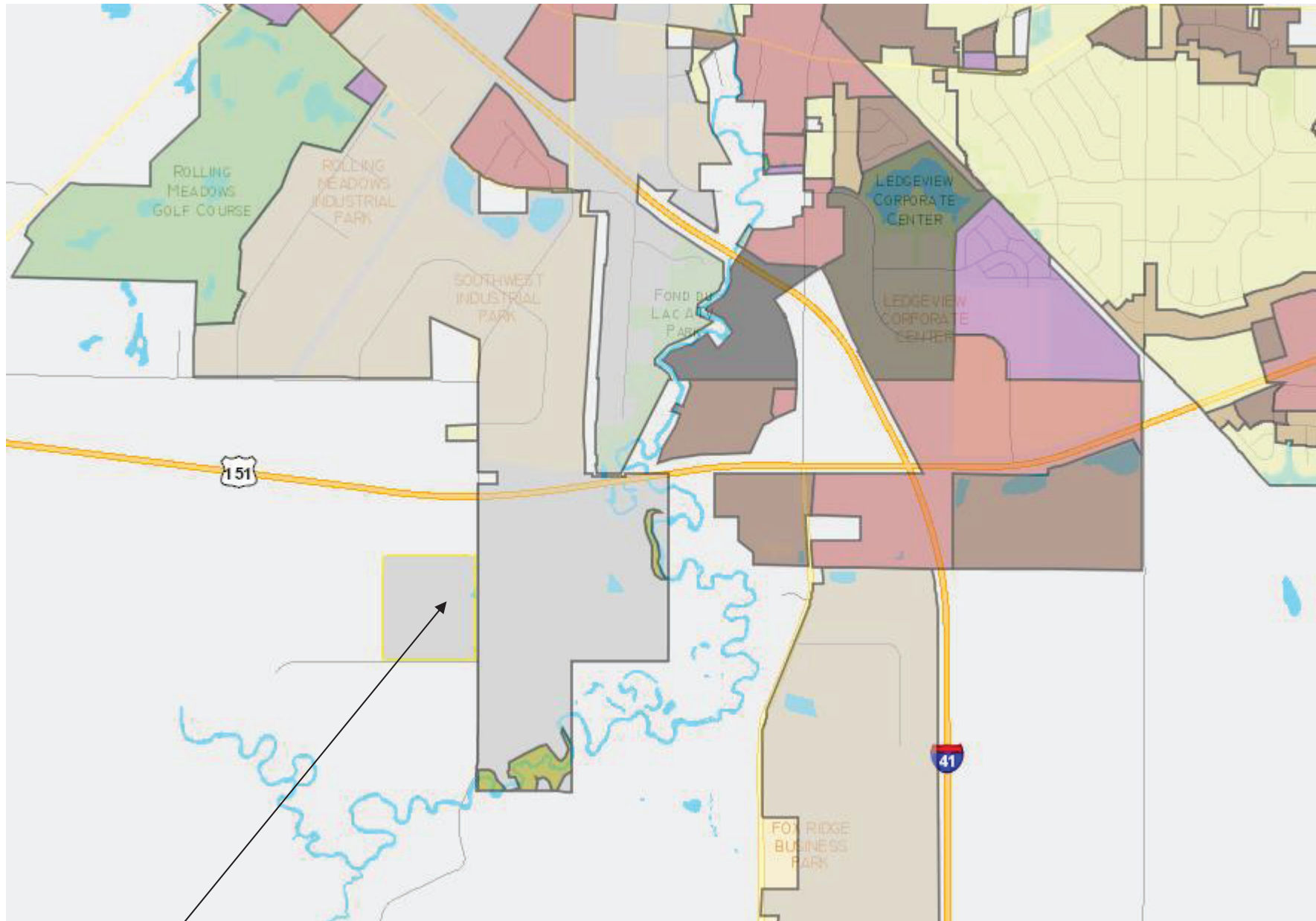
THIS DOCUMENT WAS DRAFTED BY PETER A. KUEN

**FOND DU LAC COUNTY
SURVEYOR**

PETER A. KUEN PLS NO. 2741

FOND DU LAC COUNTY
HIGHWAY COMMISSION
301 DIXIE ST.
FOND DU LAC, WI 54936
(920) 929-3492

ZONING UPON ANNEXATION
Recommended Zoning: M-1 (Industrial)



SITE

CITY OF FOND DU LAC - Memorandum

Department of Community Development

Date: August 9, 2017

To: Plan Commission

From: Joellyn Dahlin, Principal Planner

Re: Zoning Upon Annexation – **S Hickory Street** (T09-15-17-33-02-001 and 002)

Applicant: Fond du Lac County

Request: Zone land to be annexed M-1 (Industrial)

Zoning:

Site:	Farmland Preservation (Town of Fond du Lac)
North:	Farmland Preservation (Town of Fond du Lac)
South:	Farmland Preservation (Town of Fond du Lac)
East:	M-1 (Industrial)
West:	Farmland Preservation (Town of Fond du Lac)

Land Use:

Site:	Agricultural
North:	Agricultural
South:	Agricultural
East:	Industrial (Central Wire, Inc.)
West:	Agriculture

Analysis

The property to be annexed is 39.92 acres of land located on South Hickory Street south of USH 151. The property is owned by Fond du Lac County and is the future site of the Fond du Lac County Highway Garage. Project design of the new facility is expected next year, with construction in 2019 and 2020.

The Plan Commission is charged with the task of determining appropriate zoning for the property; a designation of M-1 (Industrial) is proposed upon annexation. The M-1 district allows industrial and allied development.

The proposed zoning reflects the Comprehensive Plan land use designation of the property. The proposed zoning designation would extend existing M-1 zoning that serves property east of the subject site and north of USH 151 site within the nearby South West Industrial Park.

Recommendation

Community Development staff suggests that the Plan Commission recommend to the City Council a zoning designation of M-1 (Industrial) upon annexation of the subject property.

Public Notification - Zoning Upon Annexation/FDLCO

Parcel Number	Site Address	Mailing Address 1	Mailing City	Mailing State	Mailing Zip
FDL-15-17-33-11-003-00	1795 S HICKORY ST	ONE NORTH ST			
T09-15-17-33-02-001-00		160 S MACY ST	FOND DU LAC	WI	54935
T09-15-17-33-02-002-00	N5278 HICKORY RD	160 S MACY ST	FOND DU LAC	WI	54935
FDL-15-17-33-11-001-00	0 S HICKORY ST	W7870 SANDY BEACH RD	FOND DU LAC	WI	54935
T09-15-17-28-15-001-00		PO BOX 128	BROWNSVILLE	WI	53006
T09-15-17-28-15-090-00		944 VANDERPERREN WAY	GREEN BAY	WI	54304

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

Title: Ordinance No. 3640

Subject: An Ordinance Amending Chapter 630, Vehicles And Traffic, Of The Code Of The City Of Fond du Lac To Revise Parking Restrictions On Scott Street East Of Park Avenue.
Introduction: City Engineer

Initiator:

Recommendation: Advisory Parking & Traffic Recommendation: **Approve With Amendment**

ATTACHMENTS:

File Name

[3640 Ord amending Chapter 630 Scott Street.pdf](#)

[3640-A Ord amending Chapter 630 Scott Street - APTB Amended.pdf](#)

[APTB - E SCOTT ST.pdf](#)

[Mailing List 8.31.17 Scott and Park.pdf](#)

[Excerpt - APT Item A Scott St East.pdf](#)

[Scott Street 0660.pdf](#)

ORDINANCE NO. 3640

AN ORDINANCE AMENDING CHAPTER 630, VEHICLES AND TRAFFIC, OF THE CODE OF THE CITY OF FOND DU LAC TO REVISE PARKING RESTRICTIONS ON SCOTT STREET EAST OF PARK AVENUE

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

Section 1. That Section 630-39., Schedule E, No Parking Zones., is hereby amended as follows:

Add Thereto:

<i>Name of Street</i>	<i>Sides</i>	<i>Location</i>
Scott Street, East	Both	From the east right-of-way of Park Avenue, East 90'

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

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

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

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

ADOPTED:

Karyn Merkel, President
Fond du Lac City Council

Attest:

City Attorney:

Margaret Hefter, City Clerk

Reviewed DSM

ORDINANCE NO. 3640-A
(As proposed by the Advisory Parking and Traffic Board)

**AN ORDINANCE AMENDING CHAPTER 630, VEHICLES AND TRAFFIC,
OF THE CODE OF THE CITY OF FOND DU LAC TO REVISE PARKING
RESTRICTIONS ON SCOTT STREET**

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

Section 1. That Section 630-39., Schedule E, No Parking Zones., is hereby amended as follows:

Add Thereto:

<i>Name of Street</i>	<i>Sides</i>	<i>Location</i>
Scott Street, East	North	From the east right-of-way of Park Avenue, East 90'
Scott Street, East	South	From the east right-of-way of Park Avenue, East 70'

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

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

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

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

ADOPTED:

Karyn Merkel, President
Fond du Lac City Council

Attest:

City Attorney:

Margaret Hefter, City Clerk

Reviewed 

CITY OF FOND DU LAC - Memorandum

Engineering and Traffic Division

Date: August 31, 2017

To: Advisory Parking and Traffic Board

From: Paul De Vries, P.E., City Engineer

Re: **Request to add parking restrictions on East Scott Street and North Park Avenue**

This memo and Exhibit "A, B, & C" covers agenda items listed as "A, B, & C" for the Advisory Parking & Traffic Board's August 31, 2017 meeting:

Request to add parking restriction "Parking Prohibited at All Times" in accordance with Code of Ordinances Section 630-6 and Section 630-39, Schedule "E".

Location: Scott Street, East, Both Sides; From the east right-of-way of Park Avenue, east 90'.

Location: Park Avenue, North, East Side; From the south right-of-way of Scott Street, south 50'.

Request to add parking restriction "No Parking Except for Authorized Vehicles" in accordance with Code of Ordinances Section 630-9, A.(4) and Section 630-43, Schedule "I", C. From 6:00 a.m. to 6:30 p.m. on Weekdays.

Location: Scott Street, East, South Side; From the west right-of-way of Mohawk Avenue, west 60 feet.

At the July 20, 2017 meeting, the addition of no parking on E. Scott Street and N. Park Avenue was tabled for further research. The memo from the July 20, 2017 meeting is attached for details of the original request. Below are a few additional items for review and discussion.

The current bus stop is on the N. Park Avenue side of this intersection, which could add to congestion and visibility issues. Subsequent discussions with Fond

du Lac Area Transit has led to proposing the bus stop move down E. Scott Street to Mohawk Avenue to avoid stops near the E. Scott Street and N. Park Avenue intersection all together. This is Item C on the agenda.

The proposed no parking zones on E. Scott Street are the same as proposed at the July 20, 2017 meeting. This is a requirement for a “Tabled” item to be brought back exactly in the same form. The vision triangle has been added to the map which shows that the proposed no parking zone on N. Park Avenue should be south to the first driveway. On the south side of E. Scott, you can see that a portion up to the first driveway should be no parking as well due to the vision triangle. I recommend that the no parking zone be at least up to the first driveway on the south side, although larger vehicles traveling east on E. Scott Street would benefit from the no parking zone extending past the driveway as originally proposed. For additional clarity, the new driveway locations for Kwik Trip have been added to the map. The proposed no parking zone on the north side extends to the east side of the new driveway and is appropriate for opening up the intersection.

The Engineering and Traffic Division recommends these no parking zones.

CITY OF FOND DU LAC - Memorandum

Engineering and Traffic Division

Date: July 20, 2017

To: Advisory Parking and Traffic Board

From: Paul De Vries, P.E., City Engineer

Re: Request to add parking restrictions on East Scott Street and North Park Avenue

This memo and Exhibit "A&B" covers agenda items listed as "A&B" for the Advisory Parking & Traffic Board's July 20, 2017 meeting:

Request to add parking restriction "Parking Prohibited at All Times" in accordance with Code of Ordinances Section 630-6 and Section 630-39, Schedule "E".

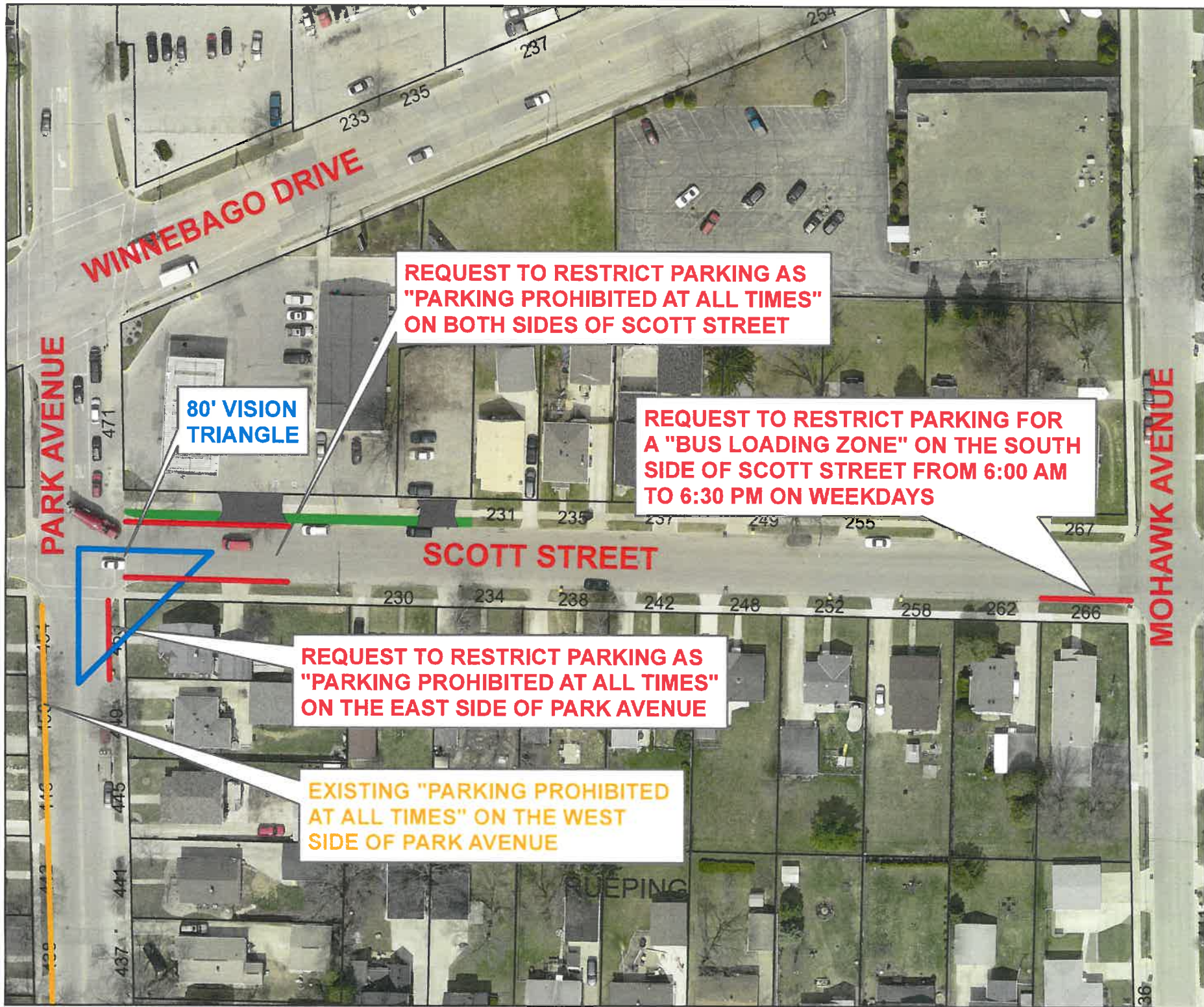
Location: Scott Street, East, Both Sides; From the east right-of-way of Park Avenue, east 90'.

Location: Park Avenue, North, East Side; From the south right-of-way of Scott Street, south 50'.

The City Engineer initiated this request after feedback from various City staff, including Transit drivers. The intersection of E. Scott Street and N. Park Avenue can be congested due to traffic volumes and the unique configuration with Winnebago Drive just to the north. In order to provide more room at the intersection along with improving traffic visibility, these are requests for no parking near the intersection.

In review of this area, along with the noted Transit routes, E. Scott Street sees increased traffic volumes from those going to and from Fond du Lac High School. The Kwik Trip site at this northeast corner has recently been improved and allows for more employee parking on-site versus on the street. Lastly, the Police Department provided accident data showing 21 crashes over the past 5 years. These no parking zones should improve the sight conditions and hopefully reduce crashes at this intersection.

The Engineering and Traffic Division recommends this no parking request.



AGENDA ITEM A, B, & C

DRAWN BY: POEVRIES DATE: 8/9/2017

ADVISORY PARKING & TRAFFIC BOARD

SCOTT & PARK - NO PARKING REQUEST - AUGUST 2017



Advisory Parking Traffic
N Park Avenue E Scott Street

Parcel Number	Site Address	Mailing Address 1	Mailing City	State	Zip
FDL-15-17-11-22-255-00	242 E SCOTT ST	242 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-02-33-541-00	255 E SCOTT ST	255 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-02-34-765-00	273 E SCOTT ST	273 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-02-33-543-00	267 E SCOTT ST	267 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-11-22-259-00	453 N PARK AVE	453 N PARK AVE	FOND DU LAC	WI	54935
FDL-15-17-11-22-260-00	449 N PARK AVE	449 N PARK AVE.	FOND DU LAC	WI	54935
FDL-15-17-11-22-253-00	252 E SCOTT ST	252 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-11-22-283-00	434 N PARK AVE	434 N PARK AVE	FOND DU LAC	WI	54935
FDL-15-17-11-22-264-00	454 N PARK AVE	454 N PARK AVE	FOND DU LAC	WI	54935
FDL-15-17-11-22-288-00	433 N PARK AVE	433 N PARK AVE	FOND DU LAC	WI	54935
FDL-15-17-11-22-251-00	262 E SCOTT ST	262 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-11-22-287-00	437 N PARK AVE	N7895 FAIRFIELD DRIVE	MALONE	WI	53049
FDL-15-17-11-22-258-00	230 E SCOTT ST	230 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-11-22-284-00	438 N PARK AVE	438 N PARK AVE	FOND DU LAC	WI	54935
FDL-15-17-02-33-542-00	257 E SCOTT ST	257 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-11-22-254-00	248 E SCOTT ST	248 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-11-22-262-00	446 N PARK AVE	446 N PARK AVE	FOND DU LAC	WI	54935
FDL-15-17-11-22-252-00	258 E SCOTT ST	310 WILSON DR	FOND DU LAC	WI	54935
FDL-15-17-11-22-286-00	441 N PARK AVE	441 N PARK AVE	FOND DU LAC	WI	54935
FDL-15-17-11-22-263-00	450 N PARK AVE	450 N PARK AVE	FOND DU LAC	WI	54935
FDL-15-17-02-33-538-00	235 E SCOTT ST	235 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-11-22-261-00	445 N PARK AVE	445 N PARK AVE	FOND DU LAC	WI	54935
FDL-15-17-11-22-256-00	238 E SCOTT ST	238 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-11-21-024-00	276 E SCOTT ST	276 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-02-33-540-00	249 E SCOTT ST	249 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-11-22-285-00	442 N PARK AVE	N6598 LOEHR RD	FOND DU LAC	WI	54937
FDL-15-17-11-22-257-00	234 E SCOTT ST	234 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-02-33-539-00	237 E SCOTT ST	237 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-11-22-250-00	266 E SCOTT ST	266 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-02-33-536-00	227 E SCOTT ST	1626 OAK ST	LA CROSSE	WI	54603
FDL-15-17-02-33-535-00	471 N PARK AVE	1626 OAK ST	LA CROSSE	WI	54601

ADVISORY PARKING AND TRAFFIC BOARD MINUTES

August 31, 2017

1:30 PM

160 S Macy Street
City-County Government Center

Meeting Room A&B
Fond du Lac, Wisconsin

ROLL CALL

Attendance

Present

Ned Derksen (late arrival 1:37)
Andrew Klemp
Brian Kolstad
Renee Wagner

Absent

Lawrence Foster
Brent Schumacher
Troy Goebel

Administrative Staff

Paul De Vries, City Engineer
Aaron Goldstein, Police Captain

Declaration Quorum Present

Chairperson Klemp declared a quorum present.

*****OTHER BUSINESS*****

ACTIONS

**This proposed Ordinance change would add parking restrictions on
Scott Street east of Park Avenue.**

Request to add parking restriction "Parking Prohibited at All Times"
in accordance with Code of Ordinances Section 630-6 and Section 630-
39, Schedule "E".

Location: Scott Street, East, Both Sides; From the east right-of-way
of Park Avenue, east 90'.

Initiator: City Engineer

A Motion was made by Brian Kolstad to amend location of proposed
Ordinance change adding parking restrictions on Scott Street east of
Park Avenue, changing the distance from the east right-of-way of
Park Avenue from 90' to 70' and seconded by Ned Derksen, and the
motion was Passed.

Ayes: Derksen, Klemp, Kolstad, Wagner

Absent: Foster, Goebel, Schumacher

*****OTHER BUSINESS*****

Hefter, Margaret

From: John & Karen Beesley <crabbmeat@tds.net>
Sent: Friday, July 14, 2017 11:56 AM
To: Hefter, Margaret
Subject: Question From Website

****SENT BY EXTERNAL SENDER****

John & Karen Beesley has a message for you.

In regards to the requested parking restrictions on both sides of east Scott street. We have already been crowded in by the reconstruction of the kwik-trip store west of us an now they want to restrict our on street parking! Kwik-Trip has there off street parking, now use it. On street is for our area residents to use.. Since we wouldn't sell, is this how they get even with us? There fore We vote, "NEY" to the proposed parking restriction on either side of east Scott street. Remember, This has always been a residential area an not the business district. Sincerely , John & Karen Beesley

Contact Information:

Address:

Email: crabbmeat@tds.net

Phone: 920-923-1477

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

Title: Ordinance No. 3641

Subject: An Ordinance Amending Chapter 630, Vehicles And Traffic, Of The Code Of The City Of Fond du Lac To Revise Parking Restrictions On Park Avenue South Of Scott Street.
Introduction: City Engineer

Initiator:

Recommendation: Advisory Parking & Traffic Recommendation: **Approve**

ATTACHMENTS:

File Name

[3641 Ord amending Chapter 630 Park Avenue.pdf](#)

[APT - E SCOTT ST.pdf](#)

[Mailing List 8.31.17 Scott and Park.pdf](#)

[Excerpt - APT Item B Park Ave South.pdf](#)

[Scott Street 0660.pdf](#)

ORDINANCE NO. 3641

AN ORDINANCE AMENDING CHAPTER 630, VEHICLES AND TRAFFIC, OF THE CODE OF THE CITY OF FOND DU LAC TO REVISE PARKING RESTRICTIONS ON PARK AVENUE SOUTH OF SCOTT STREET

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

Section 1. That Section 630-39., Schedule E, No Parking Zones., is hereby amended as follows:

Add Thereto:

<i>Name of Street</i>	<i>Sides</i>	<i>Location</i>
Park Avenue, North	East	From the south right-of-way of Scott Street, south 50'

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

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

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

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

ADOPTED:

Karyn Merkel, President
Fond du Lac City Council

Attest:

City Attorney:

Margaret Hefter, City Clerk

Reviewed DSM

CITY OF FOND DU LAC - Memorandum

Engineering and Traffic Division

Date: August 31, 2017

To: Advisory Parking and Traffic Board

From: Paul De Vries, P.E., City Engineer

Re: **Request to add parking restrictions on East Scott Street and North Park Avenue**

This memo and Exhibit “A, B, & C” covers agenda items listed as “A, B, & C” for the Advisory Parking & Traffic Board’s August 31, 2017 meeting:

Request to add parking restriction “Parking Prohibited at All Times” in accordance with Code of Ordinances Section 630-6 and Section 630-39, Schedule “E”.

Location: Scott Street, East, Both Sides; From the east right-of-way of Park Avenue, east 90’.

Location: Park Avenue, North, East Side; From the south right-of-way of Scott Street, south 50’.

Request to add parking restriction “No Parking Except for Authorized Vehicles” in accordance with Code of Ordinances Section 630-9, A.(4) and Section 630-43, Schedule “I”, C. From 6:00 a.m. to 6:30 p.m. on Weekdays.

Location: Scott Street, East, South Side; From the west right-of-way of Mohawk Avenue, west 60 feet.

At the July 20, 2017 meeting, the addition of no parking on E. Scott Street and N. Park Avenue was tabled for further research. The memo from the July 20, 2017 meeting is attached for details of the original request. Below are a few additional items for review and discussion.

The current bus stop is on the N. Park Avenue side of this intersection, which could add to congestion and visibility issues. Subsequent discussions with Fond

du Lac Area Transit has led to proposing the bus stop move down E. Scott Street to Mohawk Avenue to avoid stops near the E. Scott Street and N. Park Avenue intersection all together. This is Item C on the agenda.

The proposed no parking zones on E. Scott Street are the same as proposed at the July 20, 2017 meeting. This is a requirement for a “Tabled” item to be brought back exactly in the same form. The vision triangle has been added to the map which shows that the proposed no parking zone on N. Park Avenue should be south to the first driveway. On the south side of E. Scott, you can see that a portion up to the first driveway should be no parking as well due to the vision triangle. I recommend that the no parking zone be at least up to the first driveway on the south side, although larger vehicles traveling east on E. Scott Street would benefit from the no parking zone extending past the driveway as originally proposed. For additional clarity, the new driveway locations for Kwik Trip have been added to the map. The proposed no parking zone on the north side extends to the east side of the new driveway and is appropriate for opening up the intersection.

The Engineering and Traffic Division recommends these no parking zones.

CITY OF FOND DU LAC - Memorandum

Engineering and Traffic Division

Date: July 20, 2017

To: Advisory Parking and Traffic Board

From: Paul De Vries, P.E., City Engineer

Re: **Request to add parking restrictions on East Scott Street and North Park Avenue**

This memo and Exhibit "A&B" covers agenda items listed as "A&B" for the Advisory Parking & Traffic Board's July 20, 2017 meeting:

Request to add parking restriction "Parking Prohibited at All Times" in accordance with Code of Ordinances Section 630-6 and Section 630-39, Schedule "E".

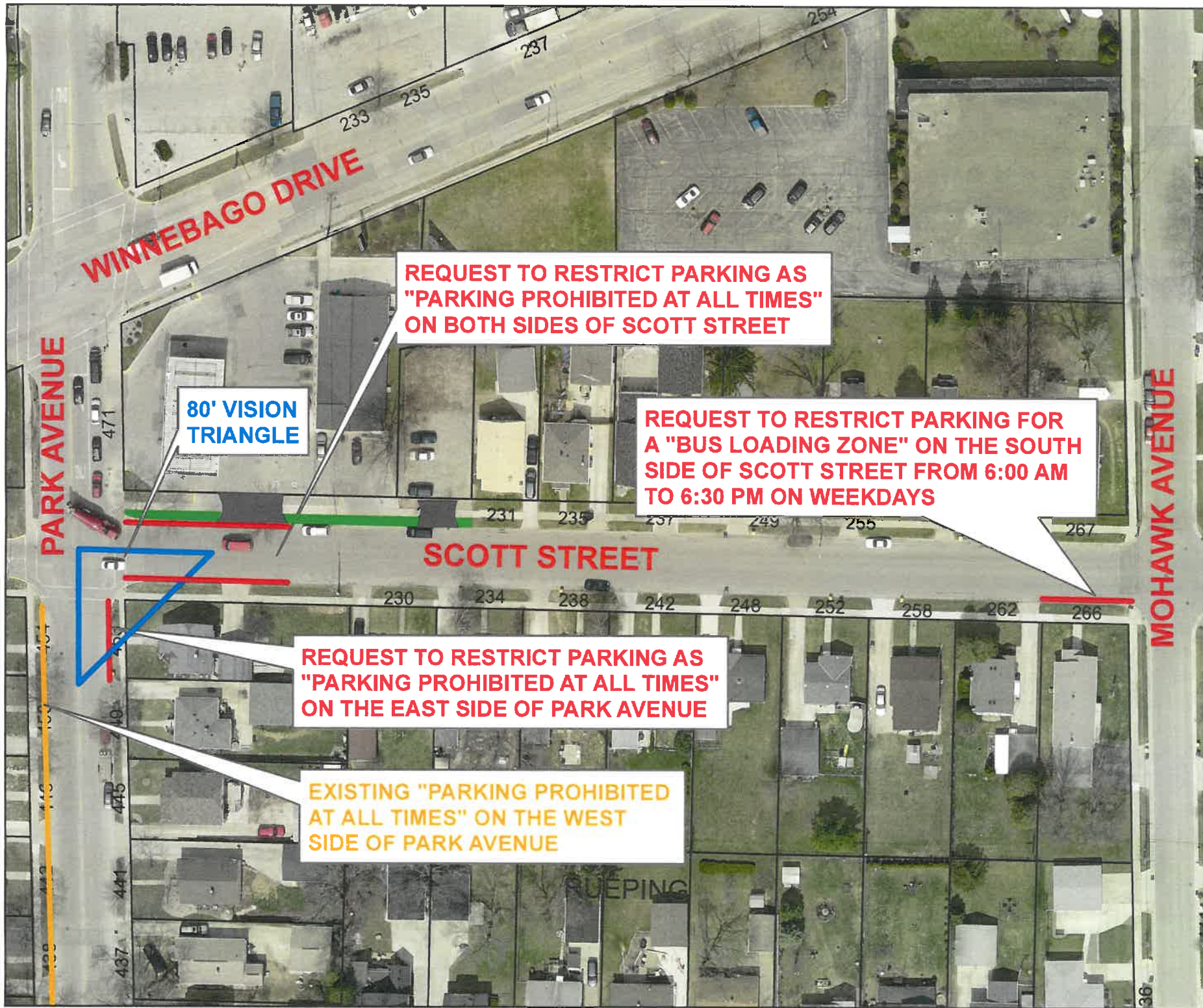
Location: Scott Street, East, Both Sides; From the east right-of-way of Park Avenue, east 90'.

Location: Park Avenue, North, East Side; From the south right-of-way of Scott Street, south 50'.

The City Engineer initiated this request after feedback from various City staff, including Transit drivers. The intersection of E. Scott Street and N. Park Avenue can be congested due to traffic volumes and the unique configuration with Winnebago Drive just to the north. In order to provide more room at the intersection along with improving traffic visibility, these are requests for no parking near the intersection.

In review of this area, along with the noted Transit routes, E. Scott Street sees increased traffic volumes from those going to and from Fond du Lac High School. The Kwik Trip site at this northeast corner has recently been improved and allows for more employee parking on-site versus on the street. Lastly, the Police Department provided accident data showing 21 crashes over the past 5 years. These no parking zones should improve the sight conditions and hopefully reduce crashes at this intersection.

The Engineering and Traffic Division recommends this no parking request.



Advisory Parking Traffic
N Park Avenue E Scott Street

Parcel Number	Site Address	Mailing Address 1	Mailing City	State	Zip
FDL-15-17-11-22-255-00	242 E SCOTT ST	242 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-02-33-541-00	255 E SCOTT ST	255 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-02-34-765-00	273 E SCOTT ST	273 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-02-33-543-00	267 E SCOTT ST	267 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-11-22-259-00	453 N PARK AVE	453 N PARK AVE	FOND DU LAC	WI	54935
FDL-15-17-11-22-260-00	449 N PARK AVE	449 N PARK AVE.	FOND DU LAC	WI	54935
FDL-15-17-11-22-253-00	252 E SCOTT ST	252 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-11-22-283-00	434 N PARK AVE	434 N PARK AVE	FOND DU LAC	WI	54935
FDL-15-17-11-22-264-00	454 N PARK AVE	454 N PARK AVE	FOND DU LAC	WI	54935
FDL-15-17-11-22-288-00	433 N PARK AVE	433 N PARK AVE	FOND DU LAC	WI	54935
FDL-15-17-11-22-251-00	262 E SCOTT ST	262 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-11-22-287-00	437 N PARK AVE	N7895 FAIRFIELD DRIVE	MALONE	WI	53049
FDL-15-17-11-22-258-00	230 E SCOTT ST	230 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-11-22-284-00	438 N PARK AVE	438 N PARK AVE	FOND DU LAC	WI	54935
FDL-15-17-02-33-542-00	257 E SCOTT ST	257 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-11-22-254-00	248 E SCOTT ST	248 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-11-22-262-00	446 N PARK AVE	446 N PARK AVE	FOND DU LAC	WI	54935
FDL-15-17-11-22-252-00	258 E SCOTT ST	310 WILSON DR	FOND DU LAC	WI	54935
FDL-15-17-11-22-286-00	441 N PARK AVE	441 N PARK AVE	FOND DU LAC	WI	54935
FDL-15-17-11-22-263-00	450 N PARK AVE	450 N PARK AVE	FOND DU LAC	WI	54935
FDL-15-17-02-33-538-00	235 E SCOTT ST	235 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-11-22-261-00	445 N PARK AVE	445 N PARK AVE	FOND DU LAC	WI	54935
FDL-15-17-11-22-256-00	238 E SCOTT ST	238 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-11-21-024-00	276 E SCOTT ST	276 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-02-33-540-00	249 E SCOTT ST	249 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-11-22-285-00	442 N PARK AVE	N6598 LOEHR RD	FOND DU LAC	WI	54937
FDL-15-17-11-22-257-00	234 E SCOTT ST	234 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-02-33-539-00	237 E SCOTT ST	237 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-11-22-250-00	266 E SCOTT ST	266 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-02-33-536-00	227 E SCOTT ST	1626 OAK ST	LA CROSSE	WI	54603
FDL-15-17-02-33-535-00	471 N PARK AVE	1626 OAK ST	LA CROSSE	WI	54601

ADVISORY PARKING AND TRAFFIC BOARD MINUTES

August 31, 2017

1:30 PM

160 S Macy Street
City-County Government Center

Meeting Room A & B
Fond du Lac, Wisconsin

ROLL CALL

Attendance

Present

Ned Derksen (late arrival 1:37)
Andrew Klemp
Brian Kolstad
Renee Wagner

Absent

Lawrence Foster
Brent Schumacher
Troy Goebel

Administrative Staff

Paul De Vries, City Engineer
Aaron Goldstein, Police Captain

Declaration Quorum Present

Chairperson Klemp declared a quorum present.

*****OTHER BUSINESS*****

ACTIONS

**This proposed Ordinance change would add parking restrictions on
Park Avenue south of Scott Street.**

Request to add parking restriction "Parking Prohibited at All Times"
in accordance with Code of Ordinances Section 630-6 and Section 630-
39, Schedule "E".

Location: Park Avenue, North, East Side; From the south right-of-way
of Scott Street, south 50'.

Initiator: City Engineer

A Motion was made by Ned Derksen to approve proposed Ordinance change
adding parking restrictions on Park Avenue south of Scott Street and
seconded by Renee Wagner, and the motion was Passed.

Ayes: Derksen, Klemp, Kolstad, Wagner

Absent: Foster, Goebel, Schumacher

*****OTHER BUSINESS*****

Hefter, Margaret

From: John & Karen Beesley <crabbmeat@tds.net>
Sent: Friday, July 14, 2017 11:56 AM
To: Hefter, Margaret
Subject: Question From Website

****SENT BY EXTERNAL SENDER****

John & Karen Beesley has a message for you.

In regards to the requested parking restrictions on both sides of east Scott street. We have already been crowded in by the reconstruction of the kwik-trip store west of us an now they want to restrict our on street parking! Kwik-Trip has there off street parking, now use it. On street is for our area residents to use.. Since we wouldn't sell, is this how they get even with us? There fore We vote, "NEY" to the proposed parking restriction on either side of east Scott street. Remember, This has always been a residential area an not the business district. Sincerely , John & Karen Beesley

Contact Information:

Address:

Email: crabbmeat@tds.net

Phone: 920-923-1477

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

Title: Ordinance No. 3642

Subject: An Ordinance Amending Chapter 630, Vehicles And Traffic, Of The Code Of The
City Of Fond du Lac To Revise Bus Loading Zone On South Side Of Scott Street
Introduction: City Engineer

Initiator: City Engineer

Recommendation: Advisory Parking & Traffic Recommendation: **Approve**

ATTACHMENTS:

File Name

[3642 Ord amending Chapter 630 Scott Street Bus Stop.docx](#)

[APT - E SCOTT ST.pdf](#)

[Mailing List 8.31.17 Scott and Park.pdf](#)

[Excerpt - APT Item C Scott St West.pdf](#)

ORDINANCE NO. 3642

**AN ORDINANCE AMENDING CHAPTER 630, VEHICLES AND TRAFFIC,
OF THE CODE OF THE CITY OF FOND DU LAC TO REVISE BUS
LOADING ZONE ON SOUTH SIDE OF SCOTT STREET**

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

Section 1. That Section 630-43., Schedule I, Bus Loading Zones., is hereby amended as follows:

Add Thereto:

C. From 6:00 a.m. to 6:30 p.m. on Weekdays.

<i>Name of Street</i>	<i>Sides</i>	<i>Location</i>
Scott Street, East	South	From the west right-of-way of Mohawk Avenue, west 60'

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

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

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

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

ADOPTED:

Karyn Merkel, President
Fond du Lac City Council

Attest:

City Attorney:

Margaret Hefter, City Clerk

Reviewed DSM

CITY OF FOND DU LAC - Memorandum

Engineering and Traffic Division

Date: August 31, 2017

To: Advisory Parking and Traffic Board

From: Paul De Vries, P.E., City Engineer

Re: **Request to add parking restrictions on East Scott Street and North Park Avenue**

This memo and Exhibit "A, B, & C" covers agenda items listed as "A, B, & C" for the Advisory Parking & Traffic Board's August 31, 2017 meeting:

Request to add parking restriction "Parking Prohibited at All Times" in accordance with Code of Ordinances Section 630-6 and Section 630-39, Schedule "E".

Location: Scott Street, East, Both Sides; From the east right-of-way of Park Avenue, east 90'.

Location: Park Avenue, North, East Side; From the south right-of-way of Scott Street, south 50'.

Request to add parking restriction "No Parking Except for Authorized Vehicles" in accordance with Code of Ordinances Section 630-9, A.(4) and Section 630-43, Schedule "I", C. From 6:00 a.m. to 6:30 p.m. on Weekdays.

Location: Scott Street, East, South Side; From the west right-of-way of Mohawk Avenue, west 60 feet.

At the July 20, 2017 meeting, the addition of no parking on E. Scott Street and N. Park Avenue was tabled for further research. The memo from the July 20, 2017 meeting is attached for details of the original request. Below are a few additional items for review and discussion.

The current bus stop is on the N. Park Avenue side of this intersection, which could add to congestion and visibility issues. Subsequent discussions with Fond

du Lac Area Transit has led to proposing the bus stop move down E. Scott Street to Mohawk Avenue to avoid stops near the E. Scott Street and N. Park Avenue intersection all together. This is Item C on the agenda.

The proposed no parking zones on E. Scott Street are the same as proposed at the July 20, 2017 meeting. This is a requirement for a “Tabled” item to be brought back exactly in the same form. The vision triangle has been added to the map which shows that the proposed no parking zone on N. Park Avenue should be south to the first driveway. On the south side of E. Scott, you can see that a portion up to the first driveway should be no parking as well due to the vision triangle. I recommend that the no parking zone be at least up to the first driveway on the south side, although larger vehicles traveling east on E. Scott Street would benefit from the no parking zone extending past the driveway as originally proposed. For additional clarity, the new driveway locations for Kwik Trip have been added to the map. The proposed no parking zone on the north side extends to the east side of the new driveway and is appropriate for opening up the intersection.

The Engineering and Traffic Division recommends these no parking zones.

CITY OF FOND DU LAC - Memorandum

Engineering and Traffic Division

Date: July 20, 2017

To: Advisory Parking and Traffic Board

From: Paul De Vries, P.E., City Engineer

Re: **Request to add parking restrictions on East Scott Street and North Park Avenue**

This memo and Exhibit "A&B" covers agenda items listed as "A&B" for the Advisory Parking & Traffic Board's July 20, 2017 meeting:

Request to add parking restriction "Parking Prohibited at All Times" in accordance with Code of Ordinances Section 630-6 and Section 630-39, Schedule "E".

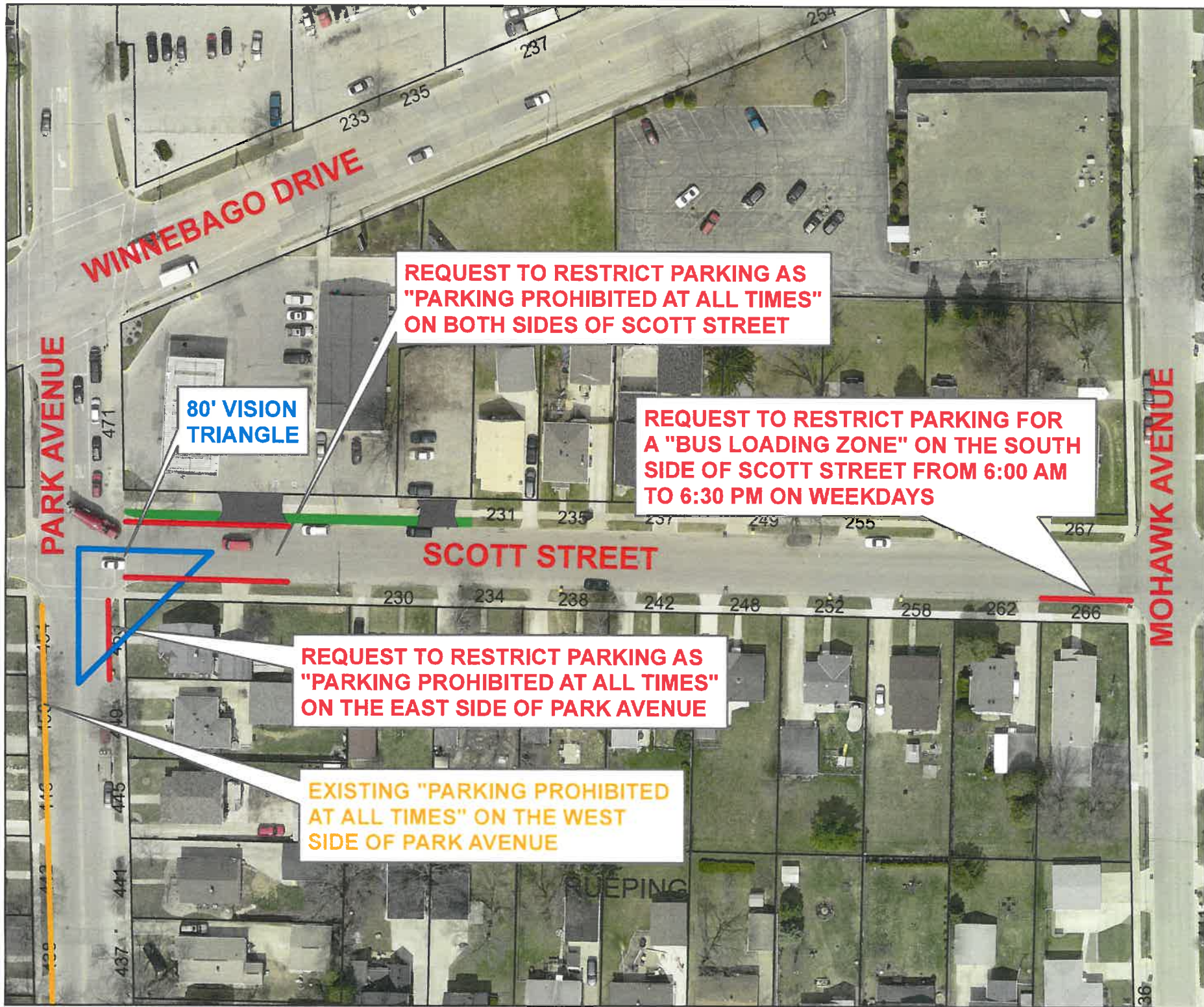
Location: Scott Street, East, Both Sides; From the east right-of-way of Park Avenue, east 90'.

Location: Park Avenue, North, East Side; From the south right-of-way of Scott Street, south 50'.

The City Engineer initiated this request after feedback from various City staff, including Transit drivers. The intersection of E. Scott Street and N. Park Avenue can be congested due to traffic volumes and the unique configuration with Winnebago Drive just to the north. In order to provide more room at the intersection along with improving traffic visibility, these are requests for no parking near the intersection.

In review of this area, along with the noted Transit routes, E. Scott Street sees increased traffic volumes from those going to and from Fond du Lac High School. The Kwik Trip site at this northeast corner has recently been improved and allows for more employee parking on-site versus on the street. Lastly, the Police Department provided accident data showing 21 crashes over the past 5 years. These no parking zones should improve the sight conditions and hopefully reduce crashes at this intersection.

The Engineering and Traffic Division recommends this no parking request.



AGENDA ITEM A, B, & C

DRAWN BY: POEVRIES DATE: 8/9/2017

ADVISORY PARKING & TRAFFIC BOARD

SCOTT & PARK - NO PARKING REQUEST - AUGUST 2017



Advisory Parking Traffic
N Park Avenue E Scott Street

Parcel Number	Site Address	Mailing Address 1	Mailing City	State	Zip
FDL-15-17-11-22-255-00	242 E SCOTT ST	242 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-02-33-541-00	255 E SCOTT ST	255 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-02-34-765-00	273 E SCOTT ST	273 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-02-33-543-00	267 E SCOTT ST	267 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-11-22-259-00	453 N PARK AVE	453 N PARK AVE	FOND DU LAC	WI	54935
FDL-15-17-11-22-260-00	449 N PARK AVE	449 N PARK AVE.	FOND DU LAC	WI	54935
FDL-15-17-11-22-253-00	252 E SCOTT ST	252 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-11-22-283-00	434 N PARK AVE	434 N PARK AVE	FOND DU LAC	WI	54935
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FDL-15-17-11-22-288-00	433 N PARK AVE	433 N PARK AVE	FOND DU LAC	WI	54935
FDL-15-17-11-22-251-00	262 E SCOTT ST	262 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-11-22-287-00	437 N PARK AVE	N7895 FAIRFIELD DRIVE	MALONE	WI	53049
FDL-15-17-11-22-258-00	230 E SCOTT ST	230 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-11-22-284-00	438 N PARK AVE	438 N PARK AVE	FOND DU LAC	WI	54935
FDL-15-17-02-33-542-00	257 E SCOTT ST	257 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-11-22-254-00	248 E SCOTT ST	248 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-11-22-262-00	446 N PARK AVE	446 N PARK AVE	FOND DU LAC	WI	54935
FDL-15-17-11-22-252-00	258 E SCOTT ST	310 WILSON DR	FOND DU LAC	WI	54935
FDL-15-17-11-22-286-00	441 N PARK AVE	441 N PARK AVE	FOND DU LAC	WI	54935
FDL-15-17-11-22-263-00	450 N PARK AVE	450 N PARK AVE	FOND DU LAC	WI	54935
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FDL-15-17-11-22-256-00	238 E SCOTT ST	238 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-11-21-024-00	276 E SCOTT ST	276 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-02-33-540-00	249 E SCOTT ST	249 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-11-22-285-00	442 N PARK AVE	N6598 LOEHR RD	FOND DU LAC	WI	54937
FDL-15-17-11-22-257-00	234 E SCOTT ST	234 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-02-33-539-00	237 E SCOTT ST	237 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-11-22-250-00	266 E SCOTT ST	266 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-02-33-536-00	227 E SCOTT ST	1626 OAK ST	LA CROSSE	WI	54603
FDL-15-17-02-33-535-00	471 N PARK AVE	1626 OAK ST	LA CROSSE	WI	54601

ADVISORY PARKING AND TRAFFIC BOARD MINUTES

August 31, 2017

1:30 PM

160 S Macy Street
City-County Government Center

Meeting Room A&B
Fond du Lac, Wisconsin

ROLL CALL

Attendance

Present

Ned Derksen (late arrival 1:37)
Andrew Klemp
Brian Kolstad
Renee Wagner

Absent

Lawrence Foster
Brent Schumacher
Troy Goebel

Administrative Staff

Paul De Vries, City Engineer
Aaron Goldstein, Police Captain

Declaration Quorum Present

Chairperson Klemp declared a quorum present.

*****OTHER BUSINESS*****

ACTIONS

This proposed Ordinance change would add a Bus Loading Zone on the south side of Scott Street west of Mohawk Avenue.

Request to add parking restriction "No Parking Except for Authorized Vehicles" in accordance with Code of Ordinances Section 630-9, A.(4) and Section 630-43, Schedule "I", C. From 6:00 a.m. to 6:30 p.m. on Weekdays.

Location: Scott Street, East, South Side; From the west right-of-way of Mohawk Avenue, west 60 feet.

Initiator: City Engineer

A Motion was made by Ned Derksen to approve proposed parking Ordinance that would add a Bus Loading Zone on the south side of Scott Street west of Mohawk Avenue and seconded by Brian Kolstad, and the motion was Passed.

Ayes: Derksen, Klemp, Kolstad, Wagner

Absent: Foster, Goebel, Schumacher

*****OTHER BUSINESS*****

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

Title: Ordinance No. 3643

Subject: An Ordinance Amending Chapter 630, Vehicles And Traffic, Of The Code Of The City Of Fond du Lac To Remove Parking Restrictions On Forest Avenue Between Military Road And Brooke Street.
Introduction: City Engineer

Initiator: Edward Schneider, 151 Forest Avenue

Recommendation: Advisory Parking & Traffic Recommendation: **Approve**

ATTACHMENTS:

File Name

[3643 Ord amending Chapter 630 Forest.pdf](#)

[APT - FOREST AVE.pdf](#)

[Mailing List 8.31.17 Forest Ave.pdf](#)

[Excerpt - APT Item D Forest Ave.pdf](#)

ORDINANCE NO. 3643

**AN ORDINANCE AMENDING CHAPTER 630, VEHICLES AND TRAFFIC,
OF THE CODE OF THE CITY OF FOND DU LAC TO REMOVE PARKING
RESTRICTIONS ON FOREST AVENUE BETWEEN MILITARY ROAD AND
BROOKE STREET**

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

Section 1. That Section 630-44., Schedule J, Limited parking., paragraph D., Two hours., subsection (10) From 8:00 a.m. to 5:00 p.m., except Sundays is hereby amended as follows:

Delete Therefrom:

<i>Name of Street</i>	<i>Sides</i>	<i>Location</i>
Forest Avenue	Both	Between South Military Road and the Chicago and Northwestern Company tracks

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

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

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

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

ADOPTED:

Karyn Merkel, President
Fond du Lac City Council

Attest:

City Attorney:

Margaret Hefter, City Clerk

Reviewed 

CITY OF FOND DU LAC - Memorandum

Engineering and Traffic Division

Date: August 31, 2017

To: Advisory Parking and Traffic Board

From: Paul De Vries, P.E., City Engineer

Re: Request to remove a 2-hour limited time parking restriction on Forest Avenue between Military Road and Brooke Street

This memo and Exhibit "D" covers agenda item listed as "D" for the Advisory Parking & Traffic Board's August 31, 2017 meeting:

Request to remove parking restriction "Limited Time Parking" in accordance with Code of Ordinances Section 630-10 and Section 630-44, Schedule "J", D. Two Hours (10) From 8:00 a.m. to 5:00 p.m., except Sundays.

Location: Forest Avenue, Both Sides; Between South Military Road and the Chicago & Northwestern Railroad Company tracks.

Edward Schneider, as owner of 151 Forest Avenue, initiated this request. As he notes in his letter, the 2-hour parking restriction has not always been enforced according to his knowledge. His intention would be to open up parking on Forest Avenue for his tenants and others in the area without a time limit.

In my review of this request, the restrictions have been in place for almost 40 years. Since then, there has been various land use changes and Forest Avenue was widened to 42 feet wide. This width supports on street parking and the traffic volume.

The Engineering and Traffic Division does not object to this request.

June 30, 2017

Sent Via Email to:
pdevries@fdl.wi.gov

Mr. Paul Devries
City Engineer
160 S. Macy St.
Fond du Lac, WI 54935

RE: 151 Forest Ave, Parking Sign

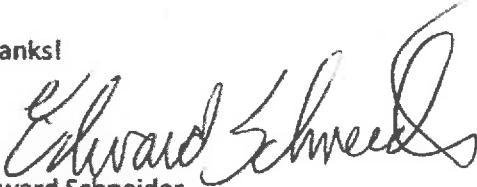
Dear Mr. DeVries:

I have owned a rental property at 151 Forest Ave., Fond du Lac, for many years. Recently a 2 hour parking restriction has been enforced a couple of times resulting in a ticket for my residents. This has brought my attention to the 2 hour parking in front of our property and across the street that has never been enforced to my knowledge during our 30 plus years of ownership. I am not sure when the sign even appeared, but they have always been ignored.

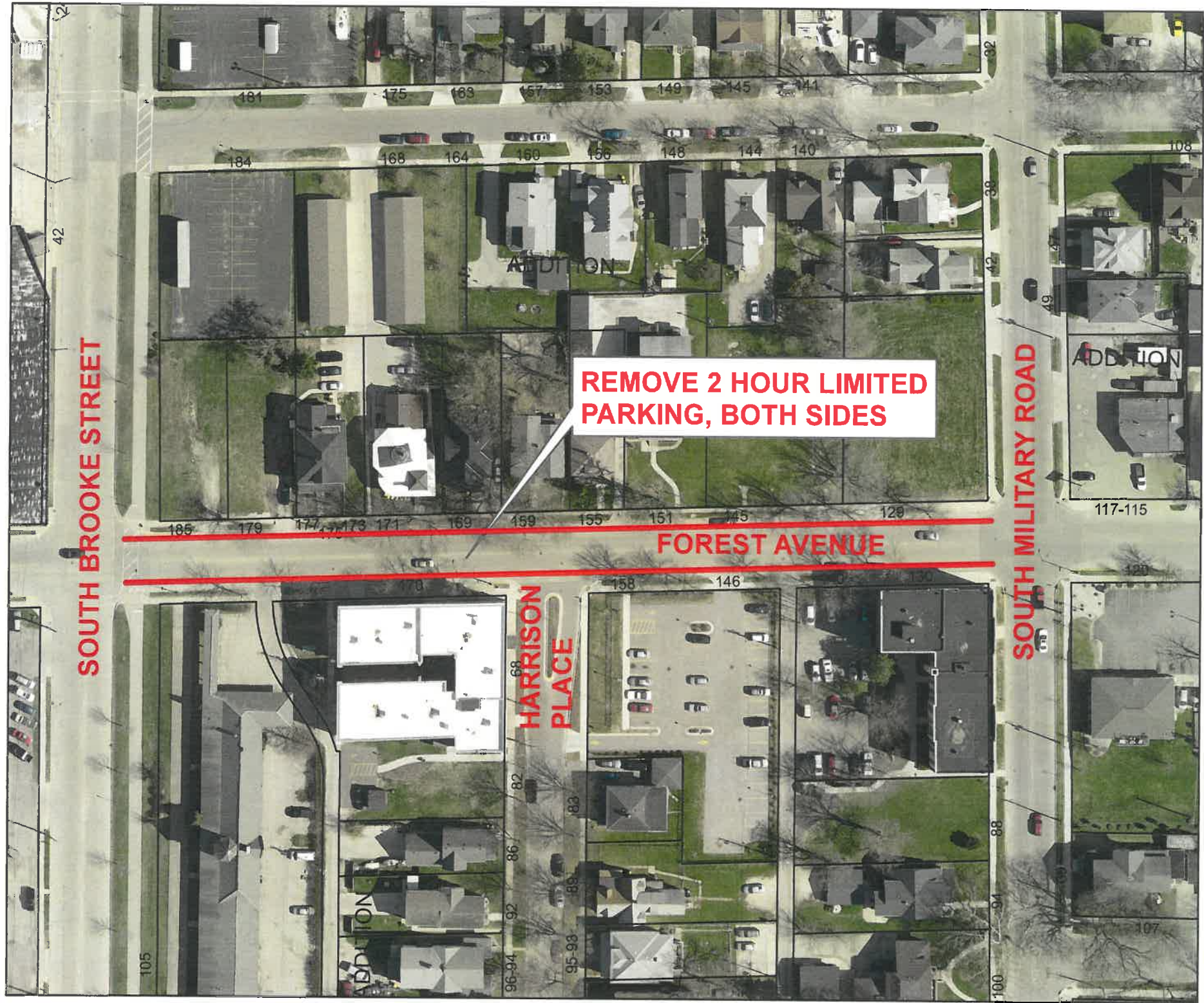
My tenant has had contact with a police captain and there were no objections on his part to requesting the signs be removed. So, therefore, I request that the need for this 2 hour parking restriction be examined and if no compelling objections are made, that they be removed.

If you have any questions, you may reach me at 920-948-9303.

Thanks!

A handwritten signature in black ink, appearing to read "Edward Schneider". The signature is fluid and cursive, with a large, stylized "E" and "S".

Edward Schneider
N5048 County Rd K
Fond du Lac, WI 54937



ADVISORY PARKING & TRAFFIC BOARD

FOREST AVENUE - PARKING REVISIONS - AUG. 2017

AGENDA ITEM D

DRAWN BY: PDEVRIES DATE: 8/9/2017



1 IN = 90 FT

Advisory Parking Traffic
Forest Avenue

Parcel Number	Site Address	Mailing Address 1	Mailing City	State	Zip
FDL-15-17-15-21-037-00	212 FOREST AVE	212 FOREST AVE	FOND DU LAC	WI	54935
FDL-15-17-10-34-827-00	171 FOREST AVE	192 N NATIONAL AVE	FOND DU LAC	WI	54935
FDL-15-17-10-34-830-00	185 FOREST AVE	PO BOX 150	FOND DU LAC	WI	54936
FDL-15-17-10-34-829-00	179 FOREST AVE	P O BOX 150	FOND DU LAC	WI	54936
FDL-15-17-15-21-022-01	158 FOREST AVE	15 N MARR ST	FOND DU LAC	WI	54935
FDL-15-17-15-21-024-01	84 HARRISON PL	15 N MARR ST	FOND DU LAC	WI	54935
FDL-15-17-10-34-787-00	42 S BROOKE ST	9 SHEBOYGAN ST	FOND DU LAC	WI	54935
FDL-15-17-10-34-826-00	169 FOREST AVE	923 SOUTH MAIN ST STE E	OSHKOSH	WI	54902
FDL-15-17-15-12-330-00	120 FOREST AVE	120 FOREST AVE	FOND DU LAC	WI	54935
FDL-15-17-10-34-828-00	177 FOREST AVE	7138 W MOLTKE	MILWAUKEE	WI	53210
FDL-15-17-15-21-036-00	105 S BROOKE ST	105 S BROOKE ST	FOND DU LAC	WI	54935
FDL-15-17-15-21-001-00	130 FOREST AVE	PO BOX 1392	FOND DU LAC	WI	54936
FDL-15-17-10-34-822-00	145 FOREST AVE	PO BOX 2221	FOND DU LAC	WI	54936
FDL-15-17-10-34-825-00	159 FOREST AVE	160 S MACY ST	FOND DU LAC	WI	54935
FDL-15-17-10-34-821-00	129 FOREST AVE	PO BOX 150	FOND DU LAC	WI	54936
FDL-15-17-10-34-823-00	151 FOREST AVE	N5038 COUNTY ROAD K	FOND DU LAC	WI	54937
FDL-15-17-10-34-824-00	155 FOREST AVE	747 CRESTVIEW LN	FOND DU LAC	WI	54935
FDL-15-17-10-43-608-00	117 FOREST AVE	117 FOREST AVE	FOND DU LAC	WI	54935

ADVISORY PARKING AND TRAFFIC BOARD MINUTES

August 31, 2017

1:30 PM

160 S Macy Street

City-County Government Center

Meeting Room A & B
Fond du Lac, Wisconsin

ROLL CALL

Attendance

Present

Ned Derksen (late arrival 1:37)

Andrew Klemp

Brian Kolstad

Renee Wagner

Absent

Lawrence Foster

Brent Schumacher

Troy Goebel

Administrative Staff

Paul De Vries, City Engineer

Aaron Goldstein, Police Captain

Declaration Quorum Present

Chairperson Klemp declared a quorum present.

*****OTHER BUSINESS*****

ACTIONS

This proposed Ordinance removes a 2-hour limited time parking restriction on Forest Avenue between Military Road and Brooke Street.

Request to remove parking restriction "Limited Time Parking" in accordance with Code of Ordinances Section 630-10 and Section 630-44, Schedule "J", D. Two Hours (10) From 8:00 a.m. to 5:00 p.m., except Sundays.

Location: Forest Avenue, Both Sides; Between South Military Road and the Chicago & Northwestern Railroad Company tracks. Initiator: Edward Schneider, 151 Forest Avenue

A Motion was made by Brian Kolstad to approve Ordinance removing a 2-hour limited time parking restriction on Forest Avenue between Military Road and Brooke Street and seconded by Renee Wagner, and the motion was Passed.

Ayes: Derksen, Klemp, Kolstad, Wagner

Absent: Foster, Goebel, Schumacher

*****OTHER BUSINESS*****

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

Title: Ordinance No. 3644

Subject: An Ordinance Amending Chapter 630, Vehicles And Traffic, Of The Code Of The City Of Fond du Lac To Remove Metered Parking And Add A 2-hour Restriction On Western Avenue Between Macy Street And Main Street Along With Cleaning Up Various Conflicting Parking Restrictions In The Code
Introduction: City Engineer

Initiator: Community Development Director

Recommendation: Advisory Parking & Traffic Recommendation: **Approve**

ATTACHMENTS:

File Name

[3644 Ord amending Chapter 630 Western.docx](#)

[APTB - WESTERN AVE.pdf](#)

[Mailing List 8.31.17 Western.pdf](#)

[Excerpt - APT Item E Western Ave.pdf](#)

ORDINANCE NO. 3644

AN ORDINANCE AMENDING CHAPTER 630, VEHICLES AND TRAFFIC, OF THE CODE OF THE CITY OF FOND DU LAC TO REMOVE METERED PARKING AND ADD A 2-HOUR RESTRICTION ON WESTERN AVENUE BETWEEN MACY STREET AND MAIN STREET ALONG WITH CLEANING UP VARIOUS CONFLICTING PARKING RESTRICTIONS IN THE CODE

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

Section 1. That Section 630-44., Schedule J, Paragraph D., Two hours., subparagraph (12) From 8:00 a.m. to 6:00 p.m. daily, except Saturdays and Sundays., is hereby amended as follows:

Add Thereto:

Western Avenue	North	From a point 62' east of the east right-of-way of Macy Street east 80'
Western Avenue	South	From a point 53' east of the east right-of-way of Linden Street, east 64'

Section 2. That Section 630-39., Schedule E, No Parking is hereby amended as follows:

Add Thereto :

Western Avenue	Both	Between Macy Street and South Main Street except for designated 2-hour limited time parking
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Delete Therefrom:

Western Avenue	North	From the west curblineline of South Main Street, west 88'
Western Avenue	South	From the west curblineline of South Main Street, west 120'

Section 3. That Section 630-41., Schedule G, Parking, Stopping or Standing., is hereby amended as follows:

Delete Therefrom:

Western Avenue	North	From the east curbline of South Macy Street easterly 62'
Western Avenue	South	From the east curbline of Linden Street easterly 53'

Section 4. That Section 630-42., Schedule H, Loading Zones., is hereby amended as follows:

Delete Therefrom:

Western Avenue	South	From a point 46' west of the west curbline of South Main Street, west 26'
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Section 5. That Section 630-44., Schedule J, Paragraph C., Sixty minutes., subparagraph (8) Between 8:00 a.m. and 6:00 p.m., except Sundays and legal holidays., is hereby amended as follows:

Delete Therefrom:

Western Avenue	Both	Between Main Street and Court Street
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Section 6. Any person violating the provisions of this Ordinance shall be subject to the penalty provided in §1-4 of the Code.

Section 7. The appropriate City officials are hereby authorized and directed to take such action as is necessary to effectuate the terms of this Ordinance.

Section 8. All other ordinances and resolutions inconsistent with the provisions of this Ordinance are hereby repealed.

Section 9. This Ordinance shall take effect and be in force upon its passage and publication as provided by law.

ADOPTED:

Karyn Merkel, President
Fond du Lac City Council

Attest:

City Attorney:

Margaret Hefter, City Clerk

Reviewed DSM

CITY OF FOND DU LAC - Memorandum

Engineering and Traffic Division

Date: August 31, 2017

To: Advisory Parking and Traffic Board

From: Paul De Vries, P.E., City Engineer

Re: **Request to remove metered parking on stalls and replaced with a 2-hour restriction on Western Avenue between S. Main Street and S. Macy Street**

This memo and Exhibit "E" covers agenda item listed as "E" for the Advisory Parking & Traffic Board's August 31, 2017 meeting:

Request to add parking restriction "Limited Time Parking" in accordance with Code of Ordinances Section 630-10 and Section 630-44, Schedule "J", D. Two Hours (12) From 8:00 a.m. to 6:00 p.m. daily, except Saturdays and Sundays.

Location: Western Avenue, North Side; From a point 62 feet east of the east right-of-way of Macy Street, east 80 feet.

Location: Western Avenue, South Side; From a point 53 feet east of the east right-of-way of Macy Street, east 64 feet.

Request to add parking restriction "Parking Prohibited at All Times" in accordance with Code of Ordinances Section 630-6 and Section 630-39, Schedule "E".

Location: Western Avenue, Both Sides; Between Macy Street and South Main Street except for designated 2-hour limited time parking.

Request to remove parking restriction "Limited Time Parking" in accordance with Code of Ordinances Section 630-10 and Section 630-44, Schedule "J", C. Sixty Minutes (8) Between 8:00 a.m. and 6:00 p.m., except Sundays and legal holidays.

Location: Western Avenue, Both Sides; Between Main Street and Court Street.

Request to remove parking restriction “No Parking Except for Authorized Vehicles” in accordance with Code of Ordinances Section 630-9, A.(1) and Section 630-42, Schedule “H”.

Location: Western Avenue, South Side; From a point 46 feet west of the west curbline of South Main Street, west 26 feet.

Request to remove parking restriction “Parking Prohibited at All Times” in accordance with Code of Ordinances Section 630-6 and Section 630-39, Schedule “E”.

Location: Western Avenue, North Side; From the west curbline of South Main Street, west 88 feet.

Location: Western Avenue, South Side; From the west curbline of South Main Street, west 120 feet.

Request to remove parking restriction “Parking, Standing, or Stopping Prohibited” in accordance with Code of Ordinances Section 630-6 and Section 630-41, Schedule “G”.

Location: Western Avenue, North Side; From the east curbline of South Macy Street easterly 62 feet.

Location: Western Avenue, South Side; From the east curbline of Linden Street easterly 53 feet.

The Community Development Director initiated this request following discussions with local business and property owners. The attached memo details the request and it indicates the revenue from these meters is not significant. A 2-hour restriction is requested to remain once the meters would be removed.

My review of restrictions in this short block revealed multiple types and lengths, none of which really matches up with any existing signage and parking stalls. I prepared the agenda items to remove all current restrictions in the code and replaced them with the 2-hour zone in the parking stalls and then parking prohibited at all times for the rest of the block on both sides.

The Engineering and Traffic Division supports the parking restriction changes.

CITY OF FOND DU LAC - Memorandum

Department of Community Development

Date: August 9, 2016

To: Paul DeVries, City Engineer

From: Dyann Benson, Community Development Director

Re: Western Avenue – Macy Street to Main Street – 2 Hour Parking

The City has received a request to remove the parking meters along Western Avenue between Macy Street and Main Street. The meters do not generate a significant amount of revenue and are typically used only by clients or employees utilizing the businesses on the south side of Western Avenue. The request is for removal of the meters from both sides of the street in this area.

The 2 hour parking restriction is based upon the presence of the parking meters. There are no other parking signage posted identifying any parking restrictions. Due to the location of businesses in the area, it would be appropriate to continue the 2 hour parking limitation in this area.

Staff is requesting consideration by the Advisory Parking & Traffic to approve a 2 hour parking limitation from 8:00 am to 6:00 pm, excluding Saturday and Sundays.



ADVISORY PARKING & TRAFFIC BOARD

WESTERN AVENUE PARKING REVISIONS - AUG 2017

AGENDA ITEM E

DRAWN BY: PDEVRIES DATE: 8/9/2017



Advisory Parking Traffic
Western Avenue

Parcel Number	Site Address	Mailing Address 1	Mailing City	State	Zip
FDL-15-17-15-13-502-00	209 S MAIN ST	N8252 ASHBERRY AVE	FOND DU LAC	WI	54935
FDL-15-17-15-12-294-00	197 S MAIN ST	PO BOX 150	FOND DU LAC	WI	54936
FDL-15-17-15-12-295-00	199 S MAIN ST	PO BOX 150	FOND DU LAC	WI	54936
FDL-15-17-15-13-500-00	203 S MAIN ST	PO BOX 150	FOND DU LAC	WI	54936
FDL-15-17-15-13-501-00	205 S MAIN ST	PO BOX 150	FOND DU LAC	WI	54936
FDL-15-17-15-12-296-00	190 S MAIN ST	160 S MACY ST	FOND DU LAC	WI	54935
FDL-15-17-15-13-543-01	229 LINDEN ST	910 COUNTRY CLUB LN	FOND DU LAC	WI	54935
FDL-15-17-15-13-503-00	211 S MAIN ST	498 AUSTIN LN	FOND DU LAC	WI	54935
FDL-15-17-15-13-504-00	213 S MAIN ST	498 AUSTIN LN	FOND DU LAC	WI	54935
FDL-15-17-15-13-546-00	10 WESTERN AVE	914 CARRIAGE LN	FOND DU LAC	WI	54935
FDL-15-17-15-13-545-00	6 WESTERN AVE	210 S MAIN ST	FOND DU LAC	WI	54935
FDL-15-17-15-13-547-00	14 WESTERN AVE	N4828 PINE RD	EDEN	WI	53019

ADVISORY PARKING AND TRAFFIC BOARD MINUTES

August 31, 2017

1:30 PM

160 S Macy Street
City-County Government Center

Meeting Room A & B
Fond du Lac, Wisconsin

ROLL CALL

Attendance

Present

Ned Derksen (late arrival 1:37)

Andrew Klemp

Brian Kolstad

Renee Wagner

Absent

Lawrence Foster

Brent Schumacher

Troy Goebel

Administrative Staff

Paul De Vries, City Engineer

Aaron Goldstein, Police Captain

Declaration Quorum Present

Chairperson Klemp declared a quorum present.

*****OTHER BUSINESS*****

ACTIONS

This proposed Ordinance removes metered parking and adds a 2-hour restriction on Western Avenue between Macy Street and Main Street along with cleaning up various conflicting parking restrictions in the Ordinances.

Request to add parking restriction "Limited Time Parking" in accordance with Code of Ordinances Section 630-10 and Section 630-44, Schedule "J", D. Two Hours (12) From 8:00 a.m. to 6:00 p.m. daily, except Saturdays and Sundays.

Location: Western Avenue, North Side; From a point 62 feet east of the east right-of-way of Macy Street, east 80 feet.

Location: Western Avenue, South Side; From a point 53 feet east of the east right-of-way of Macy Street, east 64 feet.

Request to add parking restriction "Parking Prohibited at All Times" in accordance with Code of Ordinances Section 630-6 and Section 630-39, Schedule "E".

Location: Western Avenue, Both Sides; Between Macy Street and South Main Street except for designated 2-hour limited time parking.

Request to remove parking restriction "Limited Time Parking" in accordance with Code of Ordinances Section 630-10 and Section 630-44, Schedule "J", C. Sixty Minutes (8) Between 8:00 a.m. and 6:00 p.m., except Sundays and legal holidays.

Location: Western Avenue, Both Sides; Between Main Street and Court Street.

Request to remove parking restriction "No Parking Except for of Ordinances Section Authorized Vehicles" in accordance with Code 630-9, A.(1) and Section 630-42, Schedule "H".

Location: Western Avenue, South Side; From a point 46 feet west of the west curblane of South Main Street, west 26 feet.

Request to remove parking restriction "Parking Prohibited at All Times" in accordance with Code of Ordinances Section 630-6 and Section 630-39, Schedule "E".

Location: Western Avenue, North Side; From the west curblane of South Main Street, west 88 feet.

Location: Western Avenue, South Side; From the west curblane of South Main Street, west 120 feet.

Request to remove parking restriction "Parking, Standing, or Stopping Prohibited" in accordance with Code of Ordinances Section 630-6 and Section 630-41, Schedule "G".

Location: Western Avenue, North Side; From the east curblane of South Macy Street easterly 62 feet.

Location: Western Avenue, South Side; From the east curblane of Linden Street easterly 53 feet.

Initiator: Community Development Director

A Motion was made by Ned Derksen to approve proposed Ordinance removing metered parking and adding a 2-hour restriction on Western Avenue between Macy Street and Main Street along with cleaning up various conflicting parking restrictions in the Ordinances and seconded by Brian Kolstad, and the motion was Passed.

Ayes: Derksen, Klemp, Kolstad, Wagner

Absent: Foster, Goebel, Schumacher

*****OTHER BUSINESS*****