

CITY COUNCIL MEETING MINUTES CITY OF FOND DU LAC, WISCONSIN

January 11, 2012
7:01 P.M.

Legislative Chambers
City-County Government Center

160 South Macy Street
Fond du Lac, Wisconsin

REGULAR AGENDA

CALL TO ORDER

ROLL CALL: Present - Mick Burroughs
Rick Gudex
Rebecca Lunde-Ross (arrived @7:04 pm)
Gary Miller
Jeff Ruedinger
Jim Sabel
Rob Vande Zande

Absent - None

Administrative Staff - Thomas Herre, City Manager
Wayne Rollin, Dir of Comm Dev
Tracy Salter, Dpty Comptroller/
Treasurer
Deb Hoffmann, City Attorney
Chad Wade, Assistant City Attorney
Jordan Skiff, Dir of Public Works
Paul De Vries, City Engineer
John Kiefer, Park Superintendent
Steve Kees, Operations Director
Bill Lamb, Chief of Police
Steve Klein, Police Captain
Peter O'Leary, Fire Chief

Council President Gudex declared a quorum present.

PLEDGE OF ALLEGIANCE AND REFLECTION

Pledge of Allegiance was recited.

A moment of silence reflection was observed.

CONSENT AGENDA

CONSENT AGENDA

(A Motion Adopting The Consent Agenda Finalizes The
Proposed Action Cited For The Matter)

CITY COUNCIL MINUTES

January 11, 2012

Page 3

City Clerk, Dated January 5, 2012

Subject: Class "A" Fermented Malt Beverage And "Class A"
Intoxicating Liquor Change Of Agent

Limited Liability Co: Ultra Mart Foods, LLC
Agent: Todd Dehring
Home Address: 712 Washington Avenue
Oshkosh, WI
d/b/a: Pick 'n Save #5372
Location of Premises: 55 West Pioneer Road
(Proposed Action: **Approve**)

Motion made by Councilperson Sabel to approve Class "A"
Fermented Malt Beverage and "Class A" Intoxicating
Liquor Change of Agent d/b/a Pick 'n Save #5372.

Seconded by Councilperson Miller.

ROLL CALL VOTE: Aye - Miller, Ruedinger,
Lunde-Ross, Gudex, Burroughs,
Vande Zande, Sabel
Nay - None

Carried.

City Attorney, Dated January 5, 2012

Subject: Claim Carol Thompson

(Proposed Action: **Deny**)

Motion made by Councilperson Sabel to **Deny** claim by
Carol Thompson.

Seconded by Councilperson Vande Zande.

ROLL CALL VOTE: Aye - Miller, Ruedinger,
Lunde-Ross, Gudex, Burroughs,
Vande Zande, Sabel
Nay - None

Carried.

REPORTS OF COMMITTEES

Advisory Parking & Traffic Board overview and update was
presented by Paul De Vries, City Engineer.

RESOLUTIONS

Resolution No. 8293

Subject: A Resolution Adopting Additional Sections On Whistle
Blowing And Overtime To The 2012 Employee Handbook
Applicable To Employees Of The City Of Fond du Lac

CITY COUNCIL MINUTES

January 11, 2012

Page 4

(Effect: Adopt And Implement Additions To The 2012 Employee Handbook Applicable To Employees Of The City Of Fond du Lac

(Initiator: City Manager

(File No. 2011-110

Motion made by Councilperson Vande Zande to approve Resolution No. 8293.

Seconded by Councilperson Gudex.

Motion made by Councilperson Miller to **Amend** the motion and deliberate on the Whistle Blowing and Overtime as separate items of the 2012 Employee Handbook.

Seconded By Councilperson Ruedinger.

ROLL CALL VOTE: Aye - Miller, Ruedinger,
Lunde-Ross, Gudex, Burroughs
Sabel

Nay - Vande Zande

Carried.

Motion made by Councilperson Ruedinger to approve Resolution No. 8293 A, Whistle Blowing.

Seconded by Councilperson Miller.

ROLL CALL VOTE: Aye - Miller, Ruedinger,
Lunde-Ross, Gudex, Burroughs,
Vande Zande, Sabel

Nay - None

Carried.

Motion made by Councilperson Ruedinger to **Amend** Resolution 8293 B to create an incentive for workers for any work performed more than two hours outside of their normal schedule. Normal Schedule is as decided by their immediate supervisor. The incentive payment will be at time and a half.

Seconded by Councilperson Miller.

ROLL CALL VOTE: Aye - Miller, Ruedinger,
Burroughs, Sabel

Nay - Lunde-Ross, Gudex,
Vande Zande

Carried.

Motion made by Councilperson Vande Zande to approve Resolution No. 8293 B as amended.

Seconded by Councilperson Lunde-Ross.

ROLL CALL VOTE: Aye - Miller, Ruedinger,
Burroughs, Sabel

Nay - Lunde-Ross, Gudex,
Vande Zande

Carried.

CITY COUNCIL MINUTES

January 11, 2012

Page 5

Resolution No. 8294

Subject: A Resolution Adopting And Authorizing The Execution Of The Working Conditions Agreement With International Association Of Firefighters, Local 400

(Effect: Adopt And Authorize The Execution Of The Working Conditions Agreement With International Association of Firefighters, Local 400

(Initiator: City Attorney/Human Resources Director
(File No. 2012-020

Motion made by Councilperson Sabel to approve Resolution No. 8294.

Seconded by Councilperson Burroughs.

ROLL CALL VOTE: Aye - Miller, Ruedinger,
Lunde-Ross, Gudex, Burroughs,
Vande Zande, Sabel
Nay - None

Carried.

ORDINANCES

Ordinance No. 3482

Subject: An Ordinance Amending Chapter 12, Licenses And Permits, Relating To Closing Hours, Of The Code Of Ordinances Of The City Of Fond du Lac, Wisconsin

(Effect: Prohibit Retail Class A Sales Of Liquor And Beer Between The Hours Of 9:00 PM and 8:00 AM

(Initiator: Chief Of Police
(File No. 2012-021

Motion made by Councilperson Sabel to approve Ordinance No. 3482.

Seconded by Councilperson Burroughs.

ROLL CALL VOTE: Aye - Miller, Lunde-Ross, Gudex,
Burroughs, Vande Zande
Nay - Ruedinger, Sabel

Carried.

Ordinance No. 3483

Subject: An Ordinance Amending Chapter 14, Building Code, Relating To Occupancy, Of The Code Of Ordinances Of The City Of Fond du Lac, Wisconsin

(Effect: Require A Certificate Of Occupancy For A Building Use Classification Change

(Initiator: Community Development Director
(File No. 2012-022

CITY COUNCIL MINUTES

January 11, 2012

Page 7

ADJOURN TO CLOSED SESSION

The Chair will entertain a motion to convene in closed session at the request of the City Manager for the purposes of:

Conferring With Legal Counsel For The Public Body Who Is Rendering Oral Or Written Advice Concerning Strategy To Be Adopted By The Body With Respect To Litigation In Which It Is Or Is Likely To Become Involved.

And

Deliberating Or Negotiating The Purchasing Of Public Properties, The Investing Of Public Funds, Or Conducting Other Specified Public Business, Whenever Competitive Or Bargaining Reasons Require A Closed Session.

And

Consider Employment, Promotion, Compensation Or Performance Evaluation Data Of Any Public Employee Over Which The Governmental Body Has Jurisdiction Or Exercises Responsibility.

The Subjects Of The Closed Session Are:

Potential Litigation Regarding Unpaid Taxes And Amounts Due The City of Fond du Lac

Update Labor Negotiations

Succession Planning And Process - City Manager

These subjects are exempt under Wisconsin Statutes Section 19.85(1)(c)(e)(g).

The motion, if made, must be adopted by a majority vote in such manner that the vote of each member is ascertained and recorded in the minutes.

No business other than stated above may be taken up at this closed session.

Motion made by Councilperson Lunde-Ross to adjourn to Closed Session.

Seconded by Councilperson Vande Zande.

