

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

February 27, 2013
7:00 P.M.

Legislative Chambers
City-County Government Center

160 South Macy Street
Fond du Lac, Wisconsin

REGULAR AGENDA

1. CALL TO ORDER

- A. Roll Call
- B. Declaration A Quorum Is Present

2. PLEDGE OF ALLEGIANCE AND REFLECTION

- A. Pledge of Allegiance
- B. A Moment of Silence

3. COUNCIL PRESIDENT PRESENTATIONS

4. PUBLIC HEARINGS

CONSTRUCTION OF CURB AND GUTTER

- | | |
|--------------------------------------|---|
| <u>14th Street</u> | From Marr Street To Park Avenue |
| <u>Grace Avenue</u> | From Sunset Circle to Woodland Avenue |
| <u>North Main Street</u> | (East Side) From Scott Street to 750' North
Of Harbor View Drive |
| <u>Sunset Circle</u> | In Its Entirety South Of Grace Avenue |

CONSENT AGENDA

5. CONSENT AGENDA

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

A. APPROVAL OF MINUTES

February 13, 2013 Regular City Council Meeting

B. REPORTS OF OFFICERS

C. RESOLUTIONS

REGULAR AGENDA

6. AUDIENCE COMMENTS

The presiding officer shall limit comments to items noticed on the agenda.

7. ORAL PRESENTATIONS

8. REPORTS OF OFFICERS

- A. Director Of Administration, Dated February 20, 2013
Subject: List Of Claims - Items Paid By The City

(Proposed Action: **Receive And File**)

- B. City Clerk, Dated February 21, 2013
Subject: Permit To Sell Fermented Malt Beverages On
Park Property

Name: Fond du Lac Festivals
Event: Walleye Weekend
Location: Lakeside Park
Date: June 6 - June 9, 2013

(Proposed Action: **Approve**)

- C. City Clerk Dated February 21, 2013
Subject: Change of Agent Class "B" Fermented Malt Beverage And
"Class B" Intoxicating Liquor

Entity: North Main Hospitality LLC
Agent Name: Anna Nason
Residence Address: 673 Mt. Vernon Street
Oshkosh, WI
d/b/a: Retlaw Hotel
Location: One North Main Street

(Proposed Action: **Approve**)

9. REPORTS OF COMMITTEES

10. PETITIONS OR COMMUNICATIONS

11. RESOLUTIONS

A. Introduction Director Of Public Works

Resolution No. 8381

Subject: A Final Resolution Regarding The Construction
Of Curb And Gutter

(Effect: To Initiate Administrative Action For The Construction Of
And Levying Special Assessments)

(Location: 14th Street From Marr Street To Park Avenue)

Grace Avenue From Sunset Circle to Woodland Avenue)

North Main Street (East Side) From Scott Street to 750'
North Of Harbor View Drive)

Sunset Circle In Its Entirety South Of Grace Avenue)

(Plan Commission Recommendation: Approve)

B. Introduction Director Of Public Works

Resolution No. 8382

Subject: A Preliminary Resolution Regarding The Construction
Of Curb And Gutter

(Effect: To Initiate Administrative Action For The Construction Of
And Levying Special Assessments)

(Location: Kaye Street From East Eleventh Street to East Thirteenth
Street)

(Plan Commission Recommendation: Approve)

C. Introduction Community Development Director

Resolution No. 8383

Subject: A Resolution Granting A Special Use Permit

(Effect: Construct Truck/Vehicle Travel Stop

(Location: 311 West Rolling Meadows Drive

(15-17-21-44-750-00)

(15-17-21-44-753-00)

(15-17-21-44-754-00)

(Initiator: Love's Travel Stops & Country Stores, Inc.)

(Plan Commission Recommendation: Approve)

D. Introduction Community Development Director

Resolution No. 8384

Subject: A Resolution Granting A Special Use Permit

(Effect: Use Existing Single Family Home As A Family
Shelter)

(Location: 38 North Sophia Street)

(Initiator: Solutions Center)

(Plan Commission Recommendation: Approve)

E. Introduction Director Of Administration
Resolution No. 8385
Subject: A Resolution Assigning General Fund Balance And
Re-Appropriating From The "Assigned For Subsequent
Year's Expenditures" Account To The 2013 Budget

(Effect: Meet Multiple Year Requirements
(Initiator: Director Of Administration)

(Note: Requires 2/3 Vote Of All Members)

12. ORDINANCES

13. MISCELLANEOUS

Items In This Category Must Be Noticed On The Agenda.

14. SUCH OTHER MATTERS AS ARE AUTHORIZED BY LAW

15. PUBLIC COMMENTS

16. ADJOURN TO CLOSED SESSION

The Chair Will Entertain A Motion To Convene In Closed
Session At The Request Of The City Manager For The
Purpose Of:

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

The Subject Of The Closed Session Is:

Discussion Of An Employee's Compensation

This Subject Is Exempt Under Wisconsin Statutes
Section 19.85(1)(c).

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.



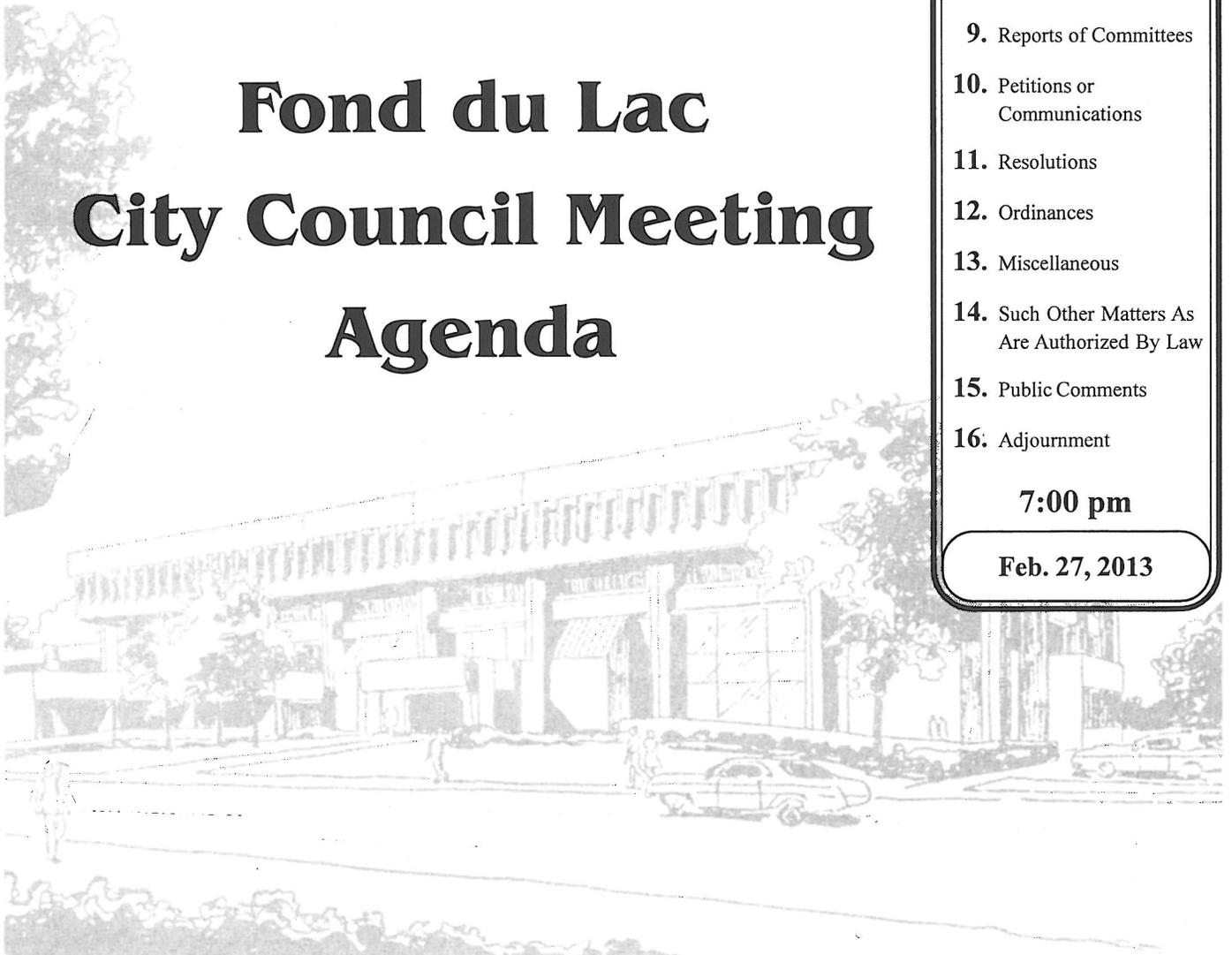
Fond du Lac City Council Meeting Agenda

ORDER OF BUSINESS

1. Call to Order
2. Pledge of Allegiance & Reflection
3. Council President Presentations
4. Public Hearings
5. Consent Agenda
6. Audience Comments
7. Oral Presentations
8. Reports of Officers
9. Reports of Committees
10. Petitions or Communications
11. Resolutions
12. Ordinances
13. Miscellaneous
14. Such Other Matters As Are Authorized By Law
15. Public Comments
16. Adjournment

7:00 pm

Feb. 27, 2013



The motions or points listed below, 1 through 9, are in order of precedence. In other words:

A. When any one of them is pending, you cannot introduce one that is listed BELOW it.

B. You can introduce one that is listed above it.

YOU WANT TO:	YOU SAY:	May speaker Be Interrupted To Make This Motion?	Is second Required?	Is Motion Debatable?	Can This Motion Be Amended?	Is Vote Re-quired? What % Required?
1 Adjourn	I move we adjourn	No interruption permitted	A second is necessary	Not debatable	Not amendable	Majority vote Required
2 Recess	I move we recess until . . .	No interruption permitted	A second is necessary	Not debatable	Amendable	Majority vote Required
3 Register a complaint	Point of privilege, Mr. Chairman . . .	Yes, you may interrupt	No second necessary	Not debatable (any RESULTING motion IS debatable.)	Not amendable	No vote required (Chair decides)
4 Suspend further consideration of a matter (To Table)	I move we table this matter	No interruption permitted	A second is necessary	Not debatable	Not amendable	Majority vote required
5 End discussion or further debating of matter	I move the previous question	No interruption permitted	A second is necessary	Not debatable	Not amendable	Two-thirds vote required
6 Postpone consideration of a matter	I move we postpone this matter until . . .	No interruption permitted	A second is necessary	Debatable	Amendable	Majority required
7 Have further study on a matter	I move we refer this matter to a committee	No interruption permitted	A second is necessary	Debatable	Amendable	Majority vote required
8 Amend a motion	I move this motion be amended to read . . .	No interruption of speaker permitted	A second is necessary	Debatable	Amendable	Majority vote required
9 Introduce a matter of business (A primary motion)	I move that . . .	Cannot interrupt speaker	A second is necessary	Debatable	Amendable	Majority vote required

THESE ARE GENERAL POINTS, PROPOSALS AND MOTIONS AND HAVE NO ORDER OF PROCEDURE OVER ONE ANOTHER. YOU MAY INTRODUCE ANY ONE OF THEM AT ANY TIME, EXCEPT:

A. When Motion To Adjourn Is Pending

B. When Motion To Recess Is Pending

C. Point Of Privilege Is Pending

YOU WANT TO:	YOU SAY:	May speaker Be Interrupted To Make This Motion?	Is second Required?	Is Motion Debatable?	Can This Motion Be Amended?	Is Vote Re-quired? What % Required?
1 Object to error in procedure or to a personal affront	Point of Order	May interrupt speaker	No second	Not debatable	Not amendable	No vote required, Chair decides
2 Request for information	Point of information	If urgent and to the point	No second	Not debatable	Not amendable	No vote required
3 Verify voice vote by taking actual count	I call for a division of the house	No interruption permitted BUT division must be called by Chairman before new motion can be made.	No second	Not debatable	Not amendable	No vote required UNLESS someone objects, THEN majority required
4 Object to consideration of a matter you consider improper or undiplomatic	I object to consideration of this question	May interrupt speaker	No second required	Not debatable	Not amendable	Two-thirds vote required against consideration
5 Take up a matter which has been previously tabled	I move we take from the table	May not interrupt the speaker	Must be seconded	Not debatable	Not amendable	Majority required
6 Reconsider something already disposed of	I move we reconsider our action relative to . . .	May interrupt the speaker for record only (Business at hand takes precedence)	Must be seconded	Debatable IF original motion was debatable	Not amendable	Majority required
7 Consider something out of its scheduled order	I move we suspend the rules and consider . . .	May not interrupt the speaker	Must be seconded	Not debatable	Not amendable	Two-thirds vote required
8 Vote on a ruling of the chair	I appeal the chair's decision	May interrupt speaker	Must be seconded	Debatable IF original motion was debatable	Not amendable	Majority vote required

NOTICE OF PUBLIC HEARING ON SPECIAL ASSESSMENTS

PLEASE TAKE NOTICE THAT the City Council of the City of Fond du Lac has declared its intention to exercise its police power in accordance with sec. 66.0703 (1)(a) Wis. Stats. to levy special assessments upon property within the following proposed assessment districts consisting of all property fronting upon both sides of the following streets, for benefits conferred upon the property by the improvements.

CURB AND GUTTER

On 14th Street from Marr Street to Park Avenue;
On Grace Avenue from Sunset Circle to Woodland Avenue;
On Main Street from Scott Street to Harborview Drive, North 1200';
On Sunset Circle.

The report of the Director of Public Works estimated cost of improvements and proposed assessments is on file in the City Clerk's Office and may be inspected there during any business day between the hours of 7:45 a.m. and 4:30 p.m.

You are hereby notified that the City Council will hear all interested persons, concerning matters contained in the final resolution authorizing the assessments and the report of the City Council at 7:00 p.m., on the 28th day of February, 2013 in the Legislative Chambers of the City-County Government Center, 160 South Macy Street. All objections will be considered at this hearing and thereafter the amount of the assessments will be finally determined.

Dated this 7th day of February, 2013

Sue L. Strands
City Clerk

Publish: February 17th, 2013

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

February 13, 2013
7:00 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
Lee Ann Lorrigan
Rebecca Lunde-Ross
Gary Miller
Rob Vande Zande

Absent - Jim Sabel (excused)

Administrative Staff - Joe Moore, City Manager
Wayne Rollin, Dir of Comm Dev
Hal Wortman, Dir of Administration
Chad Wade, Assistant City Attorney
Jordan Skiff, Dir of Public Works
Paul De Vries, City Engineer
Jon Mark Bolthouse, Library Dir
Bill Lamb, Chief of Police
Steve Klein, Asst Police Chief of
Operations
Steve Thiry, Asst Police Chief of
administration
Rob Duveneck, Police Captain
Ed Wenzel, Police Lieutenant
Peter O'Leary, Fire Chief

Council Vice-President Vande Zande declared a quorum present.

PLEDGE OF ALLEGIANCE AND REFLECTION

Pledge of Allegiance was recited.

A moment of silent was observed.

MESSAGE REGARDING JIM SABEL

City Manager, Joe Moore read the following statement on behalf of the family of Jim Sabel.

CITY COUNCIL MINUTES

February 13, 2013

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REGULAR AGENDA

REPORTS OF OFFICE

Director Of Administration, Dated February 6, 2013

Subject: List Of Claims - Items Paid By The City

(Proposed Action: **Receive And File**)

Motion made by Councilperson Lorrigan to **receive and file** the List of Claims dated February 6, 2013.

Seconded by Councilperson Burroughs.

ROLL CALL VOTE: Aye - Miller, Lorrigan, Lund-Ross,
Vande Zande, Burroughs

Nay - None

Carried.

City Clerk Dated February 7, 2013

Subject: Change of Agent "Class B" Intoxicating Liquor And
"Class B" Fermented Malt Beverage

Limited Liability Co: Pour Boys LLC
Agent Name: Julie Schmidt
Residence Address: 203 North Military Road
Fond du Lac, WI
d/b/a: Pour Boys
Location: 507 North Main Street

(Proposed Action: **Approve**)

Motion made by Councilperson Miller to **approve** Change of Agent "Class B" Intoxicating Liquor and "Class B" Fermented Malt Beverage d/b/a Pour Boys, 507 North Main Street.

Seconded by Councilperson Lunde-Ross.

ROLL CALL VOTE: Aye - Miller, Lorrigan, Lunde-Ross,
Vande Zande, Burroughs

Nay - None

Carried.

City Attorney, Dated February 6, 2013

Subject: Claim Raymond Hernandez

(Proposed Action: **Deny**)

CITY COUNCIL MINUTES

February 13, 2013

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Introduction Assistant Chief Thiry

Resolution No. 8378

Subject: A Resolution Reviewing And Approving Grant Application
From The Edward Byrne Memorial Justice Assistance Grant
(JAG) Program

(Effect: Approve Grant Application From the Edward Byrne
Memorial Justice Assistance Grant (JAG) Program)

(Initiator: Chief Of Police)

(File No. 2012-061)

Motion made by Councilperson Lunde-Ross to **approve**
Resolution No. 8378.

Seconded by Councilperson Burroughs.

ROLL CALL VOTE: Aye - Miller, Lorrigan, Lunde-Ross,
Vande Zande, Burroughs

Nay - None

Carried.

Introduction Community Development Director

Resolution No. 8379

Subject: A Resolution Authorizing Sale Of Land In The Fox Ridge
Industrial Park And Amend Covenants

(Effect: Authorize Sale Of Land In Fox Ridge Industrial Park To
Setzer Properties And Amend Covenants)

(Initiator: Community Development Director)

(File No. 2013-034)

(Note: Requires 2/3 Vote Of All Members)

Assistant City Attorney Wade clarified that the 3/4
voting requirement stated on the agenda was incorrect
and that the covenants required a 2/3 vote.

Motion made by Councilperson Lunde-Ross to **approve**
Resolution No. 8379.

Seconded by Councilperson Miller.

ROLL CALL VOTE: Aye - Miller, Lorrigan, Lunde-Ross,
Vande Zande, Burroughs

Nay - None

Carried.

CITY COUNCIL MINUTES

February 13, 2013

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Introduction City Manager

Resolution No. 8380

Subject: A Resolution Confirming Appointments To Various Boards
And Commissions

(Effect: Confirm Appointments To Advisory Park Board, Advisory
Parking And Traffic Board, City Plan Commission, Board
Of Appeals, Downtown Architectural Review Board)

(Initiator: City Manager)

(File No. 2013-003)

Motion made by Councilperson Lunde-Ross to **approve**
Resolution No. 8380.

Seconded by Councilperson Burroughs.

ROLL CALL VOTE: Aye - Miller, Lorrigan, Lunde-Ross,
Vande Zande, Burroughs

Nay - None

Carried.

ORDINANCES

Introduction City Engineer

Ordinance No. 3509

Subject: An Ordinance Amending Chapter 7, Traffic Code

(Effect: Remove Limited Time Parking - Two Hours, 7 A.M. To 5
P.M., Except Sunday In Accordance With Code Of
Ordinances Section 7.05 (5) And Schedule J)

(Location: Ninth St., W. - South Side, Between Morris Street
And A Point 100' West Of The Bridge Over The Fond
du Lac River)

(Effect: Remove Parking Prohibited At All Times In Accordance
With The Code Of Ordinances Section 7.05 (1) And
Schedule E)

(Location: Ninth St., W, South Side Between Liberty Street
And The Chicago & Northwestern Railroad Tracks)

(Initiator: City Engineer)

(Advisory Parking & Traffic Board Recommendation: **Approve**)

(File No. 2013-035)

Motion made by Councilperson Lorrigan to **approve**
Ordinance No. 3509.

Seconded by Councilperson Miller.

ROLL CALL VOTE: Aye - Miller, Lorrigan, Lunde-Ross,
Vande Zande, Burroughs

Nay - None

Carried.

CITY COUNCIL MINUTES

February 13, 2013

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Introduction City Engineer

Ordinance No. 3510

Subject: An Ordinance Amending Chapter 7, Traffic Code

(Effect: Restrict Parking Prohibited At All Times In Accordance
With Code Of Ordinances Section 7.05(1) And Schedule E

(Location: Ellis St., - West Side, Between E First Street And
E Ninth Street)

(Initiator: City Engineer)

(Advisory Parking & Traffic Board Recommendation: **Approve**)

(File No. 2013-036

Motion made by Councilperson Miller to **approve**
Ordinance No. 3510.

Seconded by Councilperson Lorrigan.

ROLL CALL VOTE: Aye - Miller, Lorrigan, Lunde-Ross,
Vande Zande, Burroughs

Nay - None

Carried.

ADJOURN

Motion made by Councilperson Lunde-Ross to adjourn.

Seconded by Councilperson Lorrigan.

ROLL CALL VOTE: Aye - Miller, Lorrigan, Lunde-Ross,
Vande Zande, Burroughs

Nay - None

Carried.

Meeting adjourned at 7:24 p.m.

SUE STRANDS
CITY CLERK

SS/maa

CITY OF FOND DU LAC - Memorandum

Department of Administration

Date: February 20, 2013

To: City Council

From: Hal Wortman, Director of Administration



Re: List of Claims

The list of claims for goods and services for the payment periods February 2, 2013 through February 15, 2013 for all funds total \$704,100.55. 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 OF FOND DU LAC - Memorandum

City Clerk's Office

Date: February 21, 2013
To: City Council
From: Sue Strands, City Clerk
Re: Permit to Sell Fermented Malt Beverages on Park Property

City Ordinance 19.06(5) requires a special permit be authorized by City Council to allow the sale of Fermented Malt Beverages on Park Property.

The following application is being submitted for your approval:

Fond du Lac Festivals Inc
Event: Walleye Weekend
Location: Lakeside Park
Date: June 6th-9th, 2013

Please contact me should you have further questions regarding this special use request.

Thank you.

APPLICATION FOR TEMPORARY CLASS "B"/"CLASS B" RETAILER'S LICENSE

emailed 10-2-12

See Additional Information on reverse side. Contact the municipal clerk if you have questions.

FEE \$ _____

Application Date: _____

Town of Village of City of Fond du Lac County of Fond du Lac

The named organization applies for: (check appropriate box(es).)

- A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(6), Wis. Stats.
- A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stat.

at the premises described below during a special event beginning June 6, 2013 and ending June 9, 2013 and agrees to comply with all law, resolution, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

1. ORGANIZATION (Check appropriate box) Bona fide Club Church Lodge/Society Veteran's Organization Fair Association

(a) Name Fond du Lac Festivals, Inc. / Walleye Weekend
(b) Address 650 N. Main St. Fond du Lac, WI 54935
Street Town Village City

(c) Date organized June 7-9, 2013

(d) If corporation, give date of incorporation _____

(e) Names and addresses of all officers:

President Dennis Winkler
Vice President Dean Vollmer
Secretary Ray LaPierre
Treasurer Billy Mauthe

(f) Name and address of manager or person in charge of affair:
Leanne Doyle, Executive Director, 650 N. Main St. Fond du Lac, WI 54935

2. LOCATION OF PREMISES WHERE BEER AND/OR WINE WILL BE SOLD: Lakeside Park

(a) Street number _____

(b) Lot _____ Block _____

(c) Do premises occupy all or part of building? _____

(d) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover: _____

3. NAME OF EVENT

(a) List name of the event Walleye Weekend

(b) Dates of event June 6-9, 2013

DECLARATION

The Officer(s) of the organization, individually and together, declare under penalties of law that the information provided in this application is true and correct to the best of their knowledge and belief.

Fond du Lac Festivals, Inc. / Walleye Weekend
(Name of Organization)

Officer Ray LaPierre 9/18/12
(Signature/date)

Officer Dean Vollmer
(Signature/date)

Officer Dennis Winkler 9/18/12
(Signature/date)

Officer Billy Mauthe
(Signature/date)

Date Filed with Clerk 10-2-2012

Date Reported to Council or Board 2-27-2013

Date Granted by Council _____

License No. 13-4167

02-841

CITY OF FOND DU LAC

Memorandum

Date:

To: Chief of Police Attn: Records Division

From: City Clerk

Subject: Temporary Class B License

The application copied on the reverse side was filed with this office within the preceding forty-eight hours.

It is respectfully requested that your recommendation on the granting and issuance of a license be provided to this office.

CITY OF FOND DU LAC

Memorandum

Date:

To: City Clerk

From: Chief of Police

Subject: Temporary Class B License

I hereby recommend that the application be:

 Granted a license

 Denied a license

Cap Kee

Comments _____

City of Fond du Lac

APPLICATION FOR PERMIT TO SELL FERMENTED MALT BEVERAGES AND INTOXICATING LIQUORS ON PARK PROPERTY

I/WE HEREBY MAKE APPLICATION FOR A SPECIAL PERMIT TO SELL FERMENTED MALT BEVERAGES IN ACCORDANCE WITH FOND DU LAC CITY CODE OF ORDINANCES, SECTION 19.06(5), WHICH STATES:

(5) SALE OF FERMENTED MALT BEVERAGES AND INTOXICATING LIQUORS. No person shall sell, barter, exchange, offer for sale or have in his possession with intent to sell, deal or traffic in, fermented malt beverages or intoxicating liquors in or on any public park or play area within the City, with the following exception: fermented malt beverages may be sold upon granting of a special permit by the City Council and approval of the Chief of Police. Such sales shall commence not earlier than 10 a.m. and shall cease not later than 9 p.m. The permittee shall deposit the sum of \$100 with the City to guarantee the cleanup of the area where such beverages are permitted to be sold following the event for which the permit was granted. Such \$100 shall be returned to the permittee following an inspection by the City and its approval.

PART A: APPLICATION	
PARK & SPECIFIC LOCATION:	Lakeside Park
NAME OF APPLICANT:	Waubeke Weekend
ORGANIZATION REPRESENTED:	Fond du Lac Festivals, Inc.
TYPE OF EVENT PLANNED:	Outdoor Festival
DATE(S) OF EVENT:	June 16-19, 2013
SALE OF ALCOHOL ALLOWED ONLY DURING THESE HOURS:	8am - 11pm
SIGNATURE OF APPLICANT:	
	DATE: 5-20-12

PART B: PAYMENT & APPROVAL	
\$100 DEPOSIT RECEIVED BY:	
	10/1/12 DATE:
APPROVED BY POLICE CHIEF:	DATE:
APPROVED BY CITY COUNCIL:	DATE:
NOTE: PLEASE KEEP ALL COPIES TOGETHER AND RETURN TO PARK OFFICE AFTER ALL APPROVAL STEPS ARE COMPLETE.	

PART C: INSPECTION & REFUND	
CLEANUP INSPECTION BY:	DATE:
\$100 DEPOSIT REFUNDED TO:	DATE:

WHITE---PARK

YELLOW---PERMITTEE

PINK---SEC/DEP BOOK

GOLD---COMP TROLLERS

CITY OF FOND DU LAC - Memorandum

City Clerk's Office

Date: February 21, 2013
To: City Council
From: Sue L. Strands, City Clerk
Re: Change of Agent Class "B" Fermented Malt Beverage And "Class B"
Intoxicating Liquor

We have received application for the following change of agent:

<u>AGENT NAME</u>	<u>RESIDENCE ADDRESS</u>	<u>LOCATION OF PREMISES</u>
Anna Nason	673 Mt. Vernon Street Oshkosh, WI 54901	Retlaw Hotel One North Main Street

Fond du Lac Police Department MEMO



To: City Manager Joe Moore
From: Chief Lamb
RE: *Change of Agent North Main Hospitality (Retlaw Hotel)*
Date: 2/20/2013

North Main Hospitality d/b/a Retlaw Hotel, located at 1 N Main Street, has applied for a change of agent of its Class B Combination License. Ms. Anna Nason will be the licensed agent for this establishment. Background checks conducted on Ms. Nason both in-house and NCIC/CIB, indicate no prior criminal history that would preclude the issuance of the change of agent request. The Police Department has no objections to the change of agent request.

SCHEDULE FOR SUCCESSOR OF AGENT

If there is a change in agent, each club, corporation, or limited liability company who holds a retail permit to sell fermented malt beverages and/or intoxicating liquor must appoint a successor agent pursuant to sec. 125.04(6), Wis. Stats. The following questions must be answered by the Agent. The appointment must be signed by the President and Secretary or members of limited liability company. The appointment must be approved by the proper local official.

Fond du Lac Wisconsin 2/21 2013
(Municipality) (Date)

- Name of agent Anna Wason
- Are you of legal drinking age? Yes No
- Have you been a resident of Wisconsin for at least 90 continuous days prior to the date of appointment as agent? Yes No
- Have you ever been convicted of a federal law violation? Yes No State law violation? Yes No
Local ordinance violation? Yes No Explain _____
- Previous occupation Manager

UNDER PENALTY OF LAW, I declare that all of the above information is true and correct to the best of my knowledge and belief.

[Signature]
(Signature of Agent)
673 Mt. Vernon St. Oshkosh
(Address) 54901

SUCCESSOR AGENT

The undersigned appoints Anna Wason as agent in accordance with sec. 125.04(6), Wis. Stats.

Date 2/21 2013 Name of Permittee KEN PAWSURIA
By [Signature] (Signature of President/Member)
(Signature of Secretary/Member)

I hereby accept appointment as agent for Jack Main Hospitality and assume full responsibility or the conduct of the business relative to fermented malt beverages and intoxicating liquors.

Date 2/21 2013 [Signature]
(Signature of Agent)

THE AGENT APPOINTED ABOVE MUST BE APPROVED AS FOLLOWS:

- (a) In towns, by the Town Chairman
 - (b) In villages, by the President of the Village
 - (c) In cities, by the Chief of Police
- The appointment above is herewith approved.

(Municipality) Wis., _____ 20____
(Date)

(Signature of Official)

(Title)

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 member(s)/managers of a limited liability company and the recommendation made by the proper local official.

To the governing body of: Town
 Village of Fond du Lac County of Fond du Lac
 City

The undersigned duly authorized officer(s)/members/managers of NORTH MAIN HOSPITALITY, 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
RETLAW PLAZA HOTEL
(trade name)

located at 1 N. MAIN ST., FOND DU LAC, WI

appoints ANNA NASON
(name of appointed agent)
673 Mt. Vernon St. Oshkosh WI 54901
(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).

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? 33 yrs.

Place of residence last year _____

For: NORTH MAIN HOSPITALITY, LLC
(name of corporation/organization/limited liability company)

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

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

ACCEPTANCE BY AGENT

I, Anna Nason, 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.

[Signature] 2/21/13 Agent's age [Redacted]
(signature of agent) (date)
673 Mt. Vernon St. Oshkosh WI 54901 Date of birth [Redacted]
(home address of agent)

**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 02/20/13 by [Signature] Title ASSISTANT POLICE CHIEF
(date) (signature of proper local official) (town clerk, village president, police chief)

RECPT. #12484

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)		(middle name)	
Nason		Anna		Maria	
Home Address (street/route)	Post Office	City	State	Zip Code	
673 Main/Vernon St.		Oshkosh	WI	54901	
Home Phone Number	Age	Date of Birth	Place of Birth		
(414) 732-5054					

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.

Agent of North Main Hospitality
(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:

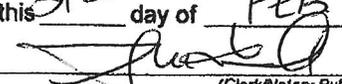
- How long have you continuously resided in Wisconsin prior to this date? 11/1/79
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? 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.)
- 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. (Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe 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)

6. Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
AAA Community Finance	6234 S. 27th St. Milwaukee WI	2010	2010
Check into Cash	2715 S. 108th West Allis WI	2007	2009

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 21ST day of FEB, 2013

(Clerk/Notary Public)


(Signature of Named Individual)

My commission expires _____





ID NO. 8403924

CARD NO. 9738485

ServSafe Alcohol® CERTIFICATE

ANNA NASON

Card expires three years from the date of the examination. Local laws apply.

DATE OF EXAMINATION

2/11/2013

Complies with WI State Stats. s.125.04(5)(a)5
& s.125.17(6) & s.134.66



RESOLUTION NO. 8381

**A FINAL RESOLUTION REGARDING THE
CONSTRUCTION OF CURB AND GUTTER**

WHEREAS, pursuant to a preliminary resolution adopted by the City Council, the Director of Public Works has filed reports pertaining to construction costs and recommended special assessments of the improvements; and

WHEREAS, a public hearing will be held on February 27, 2013 prior to the consideration by the City Council for the purpose of hearing all interested persons on the proposed public improvements listed below pursuant to Section 66.0703 of the Wisconsin Statutes; and

WHEREAS, the City Council deems the proposed construction of public improvements have merit and are necessary and in the best interest of the general public.

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

1. That the report of the Director of Public Works pertaining to the following public improvements, including plans and specifications therefor, is hereby approved and adopted:

Curb and Gutter

14th Street – From Marr Street To Park Avenue

Grace Avenue – From Sunset Circle To Woodland Avenue

North Main Street (East Side) – From Scott St to 750' North Of Harbor View Drive

Sunset Circle – In Its Entirety South Of Grace Avenue

2. That payment for said improvements be made by assessing the cost of the properties benefitted, as indicated in said report.

3. That the proper City officials are ordered to carry out the construction of the improvements in accordance with the report.

4. That properties against which the assessments are proposed in the Director's report are deemed benefitted and are hereby approved; that this special assessment constitutes an exercise of the City of Fond du Lac's police power; and that the schedule(s) of the proposed assessments as shown on the Director's report is reasonable and is approved.

Resolution No. 8381
Page - 2 -

5. That the special assessments shall be paid in cash or collected in installments pursuant to Section 3.04 of the Code of Ordinances of the City of Fond du Lac, Wisconsin, together with any contractual agreements for recovery of costs not specially assessable if any.

6. That the City Clerk shall publish this Resolution in the official newspaper of the City and shall mail a copy to every property owner whose name appears on the assessment roll and whose post office address is known or can be ascertained by reasonable diligence.

7. That after publication of this final Resolution, any aggrieved person may appeal to the circuit court pursuant to 66.0703(12) of the Wisconsin Statutes.

ADOPTED:

Rob Vande Zande, Vice-President
Fond du Lac City Council

Attest:

City Attorney:

Sue L. Strands, City Clerk

Reviewed DSM

CITY OF FOND DU LAC - Memorandum

Engineering & Traffic Division

Date: February 27, 2013

To: Joseph Moore, City Manager
Jordan Skiff, Director of Public Works

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

Re: 2013 Street & Utility Project & Assessment Policies

On the February 27 City Council agenda is a Public Hearing and Final Resolution for assessing the proposed Clearwater Reconstruction projects in 2013. A preliminary resolution was approved by the Council on January 23, 2013. While the Council's action is only for approving assessments for the project, there was discussion regarding the design aspects, in particular with Grace Avenue. City staff has reviewed items brought forth and offer the following:

- To be clear, the proposed width of the Grace Avenue is 28' face to face of curb and is 3' wider than the existing street. This additional width is not causing any of the trees to be removed. Engineering standards call for widths of 8' for parking lanes and 10-12' for travel lanes, so keeping the width at 25' would not allow two cars to pass a parked car or one car to fit between two parked cars. As there is no outlet for this street, keeping the current width could be catastrophic if emergency vehicles were not able to make it between two parked cars.
- Staff estimates that the additional cost to widen the street from its current 25' to 28' wide is about \$1,800. The reason for the seemingly small amount is that the savings of the 3' of asphalt street is offset by the additional concrete needed for each driveway and on a lessor scale, the topsoil and seed of the 3' width.
- Driveway aprons (between curb and sidewalk) are reconstructed to meet existing width or at a minimum of 10' wide at the sidewalk. On Grace, three driveways were about 9' wide and thus were widened, but not the driveway for 660 Grace Avenue.
- Trees are being removed due to either a disease related to the species (elm or ash) or in a limited case due to the conflict with the sidewalk. The City has guidelines for determining defective sidewalk, which we use extensively in our Annual Sidewalk Program. Adhering to these guidelines is viewed as necessary to maintain good standing with our insurance carrier and limiting the number of "trip and fall" accidents for those using sidewalks. Current City practice is to evaluate the cause of the defective sidewalk, of which we find that tree roots are a major contributor. If the tree is determined to be the cause, the tree will be removed so it will not conflict with the sidewalk in the future.
- We have met with the owner at 660 Grace Avenue and have determined that there are ways to allow her two terrace trees to stay, but at property owner extra expense. For the north tree, roots are heaving or cracking her driveway apron and public sidewalk (some

of which were only installed in 2009). Although the City would replace these at its expense if the tree were removed, if the tree is to remain the new sidewalk should be modified to prevent such damage from happening again. If the property owner is willing to pay to reroute this sidewalk farther from the tree, the tree may remain. The south tree has large limbs that are hollow and unsafe. Although we would normally be removing a silver maple in this condition, if the property owner is willing to pay to have these limbs removed, the tree can remain. We will present these options to the owner this week.

Below is a summary of current City policies on assessments.

For this Final Resolution on Assessments, current City Policy allows the City to assess 25% of the cost of the curb and gutter when performing underground utility construction that causes damage to a substantial portion of curb and gutter. The primary purpose of the Clearwater Reconstruction Project is replacing underground sanitary sewer and therefore, the cost of 25% of the curb and gutter is assessed on these projects. This usually costs property owners a few hundred dollars or less at a typical residence. This policy was approved by Council on 6-28-95.

Current City Code allows property owners to finance assessments over \$500.00. If the assessment is over \$500.00, owners can finance the payments over a 5-year period. If the assessment is over \$5,001.00, owners can finance the payments over a 10-year period. All financing options include an interest. The interest rate is determined by the City's borrowing rate plus 2.0% for a total of 4.75% for 2013 assessments.

The total of curb assessments for the 2013 Clearwater projects is \$18,431.20, based on \$2.50 per linear foot of assessable frontage. The overall cost estimate for this year's street and utility project is about \$2 million.

The City of Oshkosh recently reviewed their assessment policies and gathered information from municipalities in the Fox Valley and around the State for comparison. In their information that they shared, they list communities that do not assess anything for their street and utility projects, such as Waukesha, Pleasant Prairie, Shorewood, Suamico, Waupun, and Eagle River. The main justification given was "all citizens benefit from any public works project." By comparison, there were many more communities that do assess for street reconstruction projects. Residential properties in Oshkosh, Neenah, Sheboygan, LaCrosse, Eau Claire, Appleton, and Green Bay pay an average of 60% of all the street costs. By comparison, Fond du Lac residents pay 25% of only the curb and gutter costs, which in 2012, equated to about 2% of the total street costs.

REPORT OF THE DIRECTOR OF PUBLIC WORKS:

For approving plans, specifications and assessing improvement costs for:

25% Cost Share Curb & Gutter Assessment

ON Main Street from Scott Street to Harborview Drive, North 1000'

Filed in the City Clerk's Office: 02/27/13 .

TO THE CITY COUNCIL:

The City Council having directed the Director of Public Works to report on certain plans, specifications and estimated costs

ON Main Street from Scott Street to Harborview Drive, North 1000'

The following is hereby respectfully submitted:

1. Preliminary plans and specifications are as shown on Exhibit "A" attached hereto and made a part hereof.

2. Pursuant to such plans and specifications, we have determined that the estimated cost of said work or improvements will be \$3,855.75.

3. A schedule of proposed assessments has been determined as shown on Exhibit "B" attached hereto and made a part hereof and that the property against which the assessments are proposed are individually benefited.

4. It is suggested that this project
 x PROCEED NOT PROCEED
as an exercise of the City's

a. Police Power x

b. Taxing power and/or by
Special Assessment

5. The schedule of assessments as shown is, in our opinion reasonable.

DATE: 02-27-13

Jordan Skiff
Director of Public Works

Parcel_Number	Owner	Frontage	2.5	Assessment	Site_Address	Mailing_Address	City	ST	Zip
FDL-15-17-03-43-510-01	FOND DU LAC RETAIL HOLDINGS LLC	450	2.50	\$1,125.00	75 WEST SCOTT ST	224 WEST 200 SOUTH SUITE 110	SALT LAKE CITY	UT	84101
FDL-15-17-03-44-752-00	MAWZ INC	182.30	2.50	\$455.75	507 N MAIN ST	771 E DIVISION ST	FOND DU LAC	WI	54935
FDL-15-17-03-43-509-00	ROOKIES LLC	375	2.50	\$937.50	520 N MAIN ST	100 LYNNWOOD LANE	BROOKFIELD	WI	53005
FDL-15-17-03-44-754-01	SAPUTO CHEESE USA INC	410	2.50	\$1,025.00	45 E SCOTT ST	45 E SCOTT ST	FOND DU LAC	WI	54935
FDL-15-17-03-43-508-00	SEASIDE LLC,	75	2.50	\$187.50	550 N MAIN ST	PO BOX 930217	VERONA	WI	53593
FDL-15-17-03-43-501-00	WILCOX, MARY R	50	2.50	\$125.00	554 N MAIN ST	554 N MAIN ST	FOND DU LAC	WI	54935
				\$3,855.75					

Parcel_Number	Owner	Owner_1	Frontage	2.5	Assessment	Site_Address	Mailing_Address	City	ST	Zip
FDL-15-17-22-12-294-00	HERRMANN, SYLVIA		214.76	2.50	\$536.90	1 SUNSET CIR	PO BOX 785	DAUPHIN ISLAND	AL	36528
FDL-15-17-22-12-297-00	SANTI, ROGER J	SANTI, MARY ELLEN	81.16	2.50	\$202.90	10 SUNSET CIR	10 SUNSET CIR	FOND DU LAC	WI	54935
FDL-15-17-22-12-296-00	SCHAEFFER, ROBERT J	SCHAEFFER, KRISTINE L	100.00	2.50	\$250.00	20 SUNSET CIR	20 SUNSET CIR	FOND DU LAC	WI	54935
FDL-15-17-22-12-295-00	KREMER, SARAH B		79.16	2.50	\$197.90	30 SUNSET CIR	30 SUNSET CIR	FOND DU LAC	WI	54935
FDL-15-17-22-12-293-00	KNUEPPEL, ROBERT B	TORGERSEN, DENISE A	214.76	2.50	\$536.90	31 SUNSET CIR	31 SUNSET CIR	FOND DU LAC	WI	54935
FDL-15-17-22-13-529-00	STUBBS, JOHN C	DEMING, LAURA J	81.16	2.50	\$202.90	40 SUNSET CIR	40 SUNSET CIR	FOND DU LAC	WI	54935
FDL-15-17-22-13-528-00	ZULEGER LIV TR, ROGER L	ZULEGER LIV TR, ANNE	98	2.50	\$245.00	50 SUNSET CIR	50 SUNSET CIRCLE	FOND DU LAC	WI	54935
FDL-15-17-22-13-527-00	BOCHMAN, JEFF L	BOCHMAN, CUIJIE	81.16	2.50	\$202.90	60 SUNSET CIR	60 SUNSET CIR	FOND DU LAC	WI	54935
FDL-15-17-22-12-291-00	PIERNER, JUDITH C		214.76	2.50	\$536.90	65 SUNSET CIR	65 SUNSET CIR	FOND DU LAC	WI	54935
FDL-15-17-22-12-287-00	DAHLIN, JOELLYN		71.16	2.50	\$177.90	695 GRACE AVE	695 GRACE AVE	FOND DU LAC	WI	54935
FDL-15-17-22-12-290-00	KRAMER, KENNETH P	KRAMER, MARY BETH	79.16	2.50	\$197.90	70 SUNSET CIR	70 SUNSET CIR	FOND DU LAC	WI	54935
FDL-15-17-22-12-298-00	FREUND, PAMELA A		114.93	2.50	\$287.33	700 GRACE AVE	700 GRACE AVE	FOND DU LAC	WI	54935
FDL-15-17-22-12-289-00	BENTLEY, JAMES E	BENTLEY, DJANNE M	100	2.50	\$250.00	80 SUNSET CIR	80 SUNSET CIR	FOND DU LAC	WI	54935
FDL-15-17-22-12-288-00	TAGLIAPIETRA, GARY L	TAGLIAPIETRA, MONICA L	81.16	2.50	\$202.90	90 SUNSET CIR	90 SUNSET CIR	FOND DU LAC	WI	54935
FDL-15-17-22-12-292-00	PIERNER, JUDY C		214.76	2.50	\$536.90	95 SUNSET CIR	65 SUNSET CIR	FOND DU LAC	WI	54935
FDL-15-17-22-12-300-00	FIELD, CHARLES T	FIELD, CHERYL A	19.49	2.50	\$48.73	680 GRACE AVE	680 GRACE AVE	FOND DU LAC	WI	54935
					\$4,613.95					

REPORT OF THE DIRECTOR OF PUBLIC WORKS:

For approving plans, specifications and assessing improvement costs for:

25% Cost Share Curb & Gutter Assessment

ON Grace Avenue from Sunset Circle to Woodland Avenue

Filed in the City Clerk's Office: 02/27/13 .

TO THE CITY COUNCIL:

The City Council having directed the Director of Public Works to report on certain plans, specifications and estimated costs

ON Grace Avenue from Sunset Circle to Woodland Avenue

The following is hereby respectfully submitted:

1. Preliminary plans and specifications are as shown on Exhibit "A" attached hereto and made a part hereof.

2. Pursuant to such plans and specifications, we have determined that the estimated cost of said work or improvements will be \$2,725.00.

3. A schedule of proposed assessments has been determined as shown on Exhibit "B" attached hereto and made a part hereof and that the property against which the assessments are proposed are individually benefited.

4. It is suggested that this project
 x PROCEED NOT PROCEED
as an exercise of the City's

a. Police Power x

b. Taxing power and/or by
Special Assessment

5. The schedule of assessments as shown is, in our opinion reasonable.

DATE: 02-27-13

Jordan Skiff
Director of Public Works

Parcel Number	Owner	Owner 1	Frontage	2.5	Assessment	Site Address	Mailing Address	City	ST	Zip
FDL-15-17-22-12-281-00	SILVA, MICHAEL	SILVA, LINDA	120	2.50	\$300.00	12 WOODLAND AVE	12 WOODLAND AVE	FOND DU LAC	WI	54935
FDL-15-17-22-12-304-00	HUGHES, LARRY L		120	2.50	\$300.00	648 GRACE AVE	648 GRACE AVE	FOND DU LAC	WI	54935
FDL-15-17-22-12-282-00	HORNECK, MICHAEL	HORNECK, EMMA JANE	60	2.50	\$150.00	655 GRACE AVE	1602 N 121 ST	WAUWATOSA	WI	53226
FDL-15-17-22-12-303-00	KIRSCHNER, JUDITH A		120	2.50	\$300.00	660 GRACE AVE	660 GRACE AVE	FOND DU LAC	WI	54935
FDL-15-17-22-12-283-00	ZIMMER, KENNETH J		90	2.50	\$225.00	661 GRACE AVE	661 GRACE AVE	FOND DU LAC	WI	54935
FDL-15-17-22-12-302-00	CAREW, KIMBERLY LYNN		60	2.50	\$150.00	674 GRACE AVE	674 GRACE AVE	FOND DU LAC	WI	54935
FDL-15-17-22-12-284-00	JOHNSTON, ERICK	JOHNSTON, PENNY J	90	2.50	\$225.00	675 GRACE AVE	675 GRACE AVE	FOND DU LAC	WI	54935
FDL-15-17-22-12-301-00	MCESSY REV TR, TERRENCE	MCESSY REV TR, KRISTINE	60	2.50	\$150.00	676 GRACE AVE	676 GRACE AVE	FOND DU LAC	WI	54935
FDL-15-17-22-12-285-00	JENSEN, BRADLEY A	JENSEN, STEPHANIE M	60	2.50	\$150.00	685 GRACE AVE	685 GRACE AVE	FOND DU LAC	WI	54935
FDL-15-17-22-12-286-00	MUSSELL, DONALD R	MUSSELL, LINDA L	60	2.50	\$150.00	689 GRACE AVE	689 GRACE AVE	FOND DU LAC	WI	54935
FDL-15-17-22-12-299-00	GORSKE, LYLE R	GORSKE, BEATRICE J	60	2.50	\$150.00	690 GRACE AVE	690 GRACE AVE	FOND DU LAC	WI	54935
FDL-15-17-22-12-287-00	DAHLIN, JOELLYN		65	2.50	\$162.50	695 GRACE AVE	695 GRACE AVE	FOND DU LAC	WI	54935
FDL-15-17-22-12-300-00	FIELD, CHARLES T	FIELD, CHERYL A	60	2.50	\$150.00	680 GRACE AVE	680 GRACE AVE	FOND DU LAC	WI	54935
FDL-15-17-22-12-298-00	FREUND, PAMELA A		65	2.50	\$162.50	700 GRACE AVE	700 GRACE AVE	FOND DU LAC	WI	54935
					\$2,725.00					

REPORT OF THE DIRECTOR OF PUBLIC WORKS:

For approving plans, specifications and assessing improvement costs for:

25% Cost Share Curb & Gutter Assessment

ON Fourteenth Street from Marr Street to Park Avenue

Filed in the City Clerk's Office: 02/27/13 .

TO THE CITY COUNCIL:

The City Council having directed the Director of Public Works to report on certain plans, specifications and estimated costs

ON Fourteenth Street from Marr Street to Park Avenue

The following is hereby respectfully submitted:

1. Preliminary plans and specifications are as shown on Exhibit "A" attached hereto and made a part hereof.

2. Pursuant to such plans and specifications, we have determined that the estimated cost of said work or improvements will be \$7,366.50.

3. A schedule of proposed assessments has been determined as shown on Exhibit "B" attached hereto and made a part hereof and that the property against which the assessments are proposed are individually benefited.

4. It is suggested that this project
 x PROCEED NOT PROCEED
as an exercise of the City's

a. Police Power x

b. Taxing power and/or by
Special Assessment

5. The schedule of assessments as shown is, in our opinion reasonable.

DATE: 02-27-13

Jordan Skiff
Director of Public Works

Tract Number	Owner	Acres	Assessed Value	Site Address	Mailing Address	County	State	Zip
FDL-15-17-15-44-899-00	MUMM, GREG S	42	\$105.00	102 14TH ST	102 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-15-44-899-00	MUMM, MARY K	42	\$105.00	102 14TH ST	102 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-15-44-866-00	BERNER, TIMOTHY E	44	\$110.00	103 14TH ST	103 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-15-44-900-00	HANDY, KENNETH R	42	\$105.00	106 14TH ST	106 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-15-44-865-00	NIELSEN, DANIEL W	44	\$110.00	107 14TH ST	107 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-15-44-901-00	SIPPEL, JEROME E	42	\$105.00	110 14TH ST	110 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-15-44-864-00	GALLIGAN, ADAM L	44	\$110.00	111 14TH ST	111 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-15-44-902-00	JOHNSON, RICHARD J	42	\$105.00	114 14TH ST	114 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-15-44-863-00	BERA, JACK	44	\$110.00	115 14TH ST	115 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-15-44-903-00	LANDOWSKI, DAVID J	42	\$105.00	118 14TH ST	118 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-15-44-862-00	GREENO, SHERI L	44	\$110.00	119 14TH ST	119 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-15-44-861-00	BERTRAM, NORMAN H	43	\$107.50	123 14TH ST	123 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-15-44-904-00	ROTTMAN, CORY R	42	\$105.00	126 14TH ST	126 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-15-44-860-00	RINGLER, DENNIS A	42	\$105.00	127 14TH ST	1082 S PARK AVE	FOND DU LAC	WI	54935
FDL-15-17-15-44-905-00	KING, TIMOTHY J	43	\$107.50	128 14TH ST	128 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-15-44-906-00	GERNER, GARY R	41	\$102.50	132 14TH ST	132 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-15-44-859-00	SABEL, ROGER R	50	\$125.00	135 14TH ST	135 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-15-44-907-00	NETT, HOLLI D	43	\$107.50	136 14TH ST	136 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-15-44-858-00	FRANTA, RICHARD A	50	\$125.00	137 14TH ST	137 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-15-44-908-00	SCHLOTTKE, EDWARD D	45	\$112.50	140 14TH ST	140 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-15-44-857-00	JUSTMAN, JONATHAN H	55.80	\$139.50	141 14TH ST	141 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-15-44-909-00	RHOADS, AARON D	41.8	\$104.50	142 14TH ST	142 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-15-44-909-00	RHOADS, TANIA D	41.8	\$104.50	142 14TH ST	142 14TH ST	FOND DU LAC	WI	54935

FDL-15-17-15-44-856-00	ZIMMERMAN, TERRY J	NORRIS, SARAH J	55.80	2.50	\$139.50	145 14TH ST	145 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-15-44-910-00	SEEMANN, JOHN R		55.80	2.50	\$139.50	146 14TH ST	146 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-14-33-602-00	ELLIOTT, DAVID A	ELLIOTT, KATHLEEN A	44	2.50	\$110.00	152 14TH ST	152 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-14-33-601-00	ASPENSON, JENNIFER R		45	2.50	\$112.50	153 14TH ST	153 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-14-33-603-00	BIRSCHBACH, JARRED D		43	2.50	\$107.50	156 14TH ST	156 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-14-33-598-00	NETT, KEVIN K		42	2.50	\$105.00	157 14TH ST	157 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-14-33-604-00	DEKKER, WILLIAM E;	DEKKER, MICHELLE R	42	2.50	\$105.00	160 14TH ST	160 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-14-33-598-00	SCHMITZ, KEVIN D		45	2.50	\$112.50	161 14TH ST	161 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-14-33-605-00	BANK OF NEW YORK MELLON TRUST COMPANY		42	2.50	\$105.00	164 14TH ST	3415 VISION DR	COLUMBUS	OH	43219
FDL-15-17-14-33-597-00	BONINCONTRI, FRANK J	BONINCONTRI, STACY M	42	2.50	\$105.00	165 14TH ST	165 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-14-33-606-00	SCHEARS, NATHAN L		40	2.50	\$100.00	168 14TH ST	168 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-14-33-596-00	VORPAGEL, TYLER J	VORPAGEL, JENNIFER M	42	2.50	\$105.00	169 14TH ST	169 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-14-33-607-00	SMET, JOANN M		62	2.50	\$155.00	172 14TH ST	172 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-14-33-595-00	WING, GENEVIEVE E		42	2.50	\$105.00	173 14TH ST	173 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-14-33-594-00	MERKES, RANDOLPH S	MERKES, LYNNETTE M	42.84	2.50	\$107.10	177 14TH ST	177 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-14-33-608-00	VANDEN LANGENBERG, JAKE D		51	2.50	\$127.50	178 14TH ST	178 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-14-33-593-00	HARN, TIMOTHY A	HARN, SANDRA A	60	2.50	\$150.00	183 14TH ST	183 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-14-33-609-00	HINKLEY, STEVEN M	BLACKBURN, JEAN A	51	2.50	\$127.50	184 14TH ST	184 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-14-33-592-01	FORD, VICKIL		59.92	2.50	\$149.80	185 14TH ST	185 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-14-33-592-00	ELMER, GLENN K	ELMER, JOANNE G	60.92	2.50	\$152.30	187 14TH ST	187 14TH ST	FOND DU LAC	WI	54935
FDL-15-17-14-33-610-00	THOMPSON, BRIAN D		51	2.50	\$127.50	188 14TH ST	188 14TH ST	FOND DU LAC	WI	54935

FDL-15-17-14-33-611-00	US BANK			55.72	2.50	\$139.30	190 14TH ST	4801 FEDERICA ST	OWENSBORO	KY	42301
FDL-15-17-14-33-591-00	JOHNSON, TIMOTHY N	JOHNSON, KIM A	120	2.50	\$300.00	195 14TH ST	P O BOX 1451	FOND DU LAC	WI		54936
FDL-15-17-14-33-612-00	JABER SURVS TR, DONALD T		120	2.50	\$300.00	544 S PARK AVE	544 S PARK AVE	FOND DU LAC	WI		54935
FDL-15-17-15-44-873-00	RICKERT, KEITH A	STREAN, SUSAN ANN	60	2.50	\$150.00	71 14TH ST	71 14TH ST	FOND DU LAC	WI		54935
FDL-15-17-15-44-892-00	LAMBERT, RICHARD W		60	2.50	\$150.00	74 14TH ST	237 AMORY ST	FOND DU LAC	WI		54935
FDL-15-17-15-44-872-00	DUEL, JILLIAN M		50	2.50	\$125.00	75 14TH ST	75 14TH ST	FOND DU LAC	WI		54935
FDL-15-17-15-44-893-00	SINISI, WALTER D	SINISI, ANN M	50	2.50	\$125.00	76 14TH ST	N5037 OAKHILL RD	FOND DU LAC	WI		54937
FDL-15-17-15-44-871-00	STACEY, KENNETH L		50	2.50	\$125.00	81 14TH ST	81 14TH ST	FOND DU LAC	WI		54935
FDL-15-17-15-44-894-00	KRESSATY, STEPHANIE		50	2.50	\$125.00	82 14TH ST	82 14TH ST	FOND DU LAC	WI		54935
FDL-15-17-15-44-870-00	REILAND, JOHN L		50	2.50	\$125.00	85 14TH ST	85 14TH ST	FOND DU LAC	WI		54935
FDL-15-17-15-44-895-00	MEIXENSBERGER, THEODORE C		50	2.50	\$125.00	86 14TH ST	86 14TH ST	FOND DU LAC	WI		54935
FDL-15-17-15-44-869-00	HARDER, JASON W		50	2.50	\$125.00	87 14TH ST	87 14TH STREET	FOND DU LAC	WI		54935
FDL-15-17-15-44-896-00	HANEWALL, THOMAS R	HANEWALL, JEAN C	50	2.50	\$125.00	90 14TH ST	90 14TH ST	FOND DU LAC	WI		54935
FDL-15-17-15-44-897-00	MEIXENSBERGER, THERESA K		50	2.50	\$125.00	94 14TH ST	94 14TH ST	FOND DU LAC	WI		54935
FDL-15-17-15-44-868-00	WHITTY, KEITH M	WHITTY, KAROLINA M	50	2.50	\$125.00	95 14TH ST	95 14TH ST	FOND DU LAC	WI		54935
FDL-15-17-15-44-898-00	GOEBEL, THERESA A		40	2.50	\$100.00	98 14TH ST	98 14TH ST	FOND DU LAC	WI		54935
FDL-15-17-15-44-867-00	WEIDER, DIANE L		45	2.50	\$112.50	99 14TH ST	99 14TH ST	FOND DU LAC	WI		54935
					\$7,366.50						

RESOLUTION NO. 8371

**A PRELIMINARY RESOLUTION REGARDING
THE CONSTRUCTION OF CURB AND GUTTER**

WHEREAS, a petition has been filed requesting the construction of curb and gutter on Fourteenth Street, Grace Avenue, North Main Street (East side) and Sunset Circle, as set out below; and

WHEREAS, Chapter 66 of the Wisconsin Statutes authorizes such improvements to be specially assessed; and

WHEREAS, such determination both as to construction and assessment should be made by the City Council after it reviews a report provided by the Director of Public Works.

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

1. The City Council hereby declares its intention to exercise its police power under Section 66.0703 of the Wisconsin Statutes to levy special assessments upon property within the following described areas for benefits conferred upon such property by improving the following named street, said public improvements to include the following:

Curb and Gutter

On 14th Street - From Marr Street To Park Avenue
On Grace Avenue - From Sunset Circle To Woodland Avenue
On North Main Street (East Side) - From Scott St to 750'
North Of Harbor View Drive
On Sunset Circle - In Its Entirety South Of Grace Avenue

2. The total amount assessed against such district shall not exceed the total cost of the improvements and the amount assessed against any parcel shall be reasonable.

3. The Director of Public Works shall prepare a report pertaining to the construction of the public improvements identified above. Said report shall consist of:

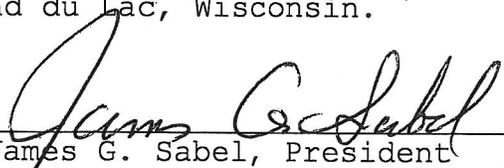
a. A schedule of the proposed assessments.

b. A statement that the property against which the assessments are proposed is benefitted.

4. Upon receiving the report of the Director of Public Works, the City Clerk is directed to give notice of a public hearing on the matters contained in this preliminary resolution and on such report as specified in Section 66.0703(7)(a) of the Wisconsin Statutes. The hearing shall be held by the City Council in the Legislative Chambers in the Fond du Lac City County Government Center at a time(s) set by the City Clerk in accordance with Section 66.0703(7)(a) of the Wisconsin Statutes.

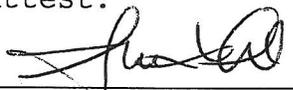
5. Any assessments levied may be paid for in cash or in annual installments as provided in Section 3.04 of the Code of Ordinances of the City of Fond du Lac, Wisconsin.

ADOPTED: JAN 23 2013



James G. Sabel, President
Fond du Lac City Council

Attest:



Sue L. Strands, City Clerk

City Attorney:

Reviewed 

PLAN COMMISSION MINUTES

January 14, 2013

5:30 P.M.

Meeting Rooms D&E
City-County Government Center

160 South Macy Street
Fond du Lac, Wisconsin

OPENING CEREMONIES

ROLL CALL: Present - Dave Erickson
Jordan Skiff
Brent Schumacher
Paul Smedberg
David Washkoviak
Lee Ann Lorrigan

Absent - Jeffrey Quast (excused)
Lynn Farr (excused)
Hertha Longo (excused)

Administrative Staff - Joellyn Dahlin, Principal Planner
Tony Lang, Civil Engineer III

Chairman Smedberg declared a quorum present.

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

PETITIONS AND COMMUNICATIONS

CONSTRUCTION OF CURB AND GUTTER

Effect: To initiate administrative action for the construction of and levying special assessments

Location: 14th Street -from Marr Street to Park Avenue
Grace Avenue - from Sunset Circle to Woodland Avenue
North Main Street (East Side) - from Scott Street to 750 feet North of Harbor View Drive
Sunset Circle - in its entirety south of Grace Avenue

Initiator: Paul De Vries, City Engineer

Motion made by Commissioner Schumacher to recommend to the City Council approval of a preliminary resolution. Seconded by Commissioner Lorrigan.

ROLL CALL VOTE: Aye - Erickson, Skiff, Schumacher, Smedberg, Washkoviak, Lorrigan
Nay - None

Carried.

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

PETITION

CITY COUNCIL
FOND DU LAC, WISCONSIN

December 26, 2012

The undersigned petitioners, being owners of property herein described, respectfully request your honorable body to take such action as will cause the construction of:

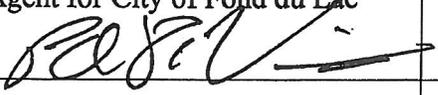
- | | |
|--|---|
| <input type="checkbox"/> Sanitary Sewer Main | <input type="checkbox"/> Storm Sewer |
| <input type="checkbox"/> Sewer Laterals | <input type="checkbox"/> Grade and Gravel |
| <input type="checkbox"/> Water Main | <input checked="" type="checkbox"/> Curb and Gutter |
| <input type="checkbox"/> Water Lateral | <input type="checkbox"/> Permanent Type Pavement |
| <input type="checkbox"/> Street Lighting | <input type="checkbox"/> Sidewalk |

On 14th Street from Marr Street to Park Avenue.

On Grace Avenue from Sunset Circle to Woodland Avenue.

On N. Main Street (East Side) from Scott Street to 750 feet north of Harbor View Drive.

On Sunset Circle, in its entirety, south of Grace Avenue.

SIGNATURE OF OWNER(S) (Please sign in ink)	ADDRESS OF PROPERTY (If different than address of residence please state both – please print)	ADDRESS OF RESIDENCE (Please print)
Paul DeVries, City Engineer Agent for City of Fond du Lac 		160 South Macy Street Fond du Lac WI 54936- 0150

plan commission memorandum

Date: January 4, 2013
To: Plan Commission
From: Paul De Vries, City Engineer
RE: 2013 Construction of Public Improvements

This petition was initiated by Paul De Vries, City Engineer. The proposed public improvements include construction of new curb and gutter as a part of the Clearwater Elimination Program, street reconstruction work. The location for special assessment of curb and gutter are:

On 14th Street from Marr Street to Park Avenue
On Grace Avenue from Sunset Circle to Woodland Avenue
On Sunset Circle, in its entirety, south of Grace Avenue
On North Main Street (East Side) from Scott Street to 750 north of Harbor View Drive

The streets will be reconstructed to restore the considerable amount of trench excavation required as a result of the underground work that will take place. Affected property owners would be assessed pursuant to the normal assessment practices for this type of work. The assessment will be $\frac{1}{4}$ of the actual cost of curb and gutter construction per assessable front foot. Approval of a preliminary resolution is requested for work anticipated during the 2013 construction season.

Recommendation

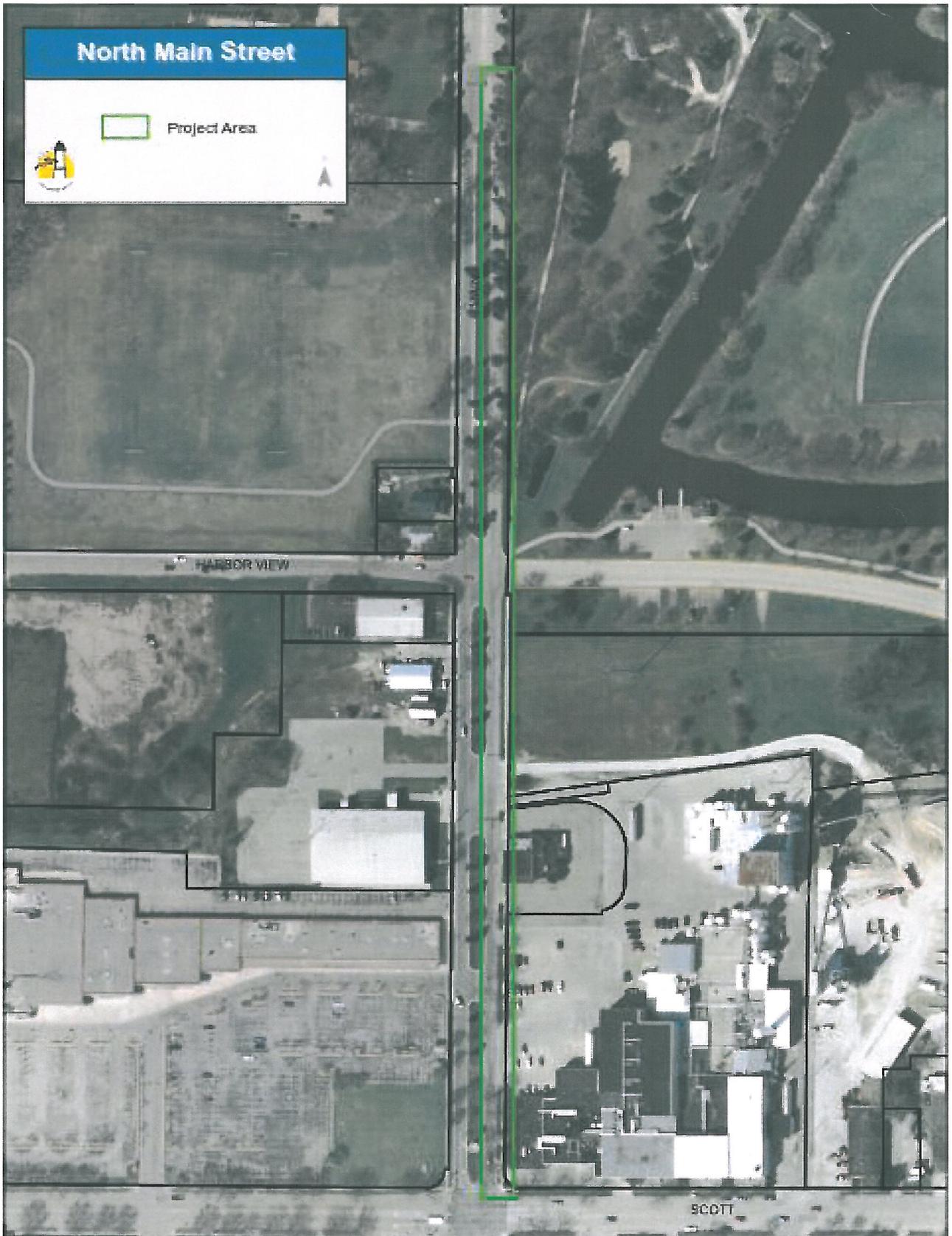
Engineering and Community Development Department staff suggests a motion to recommend to the City Council approval of a preliminary resolution.

CONSTRUCTION OF CURB & GUTTER

GRACE AVENUE – from Sunset Circle to Woodland Ave
SUNSET CIRCLE – in its entirety south of Grace Avenue



CONSTRUCTION OF CURB & GUTTER
NORTH MAIN STREET (East Side)
from Scott Street to 750' north of Harbor View Drive



RESOLUTION NO. 8382

**A PRELIMINARY RESOLUTION REGARDING
THE CONSTRUCTION OF CURB AND GUTTER**

WHEREAS, a petition has been filed requesting the construction of curb and gutter on Kaye Street, as set out below; and

WHEREAS, Chapter 66 of the Wisconsin Statutes authorizes such improvements to be specially assessed; and

WHEREAS, such determination both as to construction and assessment should be made by the City Council after it reviews a report provided by the Director of Public Works.

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

1. The City Council hereby declares its intention to exercise its police power under Section 66.0703 of the Wisconsin Statutes to levy special assessments upon property within the following described areas for benefits conferred upon such property by improving the following named street, said public improvements to include the following:

Curb and Gutter

Kaye Street - From East Eleventh Street to East Thirteenth Street)

2. The total amount assessed against such district shall not exceed the total cost of the improvements and the amount assessed against any parcel shall be reasonable.

3. The Director of Public Works shall prepare a report pertaining to the construction of the public improvements identified above. Said report shall consist of:

- a. A schedule of the proposed assessments.
- b. A statement that the property against which the assessments are proposed is benefitted.

4. Upon receiving the report of the Director of Public Works, the City Clerk is directed to give notice of a public hearing on the matters contained in this preliminary resolution and on such report as specified in Section 66.0703(7)(a) of the Wisconsin Statutes. The hearing shall be held by the City Council in the Legislative Chambers in the Fond du Lac City County Government Center at a time(s) set by the City Clerk in accordance with Section 66.0703(7)(a) of the Wisconsin Statutes.

5. Any assessments levied may be paid for in cash or in annual installments as provided in Section 3.04 of the Code of Ordinances of the City of Fond du Lac, Wisconsin.

ADOPTED:

Rob Vande Zande, Vice-President
Fond du Lac City Council

Attest:

City Attorney:

Sue L. Strands, City Clerk

Reviewed ASDM

PLAN COMMISSION MINUTES

February 18, 2013
5:30 P.M.

Meeting Rooms D&E
City-County Government Center

160 South Macy Street
Fond du Lac, Wisconsin

OPENING CEREMONIES

ROLL CALL: Present - Dave Erickson
Jordan Skiff
Paul Smedberg
David Washkoviak
Lee Ann Lorrigan
Lynn Farr
Hertha Longo

Absent - Jeffrey Quast (excused)
Brent Schumacher (excused)

Administrative Staff - Joellyn Dahlin, Principal Planner
Dyann Benson, Redevelopment Planner

Chairman Smedberg declared a quorum present.

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

PETITIONS AND COMMUNICATIONS

CONSTRUCTION OF CURB AND GUTTER

Effect: To initiate administrative action for the construction
of and levying special assessments

Location: Kaye Street - from East Eleventh Street to East
Thirteenth Street

Initiator: City Engineer

Motion made by Commissioner Washkoviak to recommend to
the City Council approval of a preliminary resolution.
Seconded by Commissioner Lorrigan.

ROLL CALL VOTE: Aye - Erickson, Skiff, Smedberg,
Washkoviak, Lorrigan, Farr,
Longo
Nay - None

Carried.

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

PETITION

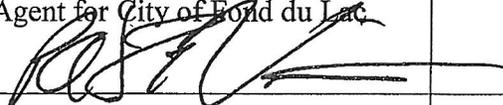
CITY COUNCIL
FOND DU LAC, WISCONSIN

February 1, 2013

The undersigned petitioners, being owners of property herein described, respectfully request your honorable body to take such action as will cause the construction of:

- | | |
|--|---|
| <input type="checkbox"/> Sanitary Sewer Main | <input type="checkbox"/> Storm Sewer |
| <input type="checkbox"/> Sewer Laterals | <input type="checkbox"/> Grade and Gravel |
| <input type="checkbox"/> Water Main | <input checked="" type="checkbox"/> Curb and Gutter |
| <input type="checkbox"/> Water Lateral | <input type="checkbox"/> Permanent Type Pavement |
| <input type="checkbox"/> Street Lighting | <input type="checkbox"/> Sidewalk |

On Kaye Street from East Eleventh Street to East Thirteenth Street

SIGNATURE OF OWNER(S) (Please sign in ink)	ADDRESS OF PROPERTY (If different than address of residence please state both – please print)	ADDRESS OF RESIDENCE (Please print)
Paul DeVries, City Engineer Agent for City of Fond du Lac 		160 South Macy Street Fond du Lac WI 54936-0150

plan commission memorandum

Date: February 13, 2013
To: Plan Commission
From: Paul De Vries, City Engineer
Joellyn Dahlin, Principal Planner
RE: 2013 Construction of Public Improvements

This petition was initiated by Paul De Vries, City Engineer. The proposed public improvements include construction of new curb and gutter as a part of the Clearwater Elimination Program, street reconstruction work. The location for special assessment of curb and gutter affects Kaye Street from East 11th Street to East 13th Street.

The streets will be reconstructed to restore the considerable amount of trench excavation required as a result of the underground work that will take place. Affected property owners would be assessed pursuant to the normal assessment practices for this type of work. The assessment will be $\frac{1}{4}$ of the actual cost of curb and gutter construction per assessable front foot. Approval of a preliminary resolution is requested for work anticipated during the 2013 construction season.

Recommendation

Engineering and Community Development Department staff suggest a motion to recommend to the City Council approval of a preliminary resolution.



**Kaye Street
11th to 13th**

 Project Area




RESOLUTION NO. 8383

A RESOLUTION GRANTING A SPECIAL USE PERMIT

WHEREAS, Love's Travel Stops & Country Stores, Inc., has petitioned for a special use permit to allow for the construction of a Truck/Vehicle Travel Stop at 311 West Rolling Meadows Drive (FDL-15-17-21-44-750-00, FDL-15-17-21-44-753, FDL-15-17-21-44-754-00); and

WHEREAS, City staff has reviewed the application and recommends approval of the request; and

WHEREAS, the City Plan Commission recommended the issuance of the requested special use permit at its meeting on February 18, 2013 with the following conditions:

1. Site development as proposed requires the vacation of right-of-way for the existing Kaeding Lane and the dedication of right-of-way for the relocated Kaeding Lane. A certified survey map and developer's agreement are required. A detailed site plan shall be reviewed and approved by the Site Plan Committee prior to the issuance of required building permits.
2. Driveway access to Rolling Meadows Drive, including the road connection for Kaeding Lane, is subject to approval of the Fond du Lac County Highway Commission.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fond du Lac that a special use permit subject to the conditions specified above be granted to allow for the construction of a Truck/Vehicle Travel Stop at 311 West Rolling Meadows Drive (FDL-15-17-21-44-750-00, FDL-15-17-21-44-753, FDL-15-17-21-44-754-00).

ADOPTED:

Rob Vande Zande , Vice President
Fond du Lac City Council

Attest:

City Attorney:

Reviewed DS/EM

Sue L. Strands, City Clerk

PLAN COMMISSION MINUTES

February 18, 2013
5:30 P.M.

Meeting Rooms D&E
City-County Government Center

160 South Macy Street
Fond du Lac, Wisconsin

OPENING CEREMONIES

ROLL CALL: Present - Dave Erickson
Jordan Skiff
Paul Smedberg
David Washkoviak
Lee Ann Lorrigan
Lynn Farr
Hertha Longo

Absent - Jeffrey Quast (excused)
Brent Schumacher (excused)

Administrative Staff - Joellyn Dahlin, Principal Planner
Dyann Benson, Redevelopment Planner

Chairman Smedberg declared a quorum present.

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

PETITIONS AND COMMUNICATIONS

SPECIAL USE PERMIT

Effect: Construct truck/vehicle travel stop
Location: 311 West Rolling Meadows Drive
(15-17-21-44-750-00)
(15-17-21-44-753-00)
(15-17-21-44-754-00)

Initiator: Love's Travel Stops & Country Stores, Inc.
Appeared in Support and to Ask/Answer Questions:
Frank Ille, 10601 N Pennsylvania, Oklahoma City, OK 73120
Kevin Parish, 544 S Main St., West Bend WI 53095

Motion made by Commissioner Farr to recommend to the City Council approval of the Special Use Permit, subject to the following conditions:

1. Site development as proposed requires the vacation of right-of-way for the existing Kaeding Lane and the dedication of right-of-way for the relocated Kaeding Lane. A certified survey map and developer's agreement are required. A

ZONING PETITION – SPECIAL USE PERMIT



PROPERTY ADDRESS OF SPECIAL USE PERMIT: 311 West Rolling Meadows

Tax Key Number if vacant land: 15-17-21-44-750-00, 15-17-21-44-754-00, 15-17-21-44-753-00

Petitioner: Love's Travel Stops & Country Stores, Inc.
10601 North Pennsylvania
Oklahoma City, OK 73120

Petitioner Phone Number: (405) 302-6633

Email: Frank.Ille@loves.com

Property Owner: Merwin Oil Company, LLC
P.O. Box 68
Fond du Lac, WI 54936

PROPOSAL: To construct a truck/vehicle travel stop as shown on the attached Preliminary Site Plan.

Property zoning classification:

- | | | |
|--|--|---|
| <input type="checkbox"/> B-2 (Neighborhood Shopping) | <input type="checkbox"/> R-2 (Single Family Residential) | <input type="checkbox"/> CR (Commercial Recreation) |
| <input type="checkbox"/> B-3 (Central Shopping) | <input type="checkbox"/> R-3 (Single Family Residential) | <input type="checkbox"/> M-1 (Manufacturing) |
| <input type="checkbox"/> B-4 (Service Commercial) | <input type="checkbox"/> R-3.5 (One & Two Family) | <input type="checkbox"/> M-2 (Manufacturing) |
| <input checked="" type="checkbox"/> B-5 (Special Commercial) | <input type="checkbox"/> R-3.75 (Central Area Residential) | <input type="checkbox"/> M-3 (Planned Manufacturing/Office) |
| <input type="checkbox"/> B-6 (Planned Shopping) | <input type="checkbox"/> R-4 (Multifamily Residential) | <input type="checkbox"/> M-4 (Planned Manufacturing/Business) |
| <input type="checkbox"/> O (Office) | <input type="checkbox"/> R-5 (Multifamily Residential) | |

Description of Existing Land Use and/or Development:

- RESIDENTIAL _____
- COMMERCIAL _____
- INDUSTRIAL _____
- VACANT Lot is undeveloped
- OTHER _____

Type of Proposed Development: New construction. Remodel/expand existing building.

Proposed time schedule for development and/or use of the property: Construction will start in the Spring of 2013

PETITIONER SIGNATURE _____

City Clerk: _____

Date Rec'd 12-26-12

Receipt # 77357

Project # 02-3000096

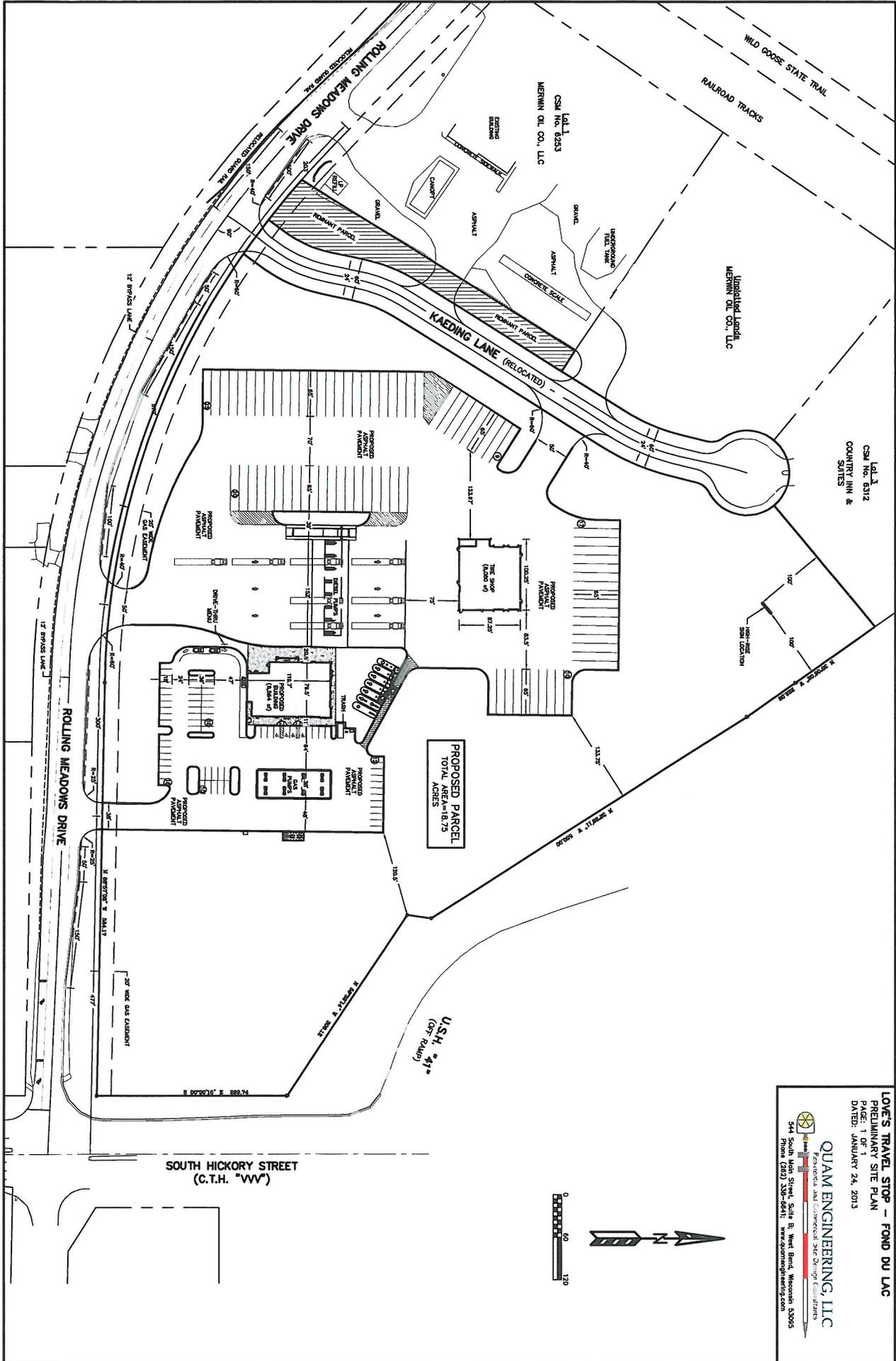
SPECIAL USE PERMIT – LOVE’S TRAVEL STOP
ROLLING MEADOWS DRIVE

VICINITY MAP



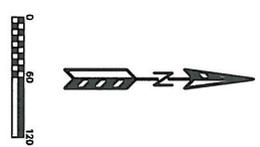
site





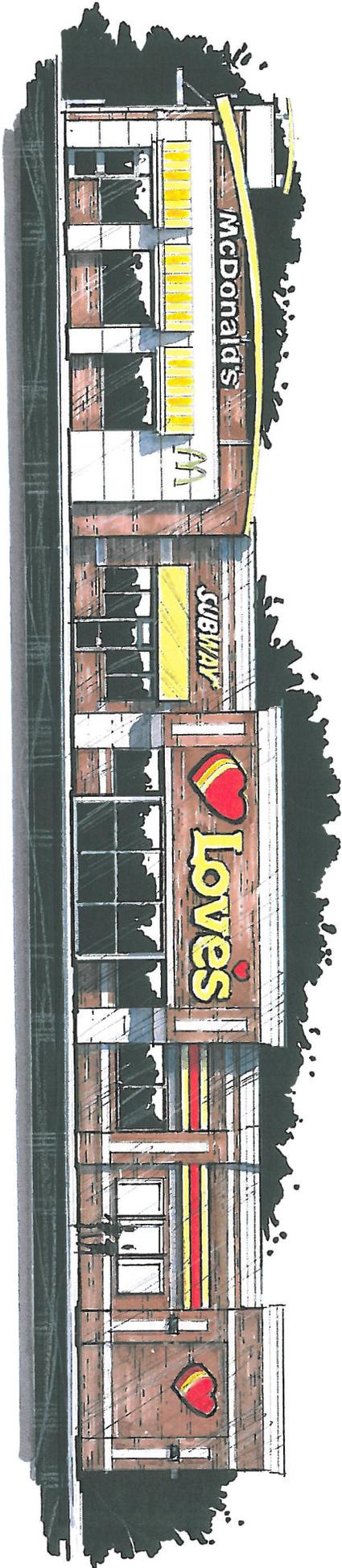
LOVE'S TRAVEL STOP - FOND DU LAC
 PRELIMINARY SITE PLAN
 PAGE: 1 OF 1
 DATED: JANUARY 24, 2013

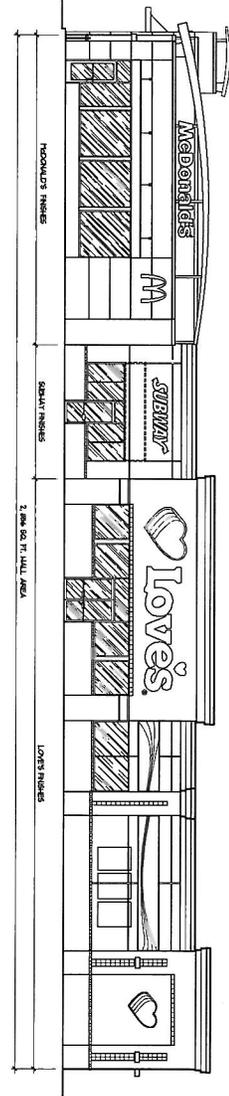
QUAM ENGINEERING, LLC
 FOUNDED AND OWNED BY THE QUAM FAMILY
 544 South Main Street, Suite B, West Bend, Wisconsin, 53095
 Phone (262) 338-6641; www.quamengineering.com



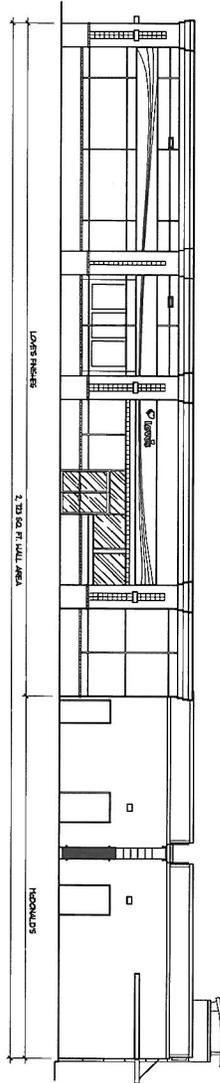


LOVE'S TRAVEL STOP - FOND DU LAC
 PRELIMINARY SITE PLAN
 PAGE: 1 OF 1
 DATED: JANUARY 24, 2013
 QUAM ENGINEERING, LLC
 544 South Main Street, Suite B, West Bend, Wisconsin 53095
 Phone: (262) 338-6641, Fax: (262) 338-6642, www.quam-engineering.com

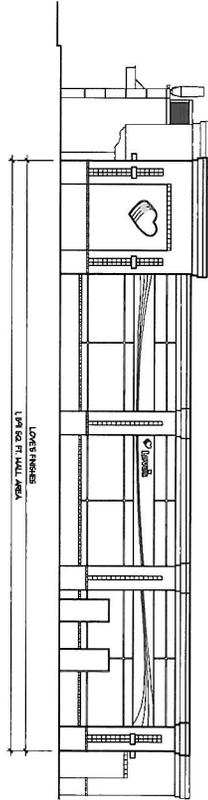




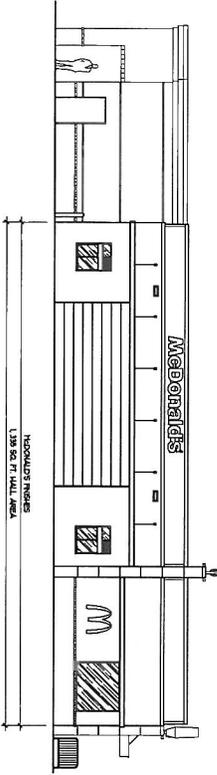
A PRELIM FRONT ELEVATION
SCALE: 1/8" = 1'-0"



B PRELIM REAR ELEVATION
SCALE: 1/8" = 1'-0"



C PRELIM RIGHT ELEVATION
SCALE: 1/8" = 1'-0"



D PRELIM LEFT ELEVATION
SCALE: 1/8" = 1'-0"



Pascal Aughtry & Associates, PC



A NEW TRAVEL STOP
STORE No. ---
FOND DU LAC, WI

Love's
Travel Stops &
Country Stores

No.	Description	Date

Project No. 13-0000
Date 7-1-13
Sheet No. 101
101

DATE: 07-01-13
DRAWN BY: PAA
CHECKED BY: PAA
SCALE: AS SHOWN
PROJECT: TRAVEL STOP
NO. --- FOND DU LAC, WI

plan commission memorandum

Date: February 13, 2013
To: Plan Commission
From: Joellyn Dahlin, Principal Planner
RE: Request for Special Use Permit – Love’s Travel Stops

Location: 311 W Rolling Meadows Drive
(FDL-15-17-21-44-750-00, FDL-15-17-21-44-754, FDL-15-17-21-44-753-00)

Applicant: Love’s Travel Stops & Country Stores

Request: Construct truck/vehicle travel center.

Zoning: Site: B-5 (Special Commercial)
North: M-2 (Manufacturing)
South: M-2 and Commercial (Town of Fond du Lac)
East: M-2
West: B-5

Land Use: Site: Vacant Land
North: U.S. Highway 41
South: South West Industrial Park
East: Hickory Street
West: Merwin Oil/Country Inn & Suites

Analysis

Love’s Travel Stops & Country Stores is headquartered in Oklahoma City, Oklahoma and has more than 360 locations in 41 states. *Love’s* offers self-service fuel for trucks and passenger vehicles, along with other amenities for the motoring public. *Love’s* proposes to construct a new facility on Rolling Meadows Drive at South Hickory Street. The project cost is expected to be approximately \$8.5 million.

The proposed use requires approval of a special use permit. The special use permit considers various land use issues in developing the property such as site location, vehicle access and traffic, neighboring land uses and surrounding zoning.

The 18.75-acre site is located at the southwest quadrant of the USH 41/ Hickory Street interchange. The property is zoned for commercial use and is situated east of Merwin Oil and the Country Inn & Suites hotel, and north of the South West Industrial Park. Several homes located within the Town of Fond du Lac are opposite the site on Rolling Meadows Drive.

The development plan concentrates key activities of the use within the southern half of the property. Approximately ten acres of the site will be developed. A large part of the property will remain undeveloped for the construction of a storm water pond at the southeast corner of the site.

The travel center building is 8564 square feet in size and accommodates two fast food restaurants, a convenience store and showers for drivers. Parking for passenger vehicles is provided adjacent to the travel center on the east side of the building. A truck tire shop is situated in a separate building north of the travel center and is intended primarily for professional drivers. The tire shop sells truck tires and offers tire repair, mount/dismount, balance, jump start and road service. Approximately 92% of the tire shop business is mobile to provide roadside assistance.

Separate fuel facilities for trucks and vehicles are sited on opposite sides of the travel center building. Fuel dispensers to accommodate 16 vehicles are located on the east side of the travel center; the diesel fuel facility is located west of the building. The truck fuel area provides seven diesel bays and a truck scale. The gas and diesel fuel facilities are independent of one another to avoid travel conflicts between passenger vehicles and large trucks.

Truck parking is arranged in two locations on the west half of the property. The primary truck parking area is located west of the diesel fuel pumps and truck scale. Additional parking for trucks is located north of the tire shop. The truck parking areas are not expected to create an adverse effect for abutting land uses. The truck parking area closest to the nearby Country Inn & Suites is more than 350 feet away from the hotel building.

Access to the site would be provided by two driveways on Rolling Meadows Drive. The east driveway provides access for passenger vehicles; truck access is limited to the west driveway and a driveway on Kaeding Lane. To assure safe, efficient and timely traffic movements to and from the site, improvements to Rolling Meadows Drive to provide turn lanes for the driveways are required. The improvement costs will be paid by *Love's*.

A Traffic Impact Analysis has been prepared for the proposed project. The Traffic Impact Analysis identifies existing traffic volumes on Rolling Meadows Drive and Hickory Street, and the traffic expected to be generated by the proposed development. The Traffic Impact Analysis is a tool to determine whether the development is appropriate for the site and what type of transportation improvements may be necessary. The conclusion of the Traffic Impact Analysis states that, with the proposed right-of-way improvements for driveway turn lanes, the intersection of Rolling Meadows Drive and Hickory Street can be expected to function in an acceptable manner.

In addition to a special use permit, the project requires several approvals. A Certified Survey Map and Petition for Street Vacation will be reviewed by the Plan Commission as development plans move forward.

Recommendation

Community Development staff suggests a motion to recommend to the City Council approval of the Special Use Permit, subject to the following conditions:

1. Site development as proposed requires the vacation of right-of-way for the existing Kaeding Lane and the dedication of right-of-way for the relocated Kaeding Lane. A certified survey map and developer's agreement are required. A detailed site plan shall be reviewed and approved by the Site Plan Committee prior to the issuance of required building permits.
2. Driveway access to Rolling Meadows Drive, including the road connection for Kaeding Lane, is subject to approval by the Fond du Lac County Highway Commission.

PUBLIC NOTIFICATION – Special Use Permit/Love’s

Parcel Number	Mailing Address 1	Mailing City	Mailing State	Mailing Zip	Site
FDL-15-17-28-13-749-00	PO BOX 150	FOND DU LAC	WI	54936	0 W LARSEN DR
T09-15-17-27-07-002-00	PO BOX 150	FOND DU LAC	WI	54936	
FDL-15-17-28-11-249-00	PO BOX 150	FOND DU LAC	WI	54936	0 W ROLLING MEADOWS DR
FDL-15-17-21-44-752-00	366 S 10TH AVE	WAITE PARK	MN	56387	121 MERWIN WAY
T09-15-17-28-01-003-00	W6174 ROLLING MDWS DR	FOND DU LAC	WI	54937	W6174 ROLLING MEADOWS DR
T09-15-17-28-01-002-00	W6178 ROLLING MDWS DR	FOND DU LAC	WI	54937	W6178 ROLLING MEADOWS DR
FDL-15-17-22-33-503-00	PO BOX 190	BROWNSVILLE	WI	53006	1151 S HICKORY ST
FDL-15-17-21-44-753-00	19300 PONDEROSA CT	SURPRISE	AZ	85387	0 MERWIN WAY
FDL-15-17-21-44-754-00	19300 PONDEROSA CT	SURPRISE	AZ	85387	0 MERWIN WAY
FDL-15-17-21-44-750-00	P O BOX 68	FOND DU LAC	WI	54936	311 W ROLLING MEADOWS DR
T09-15-17-28-01-004-00	W6164 ROLLING MDWS DR	FOND DU LAC	WI	54937	W6164 ROLLING MEADOWS DR
FDL-15-17-21-43-503-00	P O BOX 7921	MADISON	WI	53791	370 W ROLLING MEADOWS DR
FDL-15-17-21-42-253-00	944 VANDERPERREN WAY	GREEN BAY	WI	54304	60 HOLLANDER CT
FDL-15-17-22-33-502-00	944 VANDERPERREN WAY	GREEN BAY	WI	54304	1123 S HICKORY ST
FDL-15-17-22-33-503-03	944 VANDERPERREN WAY	GREEN BAY	WI	54304	0 KOHLMAN RD
FDL-15-17-27-22-254-00	PO BOX 1450	CHICAGO	IL	60690	1207 S HICKORY ST
FDL-15-17-21-43-500-00	P O BOX 70	FOND DU LAC	WI	54936	385 W ROLLING MEADOWS DR

RESOLUTION NO. 8384

A RESOLUTION GRANTING A SPECIAL USE PERMIT

WHEREAS, The Solutions Center has petitioned for a special use permit to allow for the use of a single family home as a family shelter at 38 N Sophia Street; and

WHEREAS, City staff has reviewed the application and recommends approval of the request; and

WHEREAS, the City Plan Commission recommended the issuance of the requested special use permit at its meeting on February 18, 2013 with the following conditions:

1. Use of the building is restricted for temporary residential purposes for not more than two families. Maximum overnight occupancy is 8 persons.
2. The residence shall not be altered to provide more than one living unit.
3. The building shall be inspected by the Chief Building Inspector prior to occupancy to determine compliance with applicable building and safety codes.
4. Smoke detectors and carbon monoxide detectors shall be installed and continuously maintained in good working order on each floor of the building, including the basement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fond du Lac that a special use permit subject to the conditions specified above be granted to allow for the use of a single family home as a family shelter at 38 N Sophia Street; and

ADOPTED:

Rob Vande Zande, Vice-President
Fond du Lac City Council

Attest:

City Attorney:

Reviewed DSRM

Sue L. Strands, City Clerk

PLAN COMMISSION MINUTES

February 18, 2013
5:30 P.M.

Meeting Rooms D&E
City-County Government Center

160 South Macy Street
Fond du Lac, Wisconsin

OPENING CEREMONIES

ROLL CALL: Present - Dave Erickson
Jordan Skiff
Paul Smedberg
David Washkoviak
Lee Ann Lorrigan
Lynn Farr
Hertha Longo

Absent - Jeffrey Quast (excused)
Brent Schumacher (excused)

Administrative Staff - Joellyn Dahlin, Principal Planner
Dyann Benson, Redevelopment Planner

Chairman Smedberg declared a quorum present.

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

PETITIONS AND COMMUNICATIONS

SPECIAL USE PERMIT

Effect: Use existing single family home as a family shelter
Location: 38 North Sophia Street
Initiator: Solution Center

Motion made by Commissioner Skiff to recommend to the City Council approval of the Special Use Permit, subject to the following conditions:

1. Use of the building is restricted for temporary residential purposes for not more than two families. Maximum overnight occupancy is 8 persons.
2. The residence shall not be altered to provide more than one living unit.

ZONING PETITION – SPECIAL USE PERMIT



PROPERTY ADDRESS OF SPECIAL USE PERMIT: 38 N Sophia Street

Petitioner: Solutions Center Shelter & Support Services Inc., 39 N Sophia Street
Lindee Kimball, Executive Director

Petitioner Phone Number: (920) 923-1743

Email: lkimball@solutionsfdl.com

Property Owner: Solutions Center Shelter & Support Services Inc., 39 N Sophia Street

PROPOSAL: Use existing single family home as a family shelter.

Property zoning classification:

- | | | |
|--|---|---|
| <input type="checkbox"/> B-2 (Neighborhood Shopping) | <input type="checkbox"/> R-2 (Single Family Residential) | <input type="checkbox"/> CR (Commercial Recreation) |
| <input type="checkbox"/> B-3 (Central Shopping) | <input type="checkbox"/> R-3 (Single Family Residential) | <input type="checkbox"/> M-1 (Manufacturing) |
| <input type="checkbox"/> B-4 (Service Commercial) | <input type="checkbox"/> R-3.5 (One & Two Family) | <input type="checkbox"/> M-2 (Manufacturing) |
| <input type="checkbox"/> B-5 (Special Commercial) | <input checked="" type="checkbox"/> R-3.75 (Central Area Residential) | <input type="checkbox"/> M-3 (Planned Manufacturing/Office) |
| <input type="checkbox"/> B-6 (Planned Shopping) | <input type="checkbox"/> R-4 (Multifamily Residential) | <input type="checkbox"/> M-4 (Planned Manufacturing/Business) |
| <input type="checkbox"/> O (Office) | <input type="checkbox"/> R-5 (Multifamily Residential) | |

Description of Existing Land Use and/or Development:

- RESIDENTIAL: Single family residence
- COMMERCIAL _____
- INDUSTRIAL _____
- VACANT _____
- OTHER _____

Type of Proposed Development: New construction. Remodel/expand existing building.

Proposed time schedule for development and/or use of the property: _____

PETITIONER SIGNATURE _____

City Clerk: _____ Date Rec'd _____ Receipt # _____ Project # _____



Solutions Center Shelter and Support Services was created in 2007 as a collaboration of Bethany House, a homeless shelter serving the Fond du Lac area since 1978, and FAVR, a domestic violence shelter serving abuse victims since 1982. Solutions Center operates a women's shelter at 75 West Division Street. Our administrative offices are located in this quiet neighborhood, as well as the temporary warming shelter that is housed within one of the buildings of the St. Paul's property. We also operate a men's shelter that is located on East Second Street.

Solutions Center provides shelter for men, women and children. Most guests come to the shelter to escape domestic violence or after being evicted by landlords or family members. Evictions result from family break-ups, disasters, living expenses exceeding income, domestic violence and other reasons. Solutions Center works with each individual or family to make informed decisions about healthy relationships, establish or increase personal income, secure appropriate housing and support the person or family in a difficult time.

Solutions Center recently purchased a single family home at 38 Sophia Street. It is our hope that the home can be used as a family shelter for one or two families. The lack of appropriate space in our existing shelters requires that families be split up when faced with a crisis.

The home at 38 Sophia Street is a four-bedroom residence located at the very end of the street. Sophia Street is a dead end street. The house is sandwiched between open space areas to the north and south. The building is in good condition. Changes to the building include plans for a new roof, paint and landscaping to enhance the appearance of the property and create a welcoming look for our clients. The home would provide temporary housing with strict guidelines. The maximum length of stay is 90 days. A caseworker would be assigned to each family. The concept is to keep the family unit whole while seeking employment and a permanent place to live.

Solutions Center has established its reputation as a good neighbor. To continue that positive relationship in the neighborhood and in the community, we will inform property owners of our plans for the family shelter and seek input. Questions regarding the family shelter or any program of Solutions Center can be directed to me at (920) 923-1743.

Lindee Kimball
Executive Director, Solutions Center



Solutions Center Shelter and Support Services was created in 2007 as a collaboration of Bethany House, a homeless shelter serving the Fond du Lac area since 1989, and FAVR, a domestic violence shelter serving abuse victims since 1982.

Serving People In Need
Solutions Center provides shelter for men, women and children, up to 35 people at a time. Over 350 individuals are sheltered annually, including 150 children. Most guests come to the shelter to escape domestic violence, or after being evicted by landlords or family members. Evictions result from family break-ups, disasters, living expenses exceeding income, domestic violence, and other reasons.

Solutions Center works with each individual or family to:

- Make informed decisions about healthy relationships
- Establish or increase their income
- Secure appropriate housing
- Support the person or family through this difficult time

Crisis Services

- Temporary Emergency Shelter
- 24 Hour Crisis Line
- Case Management

Housing Services

- Homeless Prevention Planning
- Transitional Housing
- Housing Assistance Search

Advocacy Services

- Legal Advocacy
- Adult Advocacy
- Child/Teen Advocacy

Support Services

- Children's and Teen Support Groups
- Adult Support Groups
- Child and Family Counseling

Community Education

- Speakers Bureau
- Presentations
- Training Programs

Success Rate

Almost 90% of individuals residing in shelter move out into permanent housing in the community. It is our goal to end homelessness and domestic violence, one person at a time.



1177 Primrose Lane Fond du Lac, WI 54935 960-4686
www.BobLunda.com

October 22, 2012

David Washkoviak and
The Board of Directors
Solutions Center Shelter and Support Services
39 North Sophia Street
Fond du Lac, WI 54935

The following is a brief summary of observations at 38 Sophia Street:

The roof covering is older and will need to be replaced soon (3-5 years). Areas with less pitch are more worn (this is common). The last time the roof was replaced new OSB-plywood was installed that will make the next installation easier and less expensive. Make sure to remove the old shingles prior to installing a new roof.

Attic area is not well insulated. This area is very small. Recommend adding some venting to the attic (clear the gable vents and/or raise and install new) and upgrading the wiring in the attic prior to adding insulation.

The furnace is a high efficiency unit that is 5 years old.

The plumbing system has all been upgraded (new PVC waste pipes and new supply pipes)

The electrical service entrance (outside) is in good condition and the main electrical panel is in good condition. The home has some older style wiring in it, and most outlets are not grounded.

The foundation is in good condition. Some (3-4) of the wooden posts should be replaced, and some areas where floor joists and beams connect should be better secured.

The water heater is 5 years old and appears in normal working order.

Overall the home appears to be in very good condition and well taken care of.

Thank you,

Robert J. Lunda
Licensed Inspector

SPECIAL USE PERMIT – SOLUTIONS CENTER
38 N SOPHIA STREET



SPECIAL USE PERMIT – SOLUTIONS CENTER
38 N SOPHIA STREET

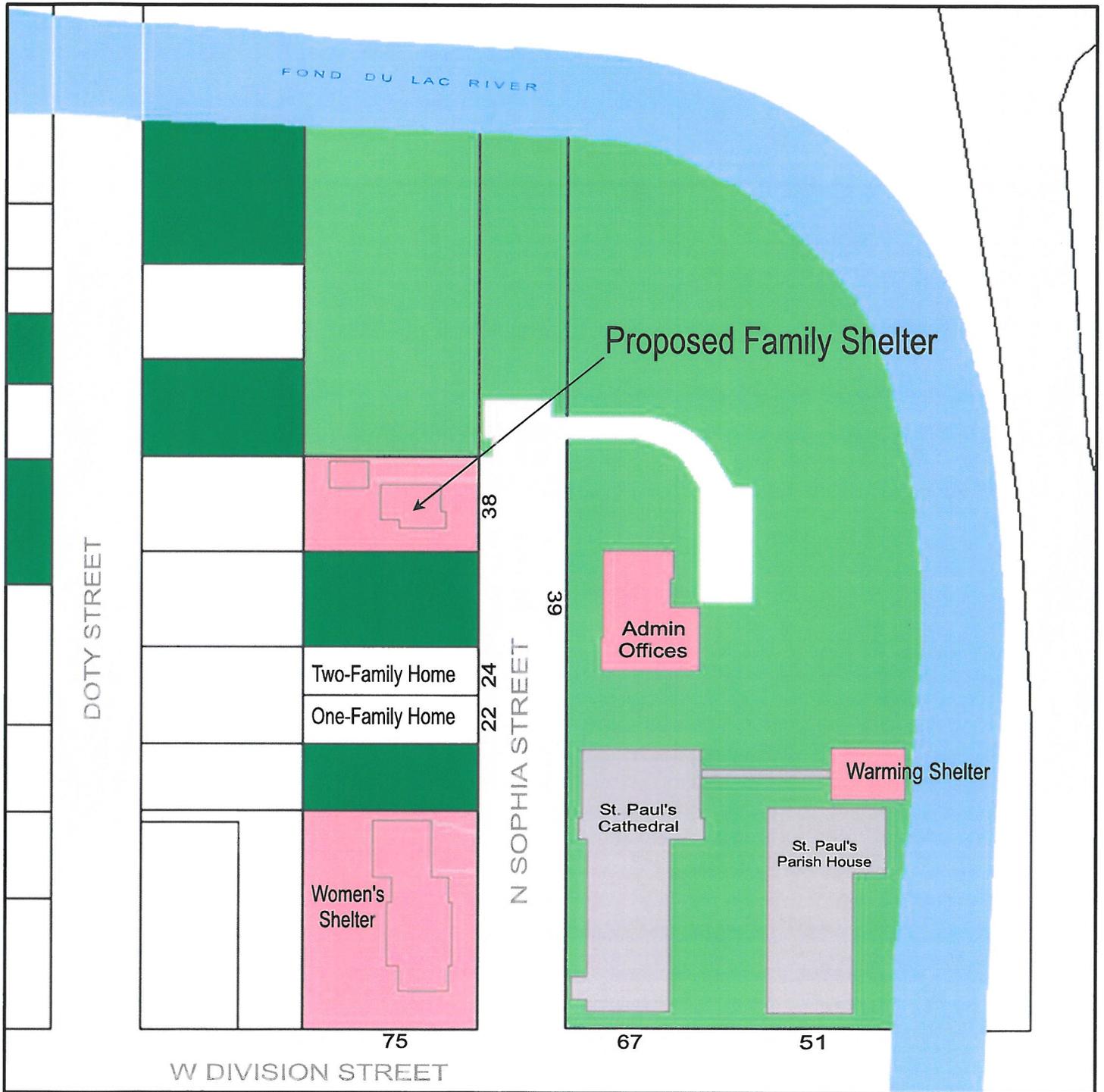
SITE LOCATION



site

SOLUTIONS CENTER

SOPHIA STREET FACILITIES



 City-Owned Open Space

 Solutions Center Facility

 St. Paul's Property Area

plan commission memorandum

Date: February 13, 2013
To: Plan Commission
From: Joellyn Dahlin, Principal Planner
RE: Request for Special Use Permit – Solutions Center

Location: 38 N Sophia Street
Applicant: Solutions Center
Request: Use single family home for family shelter.
Zoning: Site: R-3.75 (Central Area Residential)
North: R-3.75
South: R-3.75
East: R-3.75
West: R-3.75
Land Use: Site: Single Family Home
North: Vacant (Lands of St. Paul’s Cathedral)
South: Vacant (City-owned open space)
East: Solutions Center Business Office (St. Paul’s)
West: Single Family Home

Analysis

Solutions Center operates two permanent shelters that provide assistance to victims of domestic violence and persons who are homeless. Solutions Center also operates a seasonal night-to-night warming shelter.

Solutions Center has purchased the single family home at 38 North Sophia Street with the intent to use the residence for temporary family housing and requests approval of a special use permit to do so. The purpose of a special use permit is to facilitate a high level of review to ensure a suitable land use.

The challenge of economic conditions has brought two-parent families to Solutions Center. Due to the structure of the existing shelters, mothers and children are placed at the Women's Shelter and fathers are placed half a mile away at the Men's Shelter. The ability to provide temporary housing to keep a family intact would offer a measure of stability while the parents secure employment and a permanent place to live. The proposed family shelter would offer temporary housing (90 day maximum) to a family. Depending on the size of the family, the shelter could potentially provide temporary housing for two families.

North Sophia Street is a dead end street only one block long. Of the nine properties in the neighborhood, just three are used for traditional residential purposes. Two of the existing homes are for single family use; one of the homes is a two-family residence. Property on the east side of Sophia Street, along with land on the west side of the street at the north end of the block, is owned by St. Paul's Cathedral and Diocese. The Solutions Center business offices and the Warming Shelter occupy two of St. Paul's buildings. Purchased in 2006 by Solutions Center, the Women's Shelter occupies the former Bishop's House at the northwest corner of Sophia and Division.

The composition of the neighborhood changed in 2008 due to severe flooding. Two of the five homes on Sophia Street at that time sustained catastrophic damage and were subsequently razed. One of the now-vacant lots is situated immediately north of the Women's Shelter; the other is south of the proposed family shelter. Neither of the City-owned flood lots can be developed. Similar to the actions of other neighbors in the community who reside next to City-owned flood lots, Solutions Center stepped in to use the property north of the Women's Shelter for a garden in exchange for its agreement for maintenance of the sidewalk and lawn area.

The proposed family shelter is a 1½-story single family home with four bedrooms. The size of the building limits the number of persons that would be allowed to reside in the home. Housing Code regulations would allow a maximum of eight occupants overnight which, depending on family size, could be one or two families. On-site parking to accommodate multiple vehicles is available within a detached two-car garage that is located on the north side of the residence, as well as within the driveway area.

The three existing programs of Solutions Center in the neighborhood have not created unusual traffic or parking demands, nor have land use conflicts arisen that would cause undue concern in considering an additional program for Solutions Center. The successful operation of the three existing programs attests to neighborhood compatibility.

Use of the home as proposed for one or two families does not differ from the single-family and two-family residential uses in the neighborhood except for duration of occupancy. Approval of the proposed family shelter is not expected to create a negative impact for any nearby use. Occupancy and life safety issues have been identified and are included as recommended conditions of the special use permit. A conditional approval is suggested to assure and maintain a land use appropriate for the property.

Recommendation

Community Development staff suggests a motion to recommend to the City Council approval of the Special Use Permit, subject to the following conditions:

1. Use of the building is restricted for temporary residential purposes for not more than two families. Maximum overnight occupancy is 8 persons.
2. The residence shall not be altered to provide more than one living unit.
3. The building shall be inspected by the Chief Building Inspector prior to occupancy to determine compliance with applicable building and safety codes.
4. Smoke detectors and carbon monoxide detectors shall be installed and continuously maintained in good working order on each floor of the building, including the basement.

PUBLIC NOTIFICATION – Special Use Permit/Solutions Center

Parcel Number	Mailing Address 1	Mailing City	Mailing	Mailing Zip	Site Address
FDL-15-17-10-43-555-00	% CITY CLERK	FOND DU LAC	WI	54936	0 DOTY ST
FDL-15-17-10-43-534-00	1051 N LYNNDALE DR STE 1 B	APPLETON	WI	54914	0 N SOPHIA ST
FDL-15-17-10-43-535-00	1051 N LYNNDALE DR STE 1 B	APPLETON	WI	54914	31 N SOPHIA ST
FDL-15-17-10-43-539-00	1051 N LYNNDALE DR STE 1 B	APPLETON	WI	54914	0 N SOPHIA ST
FDL-15-17-10-43-543-00	590 W SCOTT ST	FOND DU LAC	WI	54937	22 N SOPHIA ST
FDL-15-17-10-43-557-00	52 DOTY ST	FOND DU LAC	WI	54935	52 DOTY ST
FDL-15-17-10-43-542-00	24 N SOPHIA ST	FOND DU LAC	WI	54935	24 N SOPHIA ST
FDL-15-17-10-43-556-00	N5981 NELSON RD	FOND DU LAC	WI	54937	56 DOTY ST
FDL-15-17-10-43-544-00	160 S MACY ST	FOND DU LAC	WI	54936	20 N SOPHIA ST
FDL-15-17-10-43-548-00	PO BOX 2362	FOND DU LAC	WI	54936	17 DOTY ST
FDL-15-17-10-43-558-00	160 S MACY ST	FOND DU LAC	WI	54936	46 DOTY ST
FDL-15-17-10-43-559-00	174 N HICKORY ST	FOND DU LAC	WI	54935	44 DOTY ST
FDL-15-17-10-43-562-00	20 DOTY ST	FOND DU LAC	WI	54935	20 DOTY ST
FDL-15-17-10-43-546-00	39 N SOPHIA ST	FOND DU LAC	WI	54935	83 W DIVISION ST
FDL-15-17-10-43-551-00	PO BOX 1108	FOND DU LAC	WI	54936	37 DOTY ST
FDL-15-17-10-43-541-00	160 S MACY ST	FOND DU LAC	WI	54935	30 N SOPHIA ST
FDL-15-17-10-43-552-00	160 S MACY ST	FOND DU LAC	WI	54936	43 DOTY ST
FDL-15-17-10-43-549-00	139 20TH ST	FOND DU LAC	WI	54935	23 DOTY ST
FDL-15-17-10-43-553-00	51 DOTY ST	FOND DU LAC	WI	54935	51 DOTY ST
FDL-15-17-10-43-550-00	29 DOTY ST	FOND DU LAC	WI	54935	29 DOTY ST
FDL-15-17-10-43-540-00	39 N SOPHIA ST	FOND DU LAC	WI	54935	38 N SOPHIA ST
FDL-15-17-10-43-560-00	160 S MACY ST	FOND DU LAC	WI	54936	36 DOTY ST
FDL-15-17-10-43-547-00	270 WHISPERING SPRINGS DR #5	FOND DU LAC	WI	54937	7 DOTY ST
FDL-15-17-10-43-554-00	160 S MACY ST	FOND DU LAC	WI	54936	57 DOTY ST
FDL-15-17-10-43-561-00	30 DOTY ST	FOND DU LAC	WI	54935	30 DOTY ST
FDL-15-17-10-43-545-00	39 N SOPHIA ST	FOND DU LAC	WI	54935	75 W DIVISION ST
FDL-15-17-10-43-533-00	BISHOP AND CHAPTER	FOND DU LAC	WI	54935	67 W DIVISION ST

RESOLUTION NO. 8385

**A RESOLUTION ASSIGNING GENERAL FUND BALANCE
AND RE-APPROPRIATING FROM THE "ASSIGNED FOR SUBSEQUENT YEAR'S
EXPENDITURES" ACCOUNT TO THE 2013 BUDGET**

BE IT RESOLVED by the City Council of the City of Fond du Lac, Wisconsin, that the general fund balance of \$64,670 as described in the attached memorandum, dated February 21, 2013, be assigned as of December 31, 2012 for Subsequent Year's Expenditures.

BE IT FURTHER RESOLVED that \$64,670 be re-appropriated from the assigned for "Subsequent Year's Expenditures" account to the 2013 Budget accounts in the amounts described in the attached memorandum.

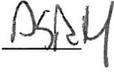
ADOPTED:

Rob Vande Zande, Vice-President
Fond du Lac City Council

Attest:

City Attorney:

Sue L. Strands, City Clerk

Reviewed 

CITY OF FOND DU LAC - Memorandum

Department of Administration

Date: February 21, 2013

To: Joseph Moore, City Manager

From: Hal Wortman, Director of Administration 

Re: Assignment of Fund Balance for Subsequent Year's Expenditures at December 31, 2012

Each year-end the City establishes assigned fund balances to cover non-construction contracts and purchasing commitments that are expected to be carried over and completed in the following year.

The amounts included in assigned fund balances for Subsequent Year's Expenditures represents requests from Department and Division Heads to carry over funds that the Department and Division Heads have identified as necessary for completion in 2013 or later years.

Assigned for Subsequent Year's Expenditures at December 31, 2012 are as follows:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
1015.4660	Community Development-Neighborhood Improvement Outlay-Landscaping and lighting-vacant site at 84 S. Main St.	\$15,000
1020.4214	Inspections-Outside Services-Demolition	7,920
1005.4423	City Council-Hardware-Council Automation	6,000
1030.4220	Clerks-Data Processing-Agenda Software Subscription	10,000
1120/1140.4422	Fire/Ambulance-Equipment < \$10,000-Replace 3 treadmills	10,210
1200.4644	Engineering-Outlay-Survey Equipment	12,500
1300.4224	Senior Center-Building maintenance	3,040
	Total	<u>\$64,670</u>

This is to request City Council approval at its February 27, 2013 meeting to assign the above items totaling \$64,670 as Assigned for Subsequent Years Expenditures at December 31, 2012 and to re-appropriate the amounts to the 2013 operating budget.

cc: Tracy Salter, Deputy Comptroller/Treasurer

COUNCIL

BURROUGHS,MICK

816 S. PIONEER PKWY. ~ mburroughs@fdl.wi.gov

LORRIGAN,LEANN

766 STERLING DR. ~ llorigan@fdl.wi.gov

LUNDEROSS,REBECCA

276 S. MAIN ST. ~ rlunde-ross@fdl.wi.gov

MILLER,GARY

1042 HOLLY TREE LN. ~ gmiller@fdl.wi.gov

SABEL,JIM

44 E. 12TH ST. ~ jsabel@fdl.wi.gov

VANDEZANDE,ROB

418 FOREST AVE. ~ rvandezande@fdl.wi.gov

*Not for release to the Public

WORK

HOME



DEPT. HEAD

MOORE, MGR

SKIFF, DPW

WORTMAN, DADM

HOFFMANN, ATTY

ROLLIN, DCD

LAMB, POLICE

O'LEARY, FIRE

ZITLOW, ITS

STRANDS, CLERK

BOLTHOUSE, LIBRARY

KIEFER, PARKS

AGNEW, ASSIST

FAX NUMBER

WORK

322-3405

322-3472

322-3452

322-3423

322-3440

322-3702

322-3802

322-3605

322-3432

322-3959

322-3590

322-3407

322-3402

CELL

HOME

