



CONSENT AGENDA

**5. CONSENT AGENDA**

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

**A. APPROVAL OF MINUTES**

March 13, 2013 Regular City Council Meeting

March 13, 2013 Closed Session

**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 March 20, 2013  
Subject: List Of Claims - Items Paid By The City

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

- B. Community Development Director/Public Works Director  
Subject: DuCharme Parkway

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

9. REPORTS OF COMMITTEES

10. PETITIONS OR COMMUNICATIONS

11. RESOLUTIONS

- A. Introduction City Manager  
Resolution No. 8388  
Subject: A Resolution Confirming Appointments To Various  
Boards And Commissions

(Effect: Confirm Appointments To Board of Appeals, Downtown  
Architectural Review Board, Equal Opportunities  
Commission, And Senior Citizens Advisory Commission)

(Initiator: City Manager)

- B. Introduction Director Of Public Works  
Resolution No. 8389  
Subject: A Final Resolution Regarding The Construction  
Of Street Lighting, Storm Sewer, Storm Sewer Laterals,  
Grade And Gravel, Curb And Gutter, Permanent-Type  
Pavement, And Driveway Approach

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

(Location: **Auburn Street** From Brooke Street Westerly 420 Feet To  
Packer Street)

(Plan Commission Recommendation: **Approve**)

C. Introduction Director Of Public Works

Resolution No. 8390

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

(Plan Commission Recommendation: Approve)

D. Introduction Community Development Director

Resolution No. 8391

Subject: A Resolution Approving A Certified Survey Map And  
Accepting A Public Dedication

(Effect: Approve Public Dedication for Merwin Investments Inc.)

(Plan Commission Recommendation: Approve)

E. Introduction Community Development Director

Resolution No. 8392

Subject: A Resolution Vacating And Discontinuing Kaeding Lane  
& A Portion of Merwin Way

(Effect: Approve Vacation And Discontinuance Of Kaeding Lane And  
Portion Of Merwin Way)

(Plan Commission Recommendation: Approve)

**12. ORDINANCES**

A. Introduction Community Development Director

Ordinance No. 3511

Subject: A Zoning Ordinance

(Effect: Rezone 2.76 Acres Of Vacant Land From M-2  
Manufacturing) To B-5 (Special Commercial)

(Location: 311 West Rolling Meadows Drive)

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

(Plan Commission Recommendation: Approve)

**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:

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

The subject is:

**Economic Development Opportunity**

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

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**

**Mar. 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.

### **Street Lighting, Storm Sewer, Storm Sewer, Laterals, Grade and Gravel, Curb & Gutter, Permanent Type Pavement, and Driveway Approach**

On Auburn Street – 450 feet westerly to Packer Street

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 27th day of March, 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 13th day of March, 2013

Sue L. Strands  
City Clerk

Publish: March 17th, 2013

## 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 Kaye Street from Eleventh St to Thirteenth Street

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 27th day of March, 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 13th day of March, 2013

Sue L. Strands  
City Clerk

Publish: March 17th, 2013

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

March 13, 2013  
7:02 P.M.

Legislative Chambers  
City-County Government Center

160 South Macy Street  
Fond du Lac, Wisconsin

**REGULAR AGENDA**

**CALL TO ORDER**

**ROLL CALL:**

Present - Lee Ann Lorrigan  
Rebecca Lunde-Ross  
Gary Miller  
Rob Vande Zande

Absent - Mick Burroughs (excused)  
Jim Sabel (excused)

Administrative Staff - Joe Moore, City Manager  
Wayne Rollin, Dir of Comm Dev  
Deb Hoffmann, City Attorney  
Chad Wade, Assist City Attorney  
Jordan Skiff, Dir of Public Works  
Jon Mark Bolthouse, Library Dir  
Steve Klein, Asst. Police Chief of  
Operations  
Peter O'Leary, Fire Chief  
Lynn Gilles, Transit Manager  
Tom Wendt, Fire Prevention Officer

Council Vice-President Vande Zande declared a quorum present.

**PLEDGE OF ALLEGIANCE AND REFLECTION**

Pledge of Allegiance was recited.

A moment of silence was observed.

**COUNCIL PRESIDENT PRESENTATIONS**

Vice-President Vande Zande along with Chief O'Leary and Tom's son Keith Wendt, presented a proclamation recognizing the dedicated service of Thomas Wendt.

**CITY COUNCIL MINUTES**

March 13, 2013

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Vice-President Vande Zande presented a proclamation to Delores Braun, Doug Kindschuh, John Redmond and Jim Rosenthal recognizing Fond du Lac County Master Gardener Association and the donation of seed money towards the Endowment Fund for the Fond du Lac City Parks Flower Fund.

**CONSENT AGENDA**

**CONSENT AGENDA**

(A motion adopting the consent agenda finalizes the proposed action cited for the matter)

**APPROVAL OF MINUTES**

February 27, 2013 Regular City Council Meeting

February 27, 2013 Closed Session

Motion made by Councilperson Lunde-Ross to approve the Consent Agenda.

Seconded by Councilperson Miller.

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

Nay - None

Carried.

**REGULAR AGENDA**

**AUDIENCE COMMENTS**

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

Spoke in Opposition of Suspending "Class B" Intoxicating Liquor and Class "B" Fermented Malt Beverage License for Retlaw Hotel:

Resident:

- Anna Nelson, 195 E Rees St., Fond du Lac
- John Witkowski, 820 S Park Ave., Fond du Lac
- Jerrae DeLap, 243 Ledgeview Ave., Fond du Lac
- Ron Schmitz, 585 Ashbury Dr., Fond du Lac

Spoke in Opposition of Suspending "Class B" Intoxicating Liquor and Class "B" Fermented Malt Beverage License for Retlaw Hotel:

Non-Resident:

- Dale Rose, P O Box 312, Brownsville, WI
- Mike Cluff, 1519 East St., Two Rivers, WI
- Anna Nason, 673 Mt Vernon St.
- Denny Rahn, Eden, WI

**CITY COUNCIL MINUTES**

March 13, 2013

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Spoke in Support of Suspending "Class B" Intoxicating Liquor and Class "B" Fermented Malt Beverage License for Retlaw

Hotel:

Resident:

Charles Mauch, 163 E McWilliams St., Fond du Lac

Did not Speak: In Opposition of Suspending "Class B" Intoxicating Liquor and Class "B" Fermented Malt Beverage License for Retlaw Hotel:

Resident:

Victoria Kahlow, 220 Evans Dr., Fond du Lac

**REPORTS OF OFFICERS**

Director of Administration, Dated March 6, 2013  
Subject: List of Claims - Items Paid By the City

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

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

Seconded by Councilperson Lorrigan.

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

Nay - None

Carried.

City Clerk, Dated March 7, 2013

Subject: "Class A" Intoxicating Liquor And Class "A"  
Fermented Malt Beverage License Application

Limited Liability Co: SRB Mini Market LLC

Agent: Raghu Bista

Home Address: 639 West Scott Street, Apt 105  
Fond du Lac, WI 54935

d/b/a: SRB Mini Market

Location of Premises: 976 South Main Street

(Alcohol Licensing Committee Recommendation: **Approve**)

Motion made by Councilperson Lorrigan to **approve** "Class A" Intoxicating Liquor and Class "A" Fermented Malt Beverage License d/b/a SRB Mini Market, LLC 976 South Main Street.

Seconded by Councilperson Lunde-Ross.

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

Nay - None

Carried.

**CITY COUNCIL MINUTES**

March 13, 2013

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**RESOLUTIONS**

Introduction City Manager

**Resolution No. 8386**

Subject: A Resolution Confirming Appointments To Various Boards  
And Commissions

(Effect: Confirm Appointments To Various Boards And Commissions

(Initiator: City Manager

(File No. 2013-003

Motion made by Councilperson Miller to **approve**  
Resolution No. 8386.

Seconded by Councilperson Lunde-Ross.

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

Nay - None

Carried.

Introduction City Attorney/Human Resources Director

**Resolution No. 8387**

Subject: A Resolution Amending The Employee Handbook

(Effect: Amend The Employee Handbook

(Initiator: City Attorney/Human Resources Director)

(File No. 2011-110

Motion made by Councilperson Miller to **approve**  
Resolution No. 8387.

Seconded by Councilperson Lunde-Ross.

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

Nay - None

Carried.

**SUCH OTHER MATTERS AS ARE AUTHORIZED BY LAW**

Alcohol Licensing Committee:

Subject: Review Of ALC Decision Not To Suspend "Class B"  
Intoxicating Liquor And Class "B" Fermented Malt  
Beverage License For:

Limited Liability Co: North Main Hospitality LLC

d/b/a: Retlaw Hotel

Location: One North Main Street

(File No. 2013-046

Motion made by Councilperson Miller to accept the  
findings of facts.

Seconded by Councilperson Lunde-Ross.





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

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**Department of Administration**

**Date:** March 20, 2013

**To:** City Council

**From:** Tracy Salter, Deputy Comptroller/Treasurer 

**Re:** List of Claims

The list of claims for goods and services for the payment periods March 2, 2013 through March 15, 2013 for all funds total \$1,101,509.72. 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***

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## **Department of Community Development**

**Date:** March 20, 2013

**To:** Joe Moore, City Manager

**From:** Wayne Rollin, Community Development Director

**Re:** DuCharme Parkway

DuCharme Parkway presently intersects US 151 from the west. In order to further develop the lands to the east of US 151, it is necessary to construct the other side of the intersection. The Hunters Grove subdivision to the east of the highway, as well as lands north and south of that subdivision, will take some of their access from the new intersection. See the attached map for location.

The Wisconsin Department of Transportation (DOT) has agreed to construct the remainder of the intersection in 2015, and to bear most of the cost. Of a total estimated cost of \$615,000, DOT will cover \$515,000, leaving a local share of \$100,000. The developer of Hunters Grove will pay 50% of this amount, leaving a City cost of \$50,000. Accordingly, it is necessary for the City to budget \$50,000 in the 2015 CIP for the DuCharme Parkway intersection.

The intersection design permitted by DOT will be similar to some of the other at-grade intersections along US 151 south of STH 23. It will allow right-in right-out movement from both sides, as well as left-in from the highway, but it will not allow vehicles to turn left out of DuCharme onto the highway, nor will the design allow vehicles to cross the highway from one side to the other. This is the design that DOT implemented at other intersections in the area in reaction to several serious accidents caused by vehicles attempting to cross the highway from intersecting roads.

In order for DOT to schedule this improvement for 2015, the City will need to sign a contract in the next few weeks promising to pay the local share in 2015. A similar agreement will be signed with the developer in order to guarantee their share.

Staff recommends a motion to receive and file this report. This would signify agreement with this proposal and allow the project to move forward. Should members of Council have any questions, they should contact either Jordan Skiff or me. Thank you.



# DUCHARME PARKWAY

## HUNTERS GROVE AREA

DR:WVN BY: MBORN, CCHURCHILL DATE: 3/20/2013 PATH: J:\PROJECTS\2013 PROJECTS\MISC\DUCHARME-HUNTERS GROVE - 8.5%!.MXD

DEPARTMENT OF PUBLIC WORKS  
ENGINEERING & TRAFFIC DIVISION  
0 300 600  
1 INCH = 600 FEET  
FOND DU LAC WISCONSIN  
NAD 83, US SURVEY FEET



FOND DU LAC WISCONSIN WATER AND SEWER UTILITIES DEPARTMENT FOR ITS  
ENGINEERING AND TRAFFIC DIVISION ARE NOT INTENDED TO BE USED FOR ANY OTHER  
PURPOSES. THE CITY OF FOND DU LAC ASSUMES NO LIABILITY FOR THE ACCURACY, COMPLETENESS,  
OR USE OF THESE PRODUCTS.

**RESOLUTION NO. 8388**

**A RESOLUTION CONFIRMING APPOINTMENTS  
TO VARIOUS BOARDS AND COMMISSIONS**

**BE IT RESOLVED** by the City Council of the City of Fond du Lac that the following appointments and reappointments by the City Manager to various boards and commissions are hereby confirmed:

<u>Board of Appeals</u>	<u>Beginning</u>	<u>Ending</u>
Daniel P. Hebel (Alternate)	05/01/2013	04/30/2016
<u>Downtown Architectural Review Board</u>		
Terrence J. Gaffney (Reappointment)	05/01/2013	04/30/2016
<u>Equal Opportunities Commission</u>		
Santo Soto (Reappointment)	05/01/2013	04/30/2016
<u>Senior Citizens Advisory Commission</u>		
David Redman	05/01/2013	04/30/2015
John Michael Silah	05/01/2013	04/30/2015
Barbara J. Lukas	05/01/2013	04/30/2014

**ADOPTED:**

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

Attest:

City Attorney:

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Sue L. Strands, City Clerk

Reviewed CPW

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

BOARD OF APPEALS

3-1-2013

Name of Board, Commission or Committee

Date

DANIEL P. HEBEL

Full Name

Address

DR. OF FINANCE & DEVELOPMENT

Occupation

BOYS & GIRLS CLUB

Employer

(cell)

18 Years of Age or Older? Yes  No  Home Phone

Business Phone

E-Mail Address:

Cellular Phone

Are you currently a resident of Fond du Lac? Yes  No

No. of Years: 3 years

Education: BS - WW - LA CROSSE - THERAPEUTIC RECREATION

List potential conflicts of interest: NONE

List City boards, commissions or committees on which you have served:	Yrs	List other civic, church or club committees on which you have served:	Yrs
N/A		TOBACCO CONTROL COALITION	4
		SMSA - COMMUNICATION COMMITTEE	2

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

I AM A RESIDENT OF THE CITY OF FOND DU LAC AND I HAVE AN INTEREST IN GETTING INVOLVED IN MAKING DECISIONS THAT CAN BENEFIT THE COMMUNITY AS A WHOLE.

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

- PROVIDING CLARITY ON RULES & REGULATIONS IN PLACE TO KEEP THE CITY OPERATING WITHIN ITS ESTABLISHED RULES, CODES AND OTHER DEFINING FRAMEWORKS.
- WORKING WITH OTHER COMMUNITY LEADERS TO ENSURE FAIR AND HONEST RULINGS IN ALL APPEAL CASES.

Please note: By filing this application with the City of Fond du Lac, applicant acknowledges that personal information on this form may be published in the annual Fond du Lac Boards and Commissions Directory and distributed to members, staff and the public. Please note any information you do not wish published here. NONE.

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

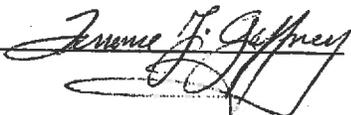
Downtown Architectural Review Board

February 12, 2013

Name of Board, Commission or Committee

Date

Terrence J. Gaffney



[Redacted]

Full Name

Address

Lawyer

[Redacted]

Occupation

Employer

18 Years of Age or Older? Yes No

Home Phone [Redacted]

Business Phone [Redacted]

E-Mail Address: [Redacted]

Cellular Phone \_\_\_\_\_

Are you currently a resident of Fond du Lac? Yes No

No. of Years: \_\_\_\_\_

Education: Tulane Law School, New Orleans, JD, 1974; St. Norbert College, BA, Engl., 1971

List potential conflicts of interest: None

List City boards, commissions or committees on which you have served:	Yrs	List other civic, church or club committees on which you have served:	Yrs
Cedarburg, WI Historic Preservation Commission	2	Fond du Lac Elks Lodge 57 (Exalted Ruler, 2007-8)	11
Western Springs, IL, Utilities Commission	7	Children's Museum of Fond du Lac (Board of Directors)	8
		FAVR (President for 2 years); Board	6

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

I have a life-long interest in architecture, historic buildings and design; I grew up in Fond du Lac and have a strong interest in its downtown and its historic buildings. I have lived in other communities with interesting downtowns (New Orleans, Chicago, Cedarburg, La Grange and Western Springs, IL). I have traveled in the US and abroad to many dynamic cities. I have been back in the Fond du Lac area for 11 years. I work downtown (4th & Marr).

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

I am committed to the vitality of downtown and its beautification, the attraction of retail and commercial businesses and arts to downtown Fond du Lac, bringing people to the downtown and having them enjoy what is around them, and will work with businesses and property owners to help them achieve that. I am very aware of the needs of owners and businesses.

**Please note:** By filing this application with the City of Fond du Lac, applicant acknowledges that personal information on this form may be published in the annual Fond du Lac Boards and Commissions Directory and distributed to members, staff and the public. **Please note** any information you do not wish published here.



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

Senior Citizen Advisory Committee  
Name of Board, Commission or Committee

2/26/19  
Date

David Redman  
Full Name

[REDACTED]  
Address

semi-retired minister  
Occupation

Employer

18 Years of Age or Older? Yes  No  Home Phone [REDACTED] Business Phone \_\_\_\_\_

E-Mail Address: \_\_\_\_\_ Cellular Phone \_\_\_\_\_

Are you currently a resident of Fond du Lac? Yes  No  No. of Years: 18

Education: Post Graduate with Masters Degree

List potential conflicts of interest: none

List City boards, commissions or committees on which you have served:	Yrs	List other civic, church or club committees on which you have served:	Yrs
investigated predecessor to Care INC with Fama the Salvation Army helping indigents + transient previously on board + 1st President of "Family Sharing" another community.		- Local pastors cluster + area pastoral conference. - Fama member, past exec. cmt. + treasurer several terms. - FdL Luth Home Board - Y.P. Region (3 states) - District + Synod Council + Conference president.	
write weekly column for a community newspaper. like speaker for community events + celebrations. deliver Thanksgiving meals in Fond du Lac area.		- Loaves + Fishes - Habitat for Humanity. - Driver for FdL Library Homebound + the Veterans Service. - Lead worship at local nursing homes.	

I have read the information sheet outlining the desired qualifications for this board. My background and interests meet these desired qualifications as follows: Most of my experience centers in + is  
work from over 50 years in pastoral ministry + church leadership positions. I have  
specialized in marriage + family counseling + ministry to prisoners. Much of that  
time has been devoted to ministry to the ageing. E.G. I have provided services  
to assisted living + nursing homes + to additional persons confined to their  
own homes. I recruited + trained teams of church members for making  
regular visits to those hospitalized + other shut ins.

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

I would like to listen, to learn from, + to represent  
seniors in the community. I presently lead worship  
in area churches on an 'on call' basis.

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

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

SENIOR CITIZENS ADVISORY COMMITTEE  
Name of Board, Commission or Committee

1/15/13  
Date

JOHN MICHAEL SILAH  
Full Name

[REDACTED]  
Address

SEMI-RETIRED  
Occupation

PSAV, RIES DRIVING SCHOOL, ALL P.T.  
Employer

18 Years of Age or Older? Yes  No  Home Phone [REDACTED] Business Phone \_\_\_\_\_

E-Mail Address: [REDACTED] Cellular Phone [REDACTED]

Are you currently a resident of Fond du Lac? Yes  No  No. of Years: 53

Education: BACHELOR DEGREE IN MEDIA COMMUNICATIONS

List potential conflicts of interest: (NONE KNOWN)

List City boards, commissions or committees on which you have served:	Yrs	List other civic, church or club committees on which you have served:	Yrs
		FOND DU LAC COMMUNITY THEATRE	7
		FOND DU LAC AREA WRITERS	9

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

RESIDENCE - NEARLY LIFETIME FOND DU LAC RESIDENT AND SUPPORTER.  
DUTIES - TIME AND ENERGY AVAILABLE TO SERVE  
INTEREST - STRONG BELIEF IN THE VALUE OF SENIORS  
JUDGEMENT -

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

I WOULD LIKE TO DONATE SOME OF MY TIME AND EXPERTISE TO THE IMPROVEMENT OF FACILITIES AND OPPORTUNITIES FOR SENIORS IN OUR CITY. THEIR WISDOM AND KNOWLEDGE IS AN OFTEN OVERLOOKED RESOURCE.

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

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

Senior Citizens Advisory Committee

March 5, 2013

Name of Board, Commission or Committee

Date

Barbara J Lukas

Full Name

[Redacted Address]

Address

Retired educator

Occupation

(Formerly) [Redacted]

Employer

18 Years of Age or Older? Yes  No  Home Phone [Redacted] Business Phone NA

E-Mail Address: [Redacted] Cellular Phone —

Are you currently a resident of Fond du Lac? Yes  No  No. of Years: 25 years

Education: B.A. UW-Parkside

List potential conflicts of interest: None I'm aware of.

List City boards, commissions or committees on which you have served:	Yrs	List other civic, church or club committees on which you have served:	Yrs
<u>Previously served 2 terms on SEAC</u>	<u>4</u>	<u>Secretary of Lexington Community Council Board</u>	<u>15</u>
		<u>Ed member "Friends of the library"</u>	<u>2</u>
		<u>Prairie Lake, WI Fellowship Board Secretary SE Lac "Church" Advisory Committee (new appointment)</u>	<u>4</u>

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

My previous service; a strong belief in the value of the F-d-L Senior Center and the service it provides the F-d-L community. The people who know me consider me a creative thinker and problem solver; dependable in the meeting the committee meets. I understand; experience in working with others, and articulate both orally and in writing. I have served as secretary of a number of organizations and am adept at writing concise and accurate minutes.

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

Attending meetings regularly, contributing my skills to problem solving, evaluation of the effectiveness of activities and programs, assisting seniors, acting as a representative of seniors in the community to articulate their issues & concerns, support the fine work of the Senior Center.

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

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

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Director of Public Works

Date: March 20, 2013

To: Joe Moore, City Manager

From: Jordan Skiff, Director of Public Works

Re: Auburn St. Final Assessment Resolution

The March 27<sup>th</sup> City Council agenda includes a public hearing and final resolution for the reconstruction of Auburn St. under our unimproved street program. Unimproved streets are short stretches in older sections of the City that have never had typical urban street features constructed. The terms of this program include assessing benefitting property owners 50% of the cost for street lighting, storm sewer, storm sewer laterals, grade and gravel, curb and gutter, permanent pavement and driveway approaches. This number is capped at 4% of the assessed property value for residential lots.

In the case of Auburn, these assessments range between \$132 and \$2,732 for residential properties, and \$4,659 and \$9,004 for commercial properties. We kept the expenses as low as possible by minimizing the amount of sidewalk work required (less than 20% of the entire length).

- We believe that this is a good program. Maintaining this type of street uses an inordinate amount of City resources in the areas of drainage, erosion, utility repair, and pavement repair. Currently lacking a proper foundation, these conditions can only be truly improved by a full reconstruction.
- We believe that the assessment rates are more than fair. With other developments, the developer (and eventually the property owner) pays for 100% of these expenses. The property owners of these unimproved streets have never had to pay for the construction of a street that meets City standards, so to simply bring these streets up to these standards and place most of those costs on other taxpayers is not equitable.
- The assessed costs of this program are \$38,063, and the City's share of the street improvements is \$95,551. If residential assessments were not capped at 4%, the assessments would total \$70,109 instead.
- This is one of the few projects I've seen where several of the residents actually *welcome* the assessment as the need for reconstruction is so clear. Although some of these residents have expressed disappointment with the assessment percentages, I have not heard anyone say that these repairs are not warranted.
- There have been numerous valid complaints from these residents in the past year, both about street condition and poor drainage arrangements. Drainage problems would require extensive site work and infrastructure upgrades for a single property owner if the street project is not complete, as there currently is simply no stormwater infrastructure for the property owner to connect to. Our project would address this.
- We have solicited feedback from the property owners along this street in completing our design, benefitting from their observations and accommodating their requests where possible. Several

residents attended our January 30<sup>th</sup> public information meeting, and offered valuable feedback on snow removal, drainage and utility design.

Although we maintain a list of unimproved streets within the City, we do not necessarily plan to reconstruct them all. In some cases, these streets serve only one or two properties and do not present drainage or other public problems. We do not plan to pursue reconstruction of these streets unless such problems arise. Auburn St., however, serves 13 properties and presents many utility concerns. We recommend that this work be completed as designed, and that the assessment policy be followed.

By the way, there is a discrepancy in the length of Auburn that is listed for the City Council agenda packet (450') and the preliminary assessment resolution that was approved by the Council and Plan Commission back in January (420'). The correct figure is 420', as the remainder of the Auburn right of way crosses a railroad track and extends to vacant property that will not be included in this project.

A separate hearing and resolution will be held for the Kaye St. project at the same Council meeting. Since these assessments are significantly lower for a street that already meets City standards, we do not anticipate controversy over these assessments.

**RESOLUTION NO. 8389**

**A FINAL RESOLUTION REGARDING  
THE CONSTRUCTION OF STREET LIGHTING, STORM SEWER, STORM SEWER  
LATERALS, GRADE AND GRAVEL, CURB AND GUTTER, PERMANENT-TYPE  
PAVEMENT, AND DRIVEWAY APPROACH**

**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 March 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:

Street Lighting, Storm Sewer, Storm Sewer Laterals, Grade and Gravel, Curb and Gutter, Permanent-Type Pavement, and Driveway Approach

On Auburn – From Brooke Street Westerly 420 Feet To Packer Street

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.

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.

**Resolution No. 8389**

**Page - 2 -**

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:**

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

Attest:

City Attorney:

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Sue L. Strands, City Clerk

Reviewed CPW

# 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 STREET LIGHTING, STORM SEWER, STORM SEWER LATERALS, GRADE AND GRAVEL, CURB AND GUTTER, PERMANENT TYPE PAVEMENT, SIDEWALK AND DRIVEWAY APPROACH

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

Location: Auburn - from Brooke Street westerly 420 feet to  
Packer Street

Initiator: Paul De Vries, City Engineer

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

ROLL CALL VOTE: Aye - Erickson, Skiff, Schumacher,  
Smedberg, Washkoviak,  
Lorrigan

Nay - None

Carried.

\* \* \* \* \* Other Business \* \* \* \* \*



March 13, 2013

FDL-15-17-10-31-052-00

WALLEYES FOR TOMORROW  
ATTN: MICHAEL ARROWOOD  
P O BOX 1556  
FOND DU LAC WI 54936

Re: Notice of Public Hearing on Special Assessments

Notice of the Public Hearing will be published in the Legal Section of The Reporter on March 17<sup>th</sup>, 2013. A copy of the public hearing notice is enclosed with this letter.

A Public Hearing will be held on the Special Assessments by the City Council at their regular meeting to be held March 27<sup>th</sup>, 2013 at 7:00 p.m. in the Legislative Chambers of the City-County Government Center, 160 South Macy Street.

Site Address

230 Auburn St

Anyone having an interest in the area is invited to appear and participate in the hearing and express any preference they may have. Written communications will be considered if you cannot appear in person. You may address them to:

Sue L. Strands, City Clerk  
P O Box 150  
Fond du Lac WI 54936-0150

Sue L. Strands  
City Clerk

**Property Information**

Walleyes For Tomorrow  
230 Auburn Street  
Fond du Lac, WI 54935

FDL-15-17-10-31-052-00

Lineal Feet of Assessable Frontage      60.00

Item	Unit Cost	Unit	Quantity	Assessment
Storm Sewer Main	\$25.55	Per Lineal Foot of Frontage	60.00	\$ 1,533.00
Storm Sewer Lateral		Each		\$ -
Sanitary Sewer Lateral		Each		\$ -
Water Service		Each		\$ -
Street Construction	\$55.07	Per Lineal Foot of Frontage	60.00	\$ 3,304.20
6" Drive Approach	\$19.80	Square Yard	25.8	\$ 511.24
4" Sidewalk		Square Foot		\$ -
<b>Final Cost to Property Owner</b>				<b>\$ 5,348.44</b>

March 13, 2013

FDL-15-17-10-31-053-00

WALLEYES FOR TOMORROW  
ATTN: MICHAEL ARROWOOD  
P O BOX 1556  
FOND DU LAC WI 54936 1556

Re: Notice of Public Hearing on Special Assessments

Notice of the Public Hearing will be published in the Legal Section of The Reporter on March 17<sup>th</sup>, 2013. A copy of the public hearing notice is enclosed with this letter.

A Public Hearing will be held on the Special Assessments by the City Council at their regular meeting to be held March 27<sup>th</sup>, 2013 at 7:00 p.m. in the Legislative Chambers of the City-County Government Center, 160 South Macy Street.

Site Address  
224 Auburn St

Anyone having an interest in the area is invited to appear and participate in the hearing and express any preference they may have. Written communications will be considered if you cannot appear in person. You may address them to:

Sue L. Strands, City Clerk  
P O Box 150  
Fond du Lac WI 54936-0150

Sue L. Strands  
City Clerk

**Property Information**

Walleyes For Tomorrow  
224 Auburn Street  
Fond du Lac, WI 54935

FDL-15-17-10-31-053-00

Lineal Feet of Assessable Frontage      60.00

<b>Item</b>	<b>Unit Cost</b>	<b>Unit</b>	<b>Quantity</b>	<b>Assessment</b>
Storm Sewer Main	\$25.55	Per Lineal Foot of Frontage	60.00	\$ 1,533.00
Storm Sewer Lateral		Each		\$ -
Sanitary Sewer Lateral		Each		\$ -
Water Service		Each		\$ -
Street Construction	\$55.07	Per Lineal Foot of Frontage	60.00	\$ 3,304.20
6" Drive Approach	\$19.80	Square Yard		\$ -
4" Sidewalk		Square Foot		\$ -
<b>Final Cost to Property Owner</b>				<b>\$ 4,837.20</b>

March 13, 2013

FDL-15-17-10-31-058-00

EVAPORATOR DRYER  
TECHNOLOGIES INC  
1805 RIDGEWAY ST  
HAMMOND WI 54015

Re: Notice of Public Hearing on Special Assessments

Notice of the Public Hearing will be published in the Legal Section of The Reporter on March 17<sup>th</sup>, 2013. A copy of the public hearing notice is enclosed with this letter.

A Public Hearing will be held on the Special Assessments by the City Council at their regular meeting to be held March 27<sup>th</sup>, 2013 at 7:00 p.m. in the Legislative Chambers of the City-County Government Center, 160 South Macy Street.

Site Address  
66 N Brooke St

Anyone having an interest in the area is invited to appear and participate in the hearing and express any preference they may have. Written communications will be considered if you cannot appear in person. You may address them to:

Sue L. Strands, City Clerk  
P O Box 150  
Fond du Lac WI 54936-0150

Sue L. Strands  
City Clerk

**Property Information**

Evaporator Dryer  
66 N Brooke St  
Fond du Lac, WI 54935

FDL-15-17-10-31-058-00

Lineal Feet of Assessable Frontage      60.00

<b>Item</b>	<b>Unit Cost</b>	<b>Unit</b>	<b>Quantity</b>	<b>Assessment</b>
Storm Sewer Main	\$25.55	Per Lineal Foot of Frontage	60.00	\$ 1,533.00
Storm Sewer Lateral		Each		\$ -
Sanitary Sewer Lateral		Each		\$ -
Water Service		Each		\$ -
Street Construction	\$55.07	Per Lineal Foot of Frontage	60.00	\$ 3,304.20
6" Drive Approach	\$19.80	Square Yard	13.7	\$ 271.06
4" Sidewalk		Square Foot		\$ -
<b>Final Cost to Property Owner</b>				<b>\$ 5,108.26</b>

March 13, 2013

FDL-15-17-10-31-042-00

RONALD E BODA  
440 SATTERLEE ST  
FOND DU LAC WI 54935

Re: Notice of Public Hearing on Special Assessments

Notice of the Public Hearing will be published in the Legal Section of The Reporter on March 17<sup>th</sup>, 2013. A copy of the public hearing notice is enclosed with this letter.

A Public Hearing will be held on the Special Assessments by the City Council at their regular meeting to be held March 27<sup>th</sup>, 2013 at 7:00 p.m. in the Legislative Chambers of the City-County Government Center, 160 South Macy Street.

Site Address

92 N Brooke St

Anyone having an interest in the area is invited to appear and participate in the hearing and express any preference they may have. Written communications will be considered if you cannot appear in person. You may address them to:

Sue L. Strands, City Clerk  
P O Box 150  
Fond du Lac WI 54936-0150

Sue L. Strands  
City Clerk

**Property Information**

Ronald E Boda  
92 N Brooke St  
Fond du Lac, WI 54935

FDL-15-17-10-31-042-00

Lineal Feet of Assessable Frontage      110.00

<b>Item</b>	<b>Unit Cost</b>	<b>Unit</b>	<b>Quantity</b>	<b>Assessment</b>
Storm Sewer Main	\$25.55	Per Lineal Foot of Frontage	110.00	\$ 2,810.50
Storm Sewer Lateral		Each		\$ -
Sanitary Sewer Lateral		Each		\$ -
Water Service		Each		\$ -
Street Construction	\$55.07	Per Lineal Foot of Frontage	110.00	\$ 6,057.70
6" Drive Approach	\$19.80	Square Yard	23.4	\$ 462.53
4" Sidewalk		Square Foot		\$ -
<b>Final Cost to Property Owner</b>				<b>\$ 9,330.73</b>

March 13, 2013

FDL-15-17-10-31-045-00

RONALD E BODA  
440 SATTERLEE ST  
FOND DU LAC WI 54935

Re: Notice of Public Hearing on Special Assessments

Notice of the Public Hearing will be published in the Legal Section of The Reporter on March 17<sup>th</sup>, 2013. A copy of the public hearing notice is enclosed with this letter.

A Public Hearing will be held on the Special Assessments by the City Council at their regular meeting to be held March 27<sup>th</sup>, 2013 at 7:00 p.m. in the Legislative Chambers of the City-County Government Center, 160 South Macy Street.

Site Address  
209 AUBURN ST

Anyone having an interest in the area is invited to appear and participate in the hearing and express any preference they may have. Written communications will be considered if you cannot appear in person. You may address them to:

Sue L. Strands, City Clerk  
P O Box 150  
Fond du Lac WI 54936-0150

Sue L. Strands  
City Clerk

**Property Information**

Ronald E Boda  
209 Auburn St  
Fond du Lac, WI 54935

FDL-15-17-10-31-045-00

Lineal Feet of Assessable Frontage      60.00

<b>Item</b>	<b>Unit Cost</b>	<b>Unit</b>	<b>Quantity</b>	<b>Assessment</b>
Storm Sewer Main	\$25.55	Per Lineal Foot of Frontage	0.00	\$ -
Storm Sewer Lateral		Each		\$ -
Sanitary Sewer Lateral		Each		\$ -
Water Service		Each		\$ -
Street Construction	\$55.07	Per Lineal Foot of Frontage	0.00	\$ -
6" Drive Approach	\$19.80	Square Yard	0.0	\$ -
4" Sidewalk		Square Foot		\$ -
Residential Prop Value	\$3,300.00	4% Assessment Cost	1.0	\$ 132.00
<b>Final Cost to Property Owner</b>				<b>\$ 132.00</b>

March 13, 2013

FDL-15-17-10-31-044-00

RONALD E BODA  
440 SATTERLEE ST  
FOND DU LAC WI 54935

Re: Notice of Public Hearing on Special Assessments

Notice of the Public Hearing will be published in the Legal Section of The Reporter on March 17<sup>th</sup>, 2013. A copy of the public hearing notice is enclosed with this letter.

A Public Hearing will be held on the Special Assessments by the City Council at their regular meeting to be held March 27<sup>th</sup>, 2013 at 7:00 p.m. in the Legislative Chambers of the City-County Government Center, 160 South Macy Street.

Site Address  
207 AUBURN ST

Anyone having an interest in the area is invited to appear and participate in the hearing and express any preference they may have. Written communications will be considered if you cannot appear in person. You may address them to:

Sue L. Strands, City Clerk  
P O Box 150  
Fond du Lac WI 54936-0150

Sue L. Strands  
City Clerk

**Property Information**

Ronald E Boda  
207 Auburn St  
Fond du Lac, WI 54935

FDL-15-17-10-31-044-00

Lineal Feet of Assessable Frontage      117.00

<b>Item</b>	<b>Unit Cost</b>	<b>Unit</b>	<b>Quantity</b>	<b>Assessment</b>
Storm Sewer Main	\$25.55	Per Lineal Foot of Frontage	0.00	\$ -
Storm Sewer Lateral		Each		\$ -
Sanitary Sewer Lateral		Each		\$ -
Water Service		Each		\$ -
Street Construction	\$55.07	Per Lineal Foot of Frontage	0.00	\$ -
6" Drive Approach	\$19.80	Square Yard	0.0	\$ -
4" Sidewalk		Square Foot		\$ -
Residential Prop Value	\$51,100.00	4% Assessment Cost	1.0	\$ 2,044.00
<b>Final Cost to Property Owner</b>				<b>\$ 2,044.00</b>

March 13, 2013

FDL-15-17-10-31-046-00

BLONG YANG  
CHIA X YANG  
223 AUBURN ST  
FOND DU LAC WI 54935

Re: Notice of Public Hearing on Special Assessments

Notice of the Public Hearing will be published in the Legal Section of The Reporter on March 17<sup>th</sup>, 2013. A copy of the public hearing notice is enclosed with this letter.

A Public Hearing will be held on the Special Assessments by the City Council at their regular meeting to be held March 27<sup>th</sup>, 2013 at 7:00 p.m. in the Legislative Chambers of the City-County Government Center, 160 South Macy Street.

Site Address  
223 AUBURN ST

Anyone having an interest in the area is invited to appear and participate in the hearing and express any preference they may have. Written communications will be considered if you cannot appear in person. You may address them to:

Sue L. Strands, City Clerk  
P O Box 150  
Fond du Lac WI 54936-0150

Sue L. Strands  
City Clerk

**Property Information**

Blong Yang  
223 Auburn St  
Fond du Lac, WI 54935

FDL-15-17-10-31-046-00

Lineal Feet of Assessable Frontage      60.00

<b>Item</b>	<b>Unit Cost</b>	<b>Unit</b>	<b>Quantity</b>	<b>Assessment</b>
Storm Sewer Main	\$25.55	Per Lineal Foot of Frontage	0.00	\$ -
Storm Sewer Lateral		Each		\$ -
Sanitary Sewer Lateral		Each		\$ -
Water Service		Each		\$ -
Street Construction	\$55.07	Per Lineal Foot of Frontage	0.00	\$ -
6" Drive Approach	\$19.80	Square Yard	0.0	\$ -
4" Sidewalk		Square Foot		\$ -
Residential Prop Value	\$47,400.00	4% Assessment Cost	1.0	\$ 1,896.00
<b>Final Cost to Property Owner</b>				<b>\$ 1,896.00</b>

March 13, 2013

FDL-15-17-10-31-047-00

JAMES O LIETZ  
231 AUBURN ST  
FOND DU LAC WI 54935

Re: Notice of Public Hearing on Special Assessments

Notice of the Public Hearing will be published in the Legal Section of The Reporter on March 17<sup>th</sup>, 2013. A copy of the public hearing notice is enclosed with this letter.

A Public Hearing will be held on the Special Assessments by the City Council at their regular meeting to be held March 27<sup>th</sup>, 2013 at 7:00 p.m. in the Legislative Chambers of the City-County Government Center, 160 South Macy Street.

Site Address  
231 AUBURN ST

Anyone having an interest in the area is invited to appear and participate in the hearing and express any preference they may have. Written communications will be considered if you cannot appear in person. You may address them to:

Sue L. Strands, City Clerk  
P O Box 150  
Fond du Lac WI 54936-0150

Sue L. Strands  
City Clerk

**Property Information**

James O Lietz  
231 Auburn St  
Fond du Lac, WI 54935

FDL-15-17-10-31-047-00

Lineal Feet of Assessable Frontage      70.00

Item	Unit Cost	Unit	Quantity	Assessment
Storm Sewer Main	\$25.55	Per Lineal Foot of Frontage	0.00	\$ -
Storm Sewer Lateral		Each		\$ -
Sanitary Sewer Lateral		Each		\$ -
Water Service		Each		\$ -
Street Construction	\$55.07	Per Lineal Foot of Frontage	0.00	\$ -
6" Drive Approach	\$19.80	Square Yard	0.0	\$ -
4" Sidewalk		Square Foot		\$ -
Residential Prop Value	\$38,000.00	4% Assessment Cost	1.0	\$ 1,520.00
<b>Final Cost to Property Owner</b>				<b>\$ 1,520.00</b>

March 13, 2013

FDL-15-17-10-31-054-00

DEBRA A CASPER  
222 AUBURN ST  
FOND DU LAC WI 54935

Re: Notice of Public Hearing on Special Assessments

Notice of the Public Hearing will be published in the Legal Section of The Reporter on March 17<sup>th</sup>, 2013. A copy of the public hearing notice is enclosed with this letter.

A Public Hearing will be held on the Special Assessments by the City Council at their regular meeting to be held March 27<sup>th</sup>, 2013 at 7:00 p.m. in the Legislative Chambers of the City-County Government Center, 160 South Macy Street.

Site Address  
222 AUBURN ST

Anyone having an interest in the area is invited to appear and participate in the hearing and express any preference they may have. Written communications will be considered if you cannot appear in person. You may address them to:

Sue L. Strands, City Clerk  
P O Box 150  
Fond du Lac WI 54936-0150

Sue L. Strands  
City Clerk

**Property Information**

Debra A Casper  
222 Auburn St  
Fond du Lac, WI 54935

FDL-15-17-10-31-054-00

Lineal Feet of Assessable Frontage      60.00

<b>Item</b>	<b>Unit Cost</b>	<b>Unit</b>	<b>Quantity</b>	<b>Assessment</b>
Storm Sewer Main	\$25.55	Per Lineal Foot of Frontage	0.00	\$ -
Storm Sewer Lateral		Each		\$ -
Sanitary Sewer Lateral		Each		\$ -
Water Service		Each		\$ -
Street Construction	\$55.07	Per Lineal Foot of Frontage	0.00	\$ -
6" Drive Approach	\$19.80	Square Yard	0.0	\$ -
4" Sidewalk		Square Foot		\$ -
Residential Prop Value	\$57,700.00	4% Assessment Cost	1.0	\$ 2,308.00
<b>Final Cost to Property Owner</b>				<b>\$ 2,308.00</b>

March 13, 2013

FDL-15-17-10-31-055-00

TABITHA M LIETZ  
216 AUBURN ST  
FOND DU LAC WI 54935

Re: Notice of Public Hearing on Special Assessments

Notice of the Public Hearing will be published in the Legal Section of The Reporter on March 17<sup>th</sup>, 2013. A copy of the public hearing notice is enclosed with this letter.

A Public Hearing will be held on the Special Assessments by the City Council at their regular meeting to be held March 27<sup>th</sup>, 2013 at 7:00 p.m. in the Legislative Chambers of the City-County Government Center, 160 South Macy Street.

Site Address  
216 AUBURN ST

Anyone having an interest in the area is invited to appear and participate in the hearing and express any preference they may have. Written communications will be considered if you cannot appear in person. You may address them to:

Sue L. Strands, City Clerk  
P O Box 150  
Fond du Lac WI 54936-0150

Sue L. Strands  
City Clerk

**Property Information**

Tabitha Lietz  
216 Auburn St  
Fond du Lac, WI 54935

FDL-15-17-10-31-055-00

Lineal Feet of Assessable Frontage      60.00

<b>Item</b>	<b>Unit Cost</b>	<b>Unit</b>	<b>Quantity</b>	<b>Assessment</b>
Storm Sewer Main	\$25.55	Per Lineal Foot of Frontage	0.00	\$ -
Storm Sewer Lateral		Each		\$ -
Sanitary Sewer Lateral		Each		\$ -
Water Service		Each		\$ -
Street Construction	\$55.07	Per Lineal Foot of Frontage	0.00	\$ -
6" Drive Approach	\$19.80	Square Yard	0.0	\$ -
4" Sidewalk		Square Foot		\$ -
Residential Prop Value	\$57,800.00	4% Assessment Cost	1.0	\$ 2,312.00
<b>Final Cost to Property Owner</b>				<b>\$ 2,312.00</b>

March 13, 2013

FDL-15-17-10-31-056-00

MARK A JOHNSTON  
SANDY M JOHNSTON  
210 AUBURN ST  
FOND DU LAC WI 54935

Re: Notice of Public Hearing on Special Assessments

Notice of the Public Hearing will be published in the Legal Section of The Reporter on March 17<sup>th</sup>, 2013. A copy of the public hearing notice is enclosed with this letter.

A Public Hearing will be held on the Special Assessments by the City Council at their regular meeting to be held March 27<sup>th</sup>, 2013 at 7:00 p.m. in the Legislative Chambers of the City-County Government Center, 160 South Macy Street.

Site Address  
210 AUBURN ST

Anyone having an interest in the area is invited to appear and participate in the hearing and express any preference they may have. Written communications will be considered if you cannot appear in person. You may address them to:

Sue L. Strands, City Clerk  
P O Box 150  
Fond du Lac WI 54936-0150

Sue L. Strands  
City Clerk

**Property Information**

Mark A Johnston  
210 Auburn St  
Fond du Lac, WI 54935

FDL-15-17-10-31-056-00

Lineal Feet of Assessable Frontage      60.00

Item	Unit Cost	Unit	Quantity	Assessment
Storm Sewer Main	\$25.55	Per Lineal Foot of Frontage	0.00	\$ -
Storm Sewer Lateral		Each		\$ -
Sanitary Sewer Lateral		Each		\$ -
Water Service		Each		\$ -
Street Construction	\$55.07	Per Lineal Foot of Frontage	0.00	\$ -
6" Drive Approach	\$19.80	Square Yard	0.0	\$ -
4" Sidewalk		Square Foot		\$ -
Residential Prop Value	\$68,300.00	4% Assessment Cost	1.0	\$ 2,732.00
<b>Final Cost to Property Owner</b>				<b>\$ 2,732.00</b>

March 13, 2013

FDL-15-17-10-31-057-00

THOMAS LONG  
3390 CALEB CT  
WEST BEND WI 53090

Re: Notice of Public Hearing on Special Assessments

Notice of the Public Hearing will be published in the Legal Section of The Reporter on March 17<sup>th</sup>, 2013. A copy of the public hearing notice is enclosed with this letter.

A Public Hearing will be held on the Special Assessments by the City Council at their regular meeting to be held March 27<sup>th</sup>, 2013 at 7:00 p.m. in the Legislative Chambers of the City-County Government Center, 160 South Macy Street.

Site Address  
206 AUBURN ST

Anyone having an interest in the area is invited to appear and participate in the hearing and express any preference they may have. Written communications will be considered if you cannot appear in person. You may address them to:

Sue L. Strands, City Clerk  
P O Box 150  
Fond du Lac WI 54936-0150

Sue L. Strands  
City Clerk

**Property Information**

Thomas Long  
206 Auburn St  
Fond du Lac, WI 54935

FDL-15-17-10-31-057-00

Lineal Feet of Assessable Frontage      60.00

<b>Item</b>	<b>Unit Cost</b>	<b>Unit</b>	<b>Quantity</b>	<b>Assessment</b>
Storm Sewer Main	\$25.55	Per Lineal Foot of Frontage	0.00	\$ -
Storm Sewer Lateral		Each		\$ -
Sanitary Sewer Lateral		Each		\$ -
Water Service		Each		\$ -
Street Construction	\$55.07	Per Lineal Foot of Frontage	0.00	\$ -
6" Drive Approach	\$19.80	Square Yard	0.0	\$ -
4" Sidewalk		Square Foot		\$ -
Residential Prop Value	\$33,900.00	4% Assessment Cost	1.0	\$ 1,356.00
<b>Final Cost to Property Owner</b>				<b>\$ 1,356.00</b>

Primary Owner	Secondary Owner	Parcel Number	Location	Frontage	Non-Residential 50% Assessment Rate	Street Assessment per Front Foot	Storm Sewer per Front Foot	Driveway Approach SY	Driveway Approach Assessment per SY	Total Assessment
Non-Residential Properties 50% Assessment Rate						\$46.74	\$27.91		\$19.80	
RONALD E BODA		FDL-15-17-10-31-042-00	92 N Brooke St	110		\$5,471.61	\$3,069.74	23.36	\$462.53	\$9,003.88
WALLEYES FOR TOMORROW	ATTN: MICHAEL ARROWOOD	FDL-15-17-10-31-052-00	230 Auburn St	60		\$2,984.51	\$1,674.41	25.82	\$511.21	\$5,170.13
WALLEYES FOR TOMORROW	ATTN: MICHAEL ARROWOOD	FDL-15-17-10-31-053-00	224 Auburn St	60		\$2,984.51	\$1,674.41		\$0.00	\$4,658.92
EVAPORATOR DRYER	TECHNOLOGIES INC	FDL-15-17-10-31-058-00	66 N Brooke St	60		\$2,984.51	\$1,674.41	13.69	\$271.06	\$4,929.98
Residential Properties Unimproved Street Assessment	Secondary Owner	Parcel Number	Location	Frontage	Residential Property Assessed Value	Total 4% Property - Assessment Cost				
RONALD E BODA		FDL-15-17-10-31-044-00	207 AUBURN ST	117	\$51,100.00	\$2,044.00				
RONALD E BODA		FDL-15-17-10-31-045-00	209 AUBURN ST	60	\$3,300.00	\$132.00				
BLONG YANG	CHIA X YANG	FDL-15-17-10-31-046-00	223 AUBURN ST	60	\$47,400.00	\$1,896.00				
JAMES O LIETZ		FDL-15-17-10-31-047-00	231 AUBURN ST	70	\$38,000.00	\$1,520.00				
DEBRA A CASPER		FDL-15-17-10-31-054-00	222 AUBURN ST	60	\$57,700.00	\$2,308.00				
TABITHA M LIETZ		FDL-15-17-10-31-055-00	216 AUBURN ST	60	\$57,800.00	\$2,312.00				
MARK A JOHNSTON	SANDY M JOHNSTON	FDL-15-17-10-31-056-00	210 AUBURN ST	60	\$68,300.00	\$2,732.00				
THOMAS LONG		FDL-15-17-10-31-057-00	206 AUBURN ST	60	\$33,900.00	\$1,356.00				
Total				837	\$14,300.00	\$14,300.00				
Grand Total										
Total assessment Residential and Non-residential						\$38,062.91				

**RESOLUTION NO. 8390**

**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 March 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

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

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.

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 CPW

# 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 \* \* \* \* \*

REPORT OF THE DIRECTOR OF PUBLIC WORKS:

For approving plans, specifications and assessing improvement costs for:

25% Cost Share Curb & Gutter Assessment

ON Kaye Street from Eleventh St to Thirteenth Street

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 Kaye Street from Eleventh St to Thirteenth Street

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 \$2,094.05.

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

March 13, 2013

FDL-15-17-14-33-539-00

BEHNKE, TONY  
SCHMIDT, ANDREA  
174 E 11TH ST  
FOND DU LAC, WI 54935

Re: Notice of Public Hearing on Special Assessments

Notice of the Public Hearing will be published in the Legal Section of The Reporter on March 17<sup>th</sup>, 2013. A copy of the public hearing notice is enclosed with this letter.

A Public Hearing will be held on the Special Assessments by the City Council at their regular meeting to be held March 27<sup>th</sup>, 2013 at 7:00 p.m. in the Legislative Chambers of the City-County Government Center, 160 South Macy Street.

**Site Address**

174 E 11TH ST

**Curb & Gutter Special Assessment**

122.45 LF \* \$2.5 = \$306.125

Anyone having an interest in the area is invited to appear and participate in the hearing and express any preference they may have. Written communications will be considered if you cannot appear in person. You may address them to:

Sue L. Strands, City Clerk  
P O Box 150  
Fond du Lac WI 54936-0150

Sue L. Strands  
City Clerk

March 13, 2013

FDL-15-17-14-33-551-00

MIETZEL, JANE M  
179 E 13TH ST  
FOND DU LAC, WI 54935

Re: Notice of Public Hearing on Special Assessments

Notice of the Public Hearing will be published in the Legal Section of The Reporter on March 17<sup>th</sup>, 2013. A copy of the public hearing notice is enclosed with this letter.

A Public Hearing will be held on the Special Assessments by the City Council at their regular meeting to be held March 27<sup>th</sup>, 2013 at 7:00 p.m. in the Legislative Chambers of the City-County Government Center, 160 South Macy Street.

**Site Address**

179 E 13TH ST

**Curb & Gutter Special Assessment**

122.45 LF \* \$2.5 = \$306.125

Anyone having an interest in the area is invited to appear and participate in the hearing and express any preference they may have. Written communications will be considered if you cannot appear in person. You may address them to:

Sue L. Strands, City Clerk  
P O Box 150  
Fond du Lac WI 54936-0150

Sue L. Strands  
City Clerk

March 13, 2013

FDL-15-17-14-33-538-00

KAESTNER, ANNE C  
184 E 11TH ST  
FOND DU LAC, WI 54935

Re: Notice of Public Hearing on Special Assessments

Notice of the Public Hearing will be published in the Legal Section of The Reporter on March 17<sup>th</sup>, 2013. A copy of the public hearing notice is enclosed with this letter.

A Public Hearing will be held on the Special Assessments by the City Council at their regular meeting to be held March 27<sup>th</sup>, 2013 at 7:00 p.m. in the Legislative Chambers of the City-County Government Center, 160 South Macy Street.

**Site Address**

184 E 11TH ST

**Curb & Gutter Special Assessment**

70 LF \* \$2.5 = \$175

Anyone having an interest in the area is invited to appear and participate in the hearing and express any preference they may have. Written communications will be considered if you cannot appear in person. You may address them to:

Sue L. Strands, City Clerk  
P O Box 150  
Fond du Lac WI 54936-0150

Sue L. Strands  
City Clerk

March 13, 2013

FDL-15-17-14-33-531-00

ZELM, DARIN R  
ZELM, JENNIFER A  
185 E 13TH ST  
FOND DU LAC, WI 54935

Re: Notice of Public Hearing on Special Assessments

Notice of the Public Hearing will be published in the Legal Section of The Reporter on March 17<sup>th</sup>, 2013. A copy of the public hearing notice is enclosed with this letter.

A Public Hearing will be held on the Special Assessments by the City Council at their regular meeting to be held March 27<sup>th</sup>, 2013 at 7:00 p.m. in the Legislative Chambers of the City-County Government Center, 160 South Macy Street.

Site Address  
185 E 13TH ST

Curb & Gutter Special Assessment  
61.24 LF \* \$2.5 = \$153.1

Anyone having an interest in the area is invited to appear and participate in the hearing and express any preference they may have. Written communications will be considered if you cannot appear in person. You may address them to:

Sue L. Strands, City Clerk  
P O Box 150  
Fond du Lac WI 54936-0150

Sue L. Strands  
City Clerk

March 13, 2013

FDL-15-17-14-33-537-00

BROCKWAY, TRACI L  
PO BOX 224  
FOND DU LAC, WI 54936

Re: Notice of Public Hearing on Special Assessments

Notice of the Public Hearing will be published in the Legal Section of The Reporter on March 17<sup>th</sup>, 2013. A copy of the public hearing notice is enclosed with this letter.

A Public Hearing will be held on the Special Assessments by the City Council at their regular meeting to be held March 27<sup>th</sup>, 2013 at 7:00 p.m. in the Legislative Chambers of the City-County Government Center, 160 South Macy Street.

**Site Address**  
471 KAYE ST

**Curb & Gutter Special Assessment**  
52.48 LF \* \$2.5 = \$131.2

Anyone having an interest in the area is invited to appear and participate in the hearing and express any preference they may have. Written communications will be considered if you cannot appear in person. You may address them to:

Sue L. Strands, City Clerk  
P O Box 150  
Fond du Lac WI 54936-0150

Sue L. Strands  
City Clerk

March 13, 2013

FDL-15-17-14-33-535-00

HENKE, BRIAN M  
HENKE, ANN M  
475 KAYE ST  
FOND DU LAC, WI 54935

Re: Notice of Public Hearing on Special Assessments

Notice of the Public Hearing will be published in the Legal Section of The Reporter on March 17<sup>th</sup>, 2013. A copy of the public hearing notice is enclosed with this letter.

A Public Hearing will be held on the Special Assessments by the City Council at their regular meeting to be held March 27<sup>th</sup>, 2013 at 7:00 p.m. in the Legislative Chambers of the City-County Government Center, 160 South Macy Street.

**Site Address**

475 KAYE ST

**Curb & Gutter Special Assessment**

60 LF \* \$2.5 = \$150

Anyone having an interest in the area is invited to appear and participate in the hearing and express any preference they may have. Written communications will be considered if you cannot appear in person. You may address them to:

Sue L. Strands, City Clerk  
P O Box 150  
Fond du Lac WI 54936-0150

Sue L. Strands  
City Clerk

March 13, 2013

FDL-15-17-14-33-541-00

MCCARTHY, JEFFREY J  
MCCARTHY, AMY B  
476 KAYE ST  
FOND DU LAC, WI 54935

Re: Notice of Public Hearing on Special Assessments

Notice of the Public Hearing will be published in the Legal Section of The Reporter on March 17<sup>th</sup>, 2013. A copy of the public hearing notice is enclosed with this letter.

A Public Hearing will be held on the Special Assessments by the City Council at their regular meeting to be held March 27<sup>th</sup>, 2013 at 7:00 p.m. in the Legislative Chambers of the City-County Government Center, 160 South Macy Street.

**Site Address**

476 KAYE ST

**Curb & Gutter Special Assessment**

60 LF \* \$2.5 = \$150

Anyone having an interest in the area is invited to appear and participate in the hearing and express any preference they may have. Written communications will be considered if you cannot appear in person. You may address them to:

Sue L. Strands, City Clerk  
P O Box 150  
Fond du Lac WI 54936-0150

Sue L. Strands  
City Clerk

March 13, 2013

FDL-15-17-14-33-534-00

PAUSMA, JOSEPH R  
479 KAYE ST  
FOND DU LAC, WI 54935

Re: Notice of Public Hearing on Special Assessments

Notice of the Public Hearing will be published in the Legal Section of The Reporter on March 17<sup>th</sup>, 2013. A copy of the public hearing notice is enclosed with this letter.

A Public Hearing will be held on the Special Assessments by the City Council at their regular meeting to be held March 27<sup>th</sup>, 2013 at 7:00 p.m. in the Legislative Chambers of the City-County Government Center, 160 South Macy Street.

**Site Address**

479 KAYE ST

**Curb & Gutter Special Assessment**

60 LF \* \$2.5 = \$150

Anyone having an interest in the area is invited to appear and participate in the hearing and express any preference they may have. Written communications will be considered if you cannot appear in person. You may address them to:

Sue L. Strands, City Clerk  
P O Box 150  
Fond du Lac WI 54936-0150

Sue L. Strands  
City Clerk

March 13, 2013

FDL-15-17-14-33-542-00

SCHMITZ, JOHN J  
480 KAYE ST  
FOND DU LAC, WI 54935

Re: Notice of Public Hearing on Special Assessments

Notice of the Public Hearing will be published in the Legal Section of The Reporter on March 17<sup>th</sup>, 2013. A copy of the public hearing notice is enclosed with this letter.

A Public Hearing will be held on the Special Assessments by the City Council at their regular meeting to be held March 27<sup>th</sup>, 2013 at 7:00 p.m. in the Legislative Chambers of the City-County Government Center, 160 South Macy Street.

**Site Address**

480 KAYE ST

**Curb & Gutter Special Assessment**

60 LF \* \$2.5 = \$150

Anyone having an interest in the area is invited to appear and participate in the hearing and express any preference they may have. Written communications will be considered if you cannot appear in person. You may address them to:

Sue L. Strands, City Clerk  
P O Box 150  
Fond du Lac WI 54936-0150

Sue L. Strands  
City Clerk

March 13, 2013

FDL-15-17-14-33-533-00

FORD, CATHLEEN A  
481 KAYE ST  
FOND DU LAC, WI 54935

Re: Notice of Public Hearing on Special Assessments

Notice of the Public Hearing will be published in the Legal Section of The Reporter on March 17<sup>th</sup>, 2013. A copy of the public hearing notice is enclosed with this letter.

A Public Hearing will be held on the Special Assessments by the City Council at their regular meeting to be held March 27<sup>th</sup>, 2013 at 7:00 p.m. in the Legislative Chambers of the City-County Government Center, 160 South Macy Street.

**Site Address**

481 KAYE ST

**Curb & Gutter Special Assessment**

45 LF \* \$2.5 = \$112.5

Anyone having an interest in the area is invited to appear and participate in the hearing and express any preference they may have. Written communications will be considered if you cannot appear in person. You may address them to:

Sue L. Strands, City Clerk  
P O Box 150  
Fond du Lac WI 54936-0150

Sue L. Strands  
City Clerk

March 13, 2013

FDL-15-17-14-33-532-00

MORTL, PAUL A  
MORTL, DEBRA A  
483 KAYE ST  
FOND DU LAC, WI 54935

Re: Notice of Public Hearing on Special Assessments

Notice of the Public Hearing will be published in the Legal Section of The Reporter on March 17<sup>th</sup>, 2013. A copy of the public hearing notice is enclosed with this letter.

A Public Hearing will be held on the Special Assessments by the City Council at their regular meeting to be held March 27<sup>th</sup>, 2013 at 7:00 p.m. in the Legislative Chambers of the City-County Government Center, 160 South Macy Street.

**Site Address**

483 KAYE ST

**Curb & Gutter Special Assessment**

64 LF \* \$2.5 = \$160

Anyone having an interest in the area is invited to appear and participate in the hearing and express any preference they may have. Written communications will be considered if you cannot appear in person. You may address them to:

Sue L. Strands, City Clerk  
P O Box 150  
Fond du Lac WI 54936-0150

Sue L. Strands  
City Clerk

March 13, 2013

FDL-15-17-14-33-543-00

BLACKBURN, DANIEL L  
484 KAYE ST  
FOND DU LAC, WI 54935

Re: Notice of Public Hearing on Special Assessments

Notice of the Public Hearing will be published in the Legal Section of The Reporter on March 17<sup>th</sup>, 2013. A copy of the public hearing notice is enclosed with this letter.

A Public Hearing will be held on the Special Assessments by the City Council at their regular meeting to be held March 27<sup>th</sup>, 2013 at 7:00 p.m. in the Legislative Chambers of the City-County Government Center, 160 South Macy Street.

**Site Address**

484 KAYE ST

**Curb & Gutter Special Assessment**

60 LF \* \$2.5 = \$150

Anyone having an interest in the area is invited to appear and participate in the hearing and express any preference they may have. Written communications will be considered if you cannot appear in person. You may address them to:

Sue L. Strands, City Clerk  
P O Box 150  
Fond du Lac WI 54936-0150

Sue L. Strands  
City Clerk

Parcel Number	Owner	Owner 1	Frontage	\$2.50	Assessment	Site Address	Mailing Address	City	ST	Zip
FDL-15-17-14-33-539-00	BEHNKE, TONY	SCHMIDT, ANDREA	122.45	\$2.50	\$306.13	174 E 11TH ST	174 E 11TH ST	FOND DU LAC	WI	54935
FDL-15-17-14-33-551-00	MIETZEL, JANE M		122.45	\$2.50	\$306.13	179 E 13TH ST	179 E 13TH ST	FOND DU LAC	WI	54935
FDL-15-17-14-33-538-00	KAESTNER, ANNE C		70	\$2.50	\$175.00	184 E 11TH ST	184 E 11TH ST	FOND DU LAC	WI	54935
FDL-15-17-14-33-531-00	ZELM, DARIN R	ZELM, JENNIFER A	61.24	\$2.50	\$153.10	185 E 13TH ST	185 E 13TH ST	FOND DU LAC	WI	54935
FDL-15-17-14-33-537-00	BROCKWAY, TRACI L		52.48	\$2.50	\$131.20	471 KAYE ST	PO BOX 224	FOND DU LAC	WI	54936
FDL-15-17-14-33-535-00	HENKE, BRIAN M	HENKE, ANN M	60	\$2.50	\$150.00	475 KAYE ST	475 KAYE ST	FOND DU LAC	WI	54935
FDL-15-17-14-33-541-00	MCCARTHY, JEFFREY J	MCCARTHY, AMY B	60	\$2.50	\$150.00	476 KAYE ST	476 KAYE ST	FOND DU LAC	WI	54935
FDL-15-17-14-33-534-00	PAUSMA, JOSEPH R		60	\$2.50	\$150.00	479 KAYE ST	479 KAYE ST	FOND DU LAC	WI	54935
FDL-15-17-14-33-542-00	SCHMITZ, JOHN J		60	\$2.50	\$150.00	480 KAYE ST	480 KAYE ST	FOND DU LAC	WI	54935
FDL-15-17-14-33-533-00	FORD, CATHLEEN A		45	\$2.50	\$112.50	481 KAYE ST	481 KAYE ST	FOND DU LAC	WI	54935
FDL-15-17-14-33-532-00	MORTL, PAUL A	MORTL, DEBRA A	64	\$2.50	\$160.00	483 KAYE ST	483 KAYE ST	FOND DU LAC	WI	54935
FDL-15-17-14-33-543-00	BLACKBURN, DANIEL L		60	\$2.50	\$150.00	484 KAYE ST	484 KAYE ST	FOND DU LAC	WI	54935

\$2,094.05

**RESOLUTION NO. 8391**

**A RESOLUTION APPROVING A CERTIFIED  
SURVEY MAP AND ACCEPTING A PUBLIC DEDICATION**

**WHEREAS**, the attached certified survey map and public dedication has been approved by the Plan Commission with the following conditions:

1. Technical revisions to the certified survey map to meet requirements of the subdivision ordinance shall be completed prior to recordation.
2. The existing north access easement referenced in Doc. 737830 and the temporary access easement per Doc. 737830 shall be vacated and new easements provided with the equivalent intent.
3. The design of the new street, construction sequencing and responsibility of payment for public improvements shall be detailed in a developer's agreement prepared by City staff and accepted by all parties prior to approval of any permits for the project.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Fond du Lac that the attached certified survey map and public dedication for Merwin Investments Inc., with the conditions specified above be approved.

**ADOPTED:**

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

Attest:

City Attorney:

\_\_\_\_\_  
Sue L. Strands, City Clerk

Reviewed CPW

CERTIFIED SURVEY MAP – MERWIN INVESTMENTS INC.

VICINITY MAP



AREA OF CERTIFIED SURVEY MAP

# PLAN COMMISSION MINUTES

March 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  
Jeffrey Quast  
Brent Schumacher  
Paul Smedberg  
Lee Ann Lorrigan

Absent - David Washkoviak (excused)  
Lynn Farr (excused)  
Hertha Longo (excused)

Administrative Staff - Joellyn Dahlin, Principal Planner

Chairman Smedberg declared a quorum present.

\* \* \* \* \* **Other Business** \* \* \* \* \*

## CERTIFIED SURVEY MAP

Location: West Rolling Meadows Drive  
Initiator: Merwin Investments Inc.

Appeared in Support and to Ask/Answer Questions:  
Kevin Parish, 544 S Main St., West Bend WI 53095

Motion made by Commissioner Schumacher to recommend to the City Council acceptance of the public dedication and approval of the Certified Survey Map, subject to the following conditions:

1. Technical revisions to the certified survey map to meet requirements of the subdivision ordinance shall be completed prior to recordation.
2. The existing north access easement referenced in Doc. 737830 and the temporary access easement per Doc. 737830 shall be vacated and new easements provided with the equivalent intent.





# Fond du Lac County Certified Survey Map

Part of Lots Four (4) and Five (5) of CERTIFIED SURVEY MAP No. 6312, recorded in the Fond du Lac County Registry in Volume 43 of Certified Survey Maps on pages 11 and 11A, as Document No. 748390, and part of CERTIFIED SURVEY MAP No. 6898, recorded in the Fond du Lac County Registry in Volume 49 of Certified Survey Maps on pages 4,4A,4B,4C,4D and 4E, as Document No. 851151, and part of the SE 1/4 and SW 1/4 of the SE 1/4, of Section 21, Township 15 North, Range 17 East, City of Fond du Lac, Fond du Lac County, Wisconsin.

Developer  
 Merwin Investments, Inc.  
 %Gene R. Merwin  
 19300 Ponderosa Ct.  
 Surprise, AZ 85387

Surveyor  
 Accurato Surveying &  
 Engineering, LLP.  
 2911 Wildlife Lane  
 Richfield, WI 53076

## LEGEND

- ▲ - indicates an iron rod w/ DOT cap found.
- - indicates a 1.3"od iron pipe found unless noted.
- - indicates a 1.3"od x 18" iron pipe weighing 1.68 lbs./ft. set.
- - indicates a 2" iron pipe found.
- - indicates a 1.27"od x 18" iron rebar weighing 4.17 lbs./ft. set.

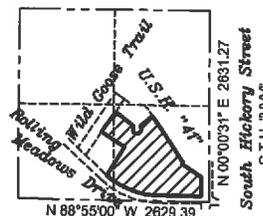
Bearings are referenced to the Fond du Lac County Coordinate System. The South line of the SE 1/4 of Sec. 21-15-17 has a grid bearing of N 88°55'00" W. (County Surveyor Section Summary) NAD 83/97

## Line Chart

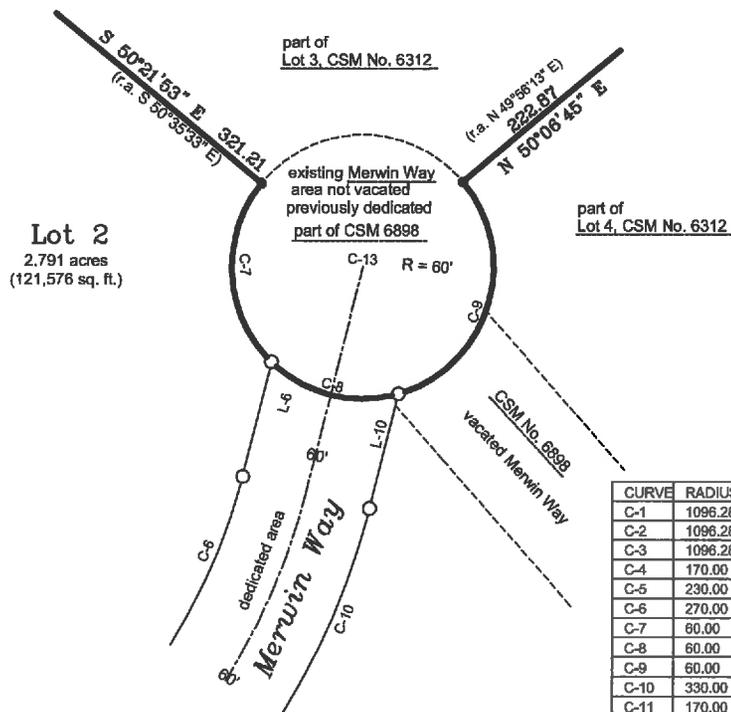
LINE	BEARING	DISTANCE
L-1	N 33°23'46" E	28.81
L-2	N 12°00'24" E	47.48
L-3	N 32°00'24" E	240.73
L-4	N 32°00'24" E	106.85
L-5	N 32°00'24" E	347.58
L-6	N 14°07'35" E	54.38
L-7	S 14°07'35" W	54.38
L-8	S 32°00'24" W	347.58
L-9	S 12°00'24" W	47.48
L-10	S 36°23'46" W	28.81

## Location Sketch

SE 1/4 Sec. 21-15-17  
 Scale: 1" = 2000'



## Kaeding Lane Detail



## Curve Data

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C-1	1096.28	84.66	84.63	N 57°23'03" W	04°25'28"
C-2	1096.28	60.01	60.00	N 53°36'14" W	03°08'10"
C-3	1096.28	73.36	73.35	N 50°07'07" W	03°50'04"
C-4	170.00	72.37	71.82	N 24°12'05" E	24°23'23"
C-5	230.00	80.29	79.88	N 22°00'24" E	20°00'00"
C-6	270.00	84.26	83.92	N 23°03'59" E	17°52'48"
C-7	60.00	89.10	81.14	S 03°19'51" E	85°05'08"
C-8	60.00	62.83	60.00	S 75°52'25" E	60°00'00"
C-9	60.00	119.60	100.76	N 17°01'16" E	114°12'39"
C-10	330.00	102.98	102.56	S 23°03'59" W	17°52'48"
C-11	170.00	59.34	59.04	S 22°00'24" W	20°00'00"
C-12	230.00	97.91	97.17	S 24°12'05" W	24°23'23"
C-13	60.00	271.53	92.40	N 89°33'49" E	259°17'47"

Donald J. Thoma, S-2470

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2013.  
 Revised this 12th day of March, 2013.

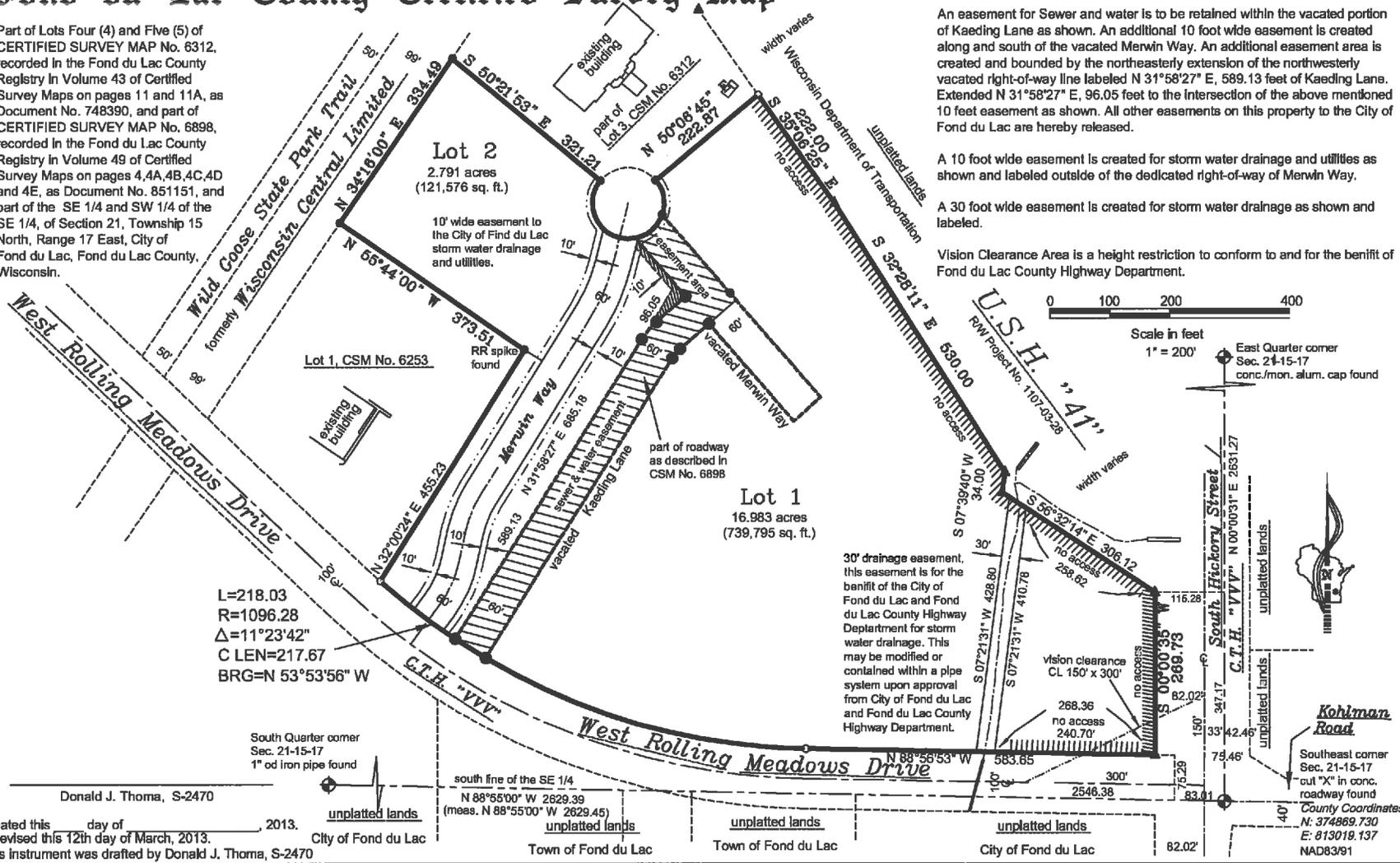


# Fond du Lac County Certified Survey Map

Created Easements for the City of Fond du Lac

Sheet 4 of 6

Part of Lots Four (4) and Five (5) of CERTIFIED SURVEY MAP No. 6312, recorded in the Fond du Lac County Registry in Volume 43 of Certified Survey Maps on pages 11 and 11A, as Document No. 748390, and part of CERTIFIED SURVEY MAP No. 6898, recorded in the Fond du Lac County Registry in Volume 49 of Certified Survey Maps on pages 4,4A,4B,4C,4D and 4E, as Document No. 851151, and part of the SE 1/4 and SW 1/4 of the SE 1/4, of Section 21, Township 15 North, Range 17 East, City of Fond du Lac, Fond du Lac County, Wisconsin.



An easement for Sewer and water is to be retained within the vacated portion of Kaeding Lane as shown. An additional 10 foot wide easement is created along and south of the vacated Merwin Way. An additional easement area is created and bounded by the northeasterly extension of the northwesterly vacated right-of-way line labeled N 31°58'27" E, 589.13 feet of Kaeding Lane. Extended N 31°58'27" E, 96.05 feet to the intersection of the above mentioned 10 foot easement as shown. All other easements on this property to the City of Fond du Lac are hereby released.

A 10 foot wide easement is created for storm water drainage and utilities as shown and labeled outside of the dedicated right-of-way of Merwin Way.

A 30 foot wide easement is created for storm water drainage as shown and labeled.

Vision Clearance Area is a height restriction to conform to and for the benefit of Fond du Lac County Highway Department.

L=218.03  
R=1096.28  
Δ=11°23'42"  
C LEN=217.67  
BRG=N 53°53'56" W

30' drainage easement, this easement is for the benefit of the City of Fond du Lac and Fond du Lac County Highway Department for storm water drainage. This may be modified or contained within a pipe system upon approval from City of Fond du Lac and Fond du Lac County Highway Department.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2013.  
Revised this 12th day of March, 2013.  
This instrument was drafted by Donald J. Thoma, S-2470



**Kohlman Road**  
Southeast corner Sec. 21-15-17 cut "X" in conc. roadway found  
County Coordinates  
N: 374869.730  
E: 813019.137  
NAD83/91

# Fond du Lac County Certified Survey Map

Part of Lots Four (4) and Five (5) of CERTIFIED SURVEY MAP No. 6312, recorded in the Fond du Lac County Registry in Volume 43 of Certified Survey Maps on pages 11 and 11A, as Document No. 748390, and part of CERTIFIED SURVEY MAP No. 6898, recorded in the Fond du Lac County Registry in Volume 49 of Certified Survey Maps on pages 4,4A,4B,4C,4D and 4E, as Document No. 851151, and part of the SE 1/4 and SW 1/4 of the SE 1/4, of Section 21, Township 15 North, Range 17 East, City of Fond du Lac, Fond du Lac County, Wisconsin.

## Surveyor's Certificate:

I, Donald J. Thoma, registered land surveyor, hereby certify that by the direction of Merwin Investments, Inc., I have surveyed, divided, mapped and dedicated the land shown and described hereon, being part of Lots Four (4) and Five (5) of CERTIFIED SURVEY MAP No. 6312, recorded in the Fond du Lac County Registry in Volume 43 of Certified Survey Maps on pages 11 and 11A, as Document No. 748390, and part CERTIFIED SURVEY MAP No. 6898, recorded in the Fond du Lac County Registry in Volume 49 of Certified Survey Maps on pages 4,4A,4B,4C,4D and 4E, as Document No. 851151, and part of the SE 1/4 and SW 1/4 of the SE 1/4, of Section 21, Township 15 North, Range 17 East, City of Fond du Lac, Fond du Lac County, Wisconsin, which is bounded and described as follows:

Commencing at the Southeast corner of said Section 21; thence N 88°55'00" W, along the south line of said SE 1/4, 83.01 feet; thence N 00°00'31" E, 75.29 feet; thence N 88°56'53" W, 32.30 feet to an iron rod with a DOT cap found and the point of beginning of lands herein described; thence N 88°56'53" W, along the northerly right-of-way line of West Rolling Meadows Drive, 583.65 feet; thence northwesterly continuing along said northerly right-of-way line of West Rolling Meadows Drive, along the arc of a curve to the right 562.19 feet, radius 1095.36 feet, delta 29°24'25", chord N 74°17'37" W 556.04 feet, to a 2 inch iron pipe found; thence continuing northwesterly along said northerly right-of-way line of West Rolling Meadows Drive, along the arc of a curve to the right 218.03 feet, radius 1096.28 feet, delta 11°23'42", chord N 53°53'56" W 217.67 feet; thence N 32°00'24" E, along the southeasterly line of Lot 1 of Certified Survey Map No. 6253 as recorded in the Fond du Lac County Registry in Volume 42 of Certified Survey Maps on pages 50, 50A and 50B as Document No. 739062, 455.23 feet; thence N 55°44'00" W, along the northeasterly line of said Lot 1, 373.51 feet; thence N 34°16'00" E along the southeasterly right-of-way line of Wild Goose State Park Trail (formerly Wisconsin Central Limited) 334.49 feet to the most westerly corner of Lot 3 of said Certified Survey Map No. 6312; thence S 50°21'53" E, along the southwesterly line of said Lot 3, 321.21 feet, to a point in the right-of-way line of Merwin Way, in said Certified Survey Map No. 6898; thence southwesterly, southeasterly, northeasterly and northwesterly along said right-of-way line, and along the arc of a curve to the left 271.53 feet, radius 60.00 feet, delta 259°17'47", chord N 89°33'49" E 92.40 feet; thence N 50°06'45" E, along the southeasterly line of said Lot 3, 222.87 feet, to a point in the southwesterly right-of-way line of U.S.H. "41"; thence S 35°06'25" E, along said southwesterly right-of-way line, 222.00 feet to an iron rod w/ DOT cap found; thence S 32°28'11" E, 530.00 feet to an iron rod w/ DOT cap found; thence S 07°39'40" W, 34.00 feet to an iron rod w/ DOT cap found; thence S 56°32'14" E, 306.12 feet to an iron rod w/ DOT cap found marking the west right-of-way line of South Hickory Street / C.T.H. "VVV"; thence S 00°00'35" W, along said west right-of-way line, 269.73 feet to the point of beginning.

Containing 21,252 acres (925,748 square feet) more or less.

I further certify that I have fully complied with the provisions of sec. 236.34 of Wisconsin Statutes and the City of Fond du Lac Land Division Ordinance in surveying, dividing, mapping and dedicating said land, and this map is a correct representation of the exterior boundaries of the land surveyed and the division of said lands.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2013.  
Revised this 12th day of March, 2013.

\_\_\_\_\_  
Donald J. Thoma, S-2470

## Corporate Owner's Certificate:

Merwin Investments, Inc., a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said corporation caused the land on this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented on this map.

Merwin Investments, Inc., does further certify that this Certified Survey Map is required by sec. 236.34 of Wisconsin Statutes to be submitted to the following for approval.

City of Fond du Lac Plan Commission

IN WITNESS WHEREOF, Merwin Investments, Inc. has caused these presents

to be signed by Gene R. Merwin its President,

at \_\_\_\_\_, Wisconsin,

and its corporate seal to be hereunto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

In the presence of:

Merwin Investments, Inc.

Corporate Name

\_\_\_\_\_  
Officer (President)

\_\_\_\_\_  
Officer

Gene R. Merwin

(Print)

(Print)

STATE OF WISCONSIN)

\_\_\_\_\_ COUNTY)s.s

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2013, Gene R. Merwin

Officers of the above named corporation, to me known to be the persons who executed the foregoing Instrument, and to me known to be such Officers of said corporation, and acknowledge that they executed the foregoing Instrument as such officers as the deed of said corporation, by its authority.

(Notary Seal) \_\_\_\_\_, Notary Public, \_\_\_\_\_, Wisconsin.

My commission expires \_\_\_\_\_

# Fond du Lac County Certified Survey Map

Part of Lots Four (4) and Five (5) of CERTIFIED SURVEY MAP No. 6312, recorded in the Fond du Lac County Registry in Volume 43 of Certified Survey Maps on pages 11 and 11A, as Document No. 748390, and part of CERTIFIED SURVEY MAP No. 6898, recorded in the Fond du Lac County Registry in Volume 49 of Certified Survey Maps on pages 4,4A,4B,4C,4D and 4E, as Document No. 851151, and part of the SE 1/4 and SW 1/4 of the SE 1/4, of Section 21, Township 15 North, Range 17 East, City of Fond du Lac, Fond du Lac County, Wisconsin.

## Plan Commission Certificate:

(STATE OF WISCONSIN)  
(FOND DU LAC COUNTY)s.s.

Approved this \_\_\_ day of \_\_\_\_\_, A.D. 201\_\_.

\_\_\_\_\_  
Paul Smedberg - Chairman                      Sue Strands - City Clerk

## Common Council Resolution:

Resolution, that the plat of \_\_\_\_\_, in the City of Fond du Lac, Wisconsin,

\_\_\_\_\_ owner(s), be and the same is hereby approved by the  
Common Council.

\_\_\_\_\_  
- Acting City Council President

I hereby certify that the foregoing is a true copy of a resolution duly adopted by the Common Council of

the City of Fond du Lac, Wisconsin, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Sue Strands - City Clerk

\_\_\_\_\_  
Donald J. Thoma, S-2470  
Dated this \_\_\_ day of \_\_\_\_\_, 2013.  
Revised this 12th day of March, 2013.

This instrument was drafted by Donald J. Thoma, S-2470

## Consent of Corporate Mortgage:

\_\_\_\_\_ Merwin Investment, Inc., a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedicating of the land described on this Certified Survey Map, and does hereby consent to the above certificate of Merwin Investment, Inc., owner.

IN WITNESS WHEREOF, the said \_\_\_\_\_ has caused these presents to be signed  
by \_\_\_\_\_, its President, and countersigned by \_\_\_\_\_,

its Secretary(cashier), at \_\_\_\_\_, Wisconsin, and its corporate seal to be hereunto

affixed this \_\_\_ day of \_\_\_\_\_, 2013.

In the presence of:

\_\_\_\_\_  
(Corporate Seal)  
Corporate Name

\_\_\_\_\_  
President                      Secretary or Cashier                      Date

STATE OF WISCONSIN)

\_\_\_\_\_ COUNTY)s.s.  
Personally came before me this \_\_\_ day of \_\_\_\_\_, 2013, \_\_\_\_\_

President, and \_\_\_\_\_, Secretary(cashier) of the above named corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such President and Secretary(cashier) of said corporation, and acknowledge that they executed the foregoing instrument as such officers as the deed of said corporation, by its authority.

(Notary Seal) \_\_\_\_\_, Notary Public, \_\_\_\_\_, Wisconsin.

My commission expires \_\_\_\_\_

# plan commission memorandum

**Date:** March 13, 2013  
**To:** Plan Commission  
**From:** Joellyn Dahlin, Principal Planner  
Paul DeVries, City Engineer  
**RE:** Certified Survey Map – Merwin Investments Inc.

---

The area affected by the certified survey map is located at the southwest quadrant of the USH 41/ Hickory Street interchange. The certified survey map encompasses several existing lots and two existing streets (Kaeding Lane and Merwin Way). Existing development includes *Merwin Oil* which is located on Rolling Meadows Drive at Kaeding Lane and the *Country Inn & Suites* hotel on Merwin Way. *Love's Travel Stops & Country Stores* plans to develop a truck/travel center within undeveloped land situated east of the two existing businesses.

The certified survey map will reconfigure existing property area to create two new parcels and also dedicate public right-of-way to facilitate the relocation of Kaeding Lane westerly of its existing location. The dedication of right-of-way requires City Council approval. The certified survey map includes an easement to protect public utilities currently situated within the existing right-of-way areas of Kaeding Lane and Merwin Way.

The certified survey map is a companion to a request for the vacation of right-of-way for the existing Kaeding Lane and a portion of the existing Merwin Way. The certified survey map and the petition for street vacation proposal are separate items for action by the Plan Commission at its March 18<sup>th</sup> meeting.

Lot 1 of the certified survey map is 16.983 acres in size. Lot 1 will accommodate the *Love's* development. Lot 2 is 2.791 acres in size and is situated on the west side of the proposed relocated street. Lot 2 is independent of the *Love's* development; a specific use is not planned at this time. The

existing property owner – Merwin Investments Inc. – will retain ownership of Lot 2.

The design of the new street, construction sequencing and responsibility of payment for public improvements will be addressed in construction plans and permit approvals, and also detailed in a developer's agreement. The developer's agreement is an administrative tool to implement details of the site plan for the project.

<b>Recommendation</b>
-----------------------

Community Development and Engineering staff suggest a motion to recommend to the City Council acceptance of the public dedication and approval of the Certified Survey Map, subject to the following conditions:

1. Technical revisions to the certified survey map to meet requirements of the subdivision ordinance shall be completed prior to recordation.
2. The existing north access easement referenced in Doc. 737830 and the temporary access easement per Doc. 737830 shall be vacated and new easements provided with the equivalent intent.
3. The design of the new street, construction sequencing and responsibility of payment for public improvements shall be detailed in a developer's agreement prepared by City staff and accepted by all parties prior to approval of any permits for the project.

**RESOLUTION NO. 8392**

**A RESOLUTION VACATING AND DISCONTINUING  
KAEDING LANE & A PORTION OF MERWIN WAY**

**WHEREAS**, the petition to vacate and discontinue a portion of two streets within the City of Fond du Lac, more particularly described as:

A Dedicated Right of Way to be vacated being a part of Certified Survey Map No. 6898, Volume 49, Pages 4 thru 4E, located in the Northeast 1/4 of the Southeast 1/4 and the Southeast 1/4 of the Southeast 1/4 of Section 21, T.15N.-R.17E. in the City of Fond du Lac, Fond du Lac County, Wisconsin, being more particularly described as follows:

Commencing at the Southeast Corner of the Southeast 1/4 of said Section 21; thence North 88°-55'-05" West, 83.01 feet along the South Line of the Southeast 1/4 of said Section 21; thence North, 75.29 feet to the North Right of Way Line of Rolling Meadows Drive; thence North 88°-56'-58" West, 615.94 feet along the North Right of Way Line of Rolling Meadows Drive; thence 561.69 feet along the arc of a curve to the right having a radius of 1,096.28 feet and a chord bearing North 74°-16'-17" West, 555.56 feet to the Point of Beginning for this description; thence continuing 60.01 feet along the arc of a curve to the right having a radius of 1,096.28 feet and a chord bearing North 58°-01'-31" West, 60.00 feet; thence North 31°-58'-27" East, 589.13 feet; thence 38.36 feet along the arc of a curve to the right having a radius of 130.00 feet and a chord bearing North 40°-25'-42" East, 38.22 feet; thence North 48°-52'-57" East, 64.09 feet; thence North 41°-07'-03" West, 128.04 feet; thence 62.83 feet along the arc of a curve to the left having a radius of 60.00 feet and a chord bearing North 48°-52'-57" East, 60.00 feet; thence South 41°-07'-03" East, 403.04 feet; thence South 48°-52'-57" West, 60.00 feet; thence North 41°-07'-03" West, 215.00 feet; thence South 48°-52'-57" West, 64.09 feet; thence 20.65 feet along the arc of curve to the left having a radius of 70.00 feet and chord bearing South 40°-25'-41" West 20.58 feet; thence South 31°-58'-27" West, 589.13 feet to the Point of Beginning containing 1.488 acres (64,836 S.F.) of land more or less.

has been signed, pursuant to Wisconsin Statute 66.1003(1), by the owners of all the frontage of the lots and lands abutting upon the portion sought to be vacated and discontinued, and of the owners of more than one-third of the frontage of the lots and lands abutting on that portion of the remainder thereof, which lies within 2,650 feet of the ends of the portion to be discontinued; and

**WHEREAS**, at its regular meeting on March 18, 2013, the City Plan Commission considered the petition and favorably recommended to the City Council that the request be granted; and

**WHEREAS**, notice stating when and where the petition and vacating resolution will be acted upon has been published as a Class 3 Notice pursuant to Wis. Stat. 985; and

**WHEREAS**, the petitioners' request has been considered and found to be in the best interest of the general public.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Fond du Lac, Wisconsin, that portion of the streets described as:

A Dedicated Right of Way to be vacated being a part of Certified Survey Map No. 6898, Volume 49, Pages 4 thru 4E, located in the Northeast 1/4 of the Southeast 1/4 and the Southeast 1/4 of the Southeast 1/4 of Section 21, T.15N.-R.17E. in the City of Fond du Lac, Fond du Lac County, Wisconsin, being more particularly described as follows:

Commencing at the Southeast Corner of the Southeast 1/4 of said Section 21; thence North 88°-55'-05" West, 83.01 feet along the South Line of the Southeast 1/4 of said Section 21; thence North, 75.29 feet to the North Right of Way Line of Rolling Meadows Drive; thence North 88°-56'-58" West, 615.94 feet along the North Right of Way Line of Rolling Meadows Drive; thence 561.69 feet along the arc of a curve to the right having a radius of 1,096.28 feet and a chord bearing North 74°-16'-17" West, 555.56 feet to the Point of Beginning for this description; thence continuing 60.01 feet along the arc of a curve to the right having a radius of 1,096.28 feet and a chord bearing North 58°-01'-31" West, 60.00 feet; thence North 31°-58'-27" East, 589.13 feet; thence 38.36 feet along the arc of a curve to the right having a radius of 130.00 feet and a chord bearing North 40°-25'-42" East, 38.22 feet; thence North 48°-52'-57" East, 64.09 feet; thence North 41°-07'-03" West, 128.04 feet; thence 62.83 feet along the arc of a curve to the left having a radius of 60.00 feet and a chord bearing North 48°-52'-57" East, 60.00 feet; thence South 41°-07'-03" East, 403.04 feet; thence South 48°-52'-57" West, 60.00 feet; thence North 41°-07'-03" West, 215.00 feet; thence South 48°-52'-57" West, 64.09 feet; thence 20.65 feet along the arc of curve to the left having a radius of 70.00 feet and chord bearing South 40°-25'-41" West 20.58 feet; thence South 31°-58'-27" West, 589.13 feet to the Point of Beginning containing 1.488 acres (64,836 S.F.) of land more or less.

is hereby vacated and discontinued and that a certified copy of this Resolution, along with a map showing the vacation, be recorded in the Office of the Register of Deeds for Fond du Lac County, Wisconsin.

**BE IT FURTHER RESOLVED** that all existing public utility easements contained within the right-of-way shall remain in effect.

**ADOPTED:**

---

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

Attest:

City Attorney:

Reviewed CPW

---

Sue L. Strands, City Clerk

# PLAN COMMISSION MINUTES

March 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  
Jeffrey Quast  
Brent Schumacher  
Paul Smedberg  
Lee Ann Lorrigan

Absent - David Washkoviak (excused)  
Lynn Farr (excused)  
Hertha Longo (excused)

Administrative Staff - Joellyn Dahlin, Principal Planner

Chairman Smedberg declared a quorum present.

\* \* \* \* \* **Other Business** \* \* \* \* \*

## STREET VACATION

Effect: Vacate a street  
Location: Kaeding Lane and Merwin Way  
Initiator: Love's Travel Stops & Country Stores, Inc.

Motion made by Commissioner Quast to recommend to the City Council vacation of the public right-of-way as requested.

Seconded by Commissioner Lorrigan.

ROLL CALL VOTE: Aye - Erickson, Skiff, Quast,  
Schumacher, Smedberg,  
Lorrigan

Nay - None

Carried.

\* \* \* \* \* **Other Business** \* \* \* \* \*

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, under the provision of s.66.1003(8), Wisconsin Statutes that the Plan Commission of the City of Fond du Lac, Wisconsin, will conduct a Public Hearing at 5:30 PM, on March 18, 2013 in Meeting Rooms D & E of the City-County Government Center, 160 South Macy Street to consider the petition to vacate the following described street right-of-way:

### LEGAL DESCRIPTION OF STREET VACATION

A Dedicated Right of Way to be vacated being a part of Certified Survey Map No. 6898, Volume 49, Pages 4 thru 4E, located in the Northeast 1/4 of the Southeast 1/4 and the Southeast 1/4 of the Southeast 1/4 of Section 21, T.15N.-R.17E. in the City of Fond du Lac, Fond du Lac County, Wisconsin, being more particularly described as follows:

Commencing at the Southeast Corner of the Southeast 1/4 of said Section 21; thence North  $88^{\circ}-55'-05''$  West, 83.01 feet along the South Line of the Southeast 1/4 of said Section 21; thence North, 75.29 feet to the North Right of Way Line of Rolling Meadows Drive; thence North  $88^{\circ}-56'-58''$  West, 615.94 feet along the North Right of Way Line of Rolling Meadows Drive; thence 561.69 feet along the arc of a curve to the right having a radius of 1,096.28 feet and a chord bearing North  $74^{\circ}-16'-17''$  West, 555.56 feet to the Point of Beginning for this description; thence continuing 60.01 feet along the arc of a curve to the right having a radius of 1,096.28 feet and a chord bearing North  $58^{\circ}-01'-31''$  West, 60.00 feet; thence North  $31^{\circ}-58'-27''$  East, 589.13 feet; thence 38.36 feet along the arc of a curve to the right having a radius of 130.00 feet and a chord bearing North  $40^{\circ}-25'-42''$  East, 38.22 feet; thence North  $48^{\circ}-52'-57''$  East, 64.09 feet; thence North  $41^{\circ}-07'-03''$  West, 128.04 feet; thence 62.83 feet along the arc of a curve to the left having a radius of 60.00 feet and a chord bearing North  $48^{\circ}-52'-57''$  East, 60.00 feet; thence South  $41^{\circ}-07'-03''$  East, 403.04 feet; thence South  $48^{\circ}-52'-57''$  West, 60.00 feet; thence North  $41^{\circ}-07'-03''$  West, 215.00 feet; thence South  $48^{\circ}-52'-57''$  West, 64.09 feet; thence 20.65 feet along the arc of curve to the left having a radius of 70.00 feet and chord bearing South  $40^{\circ}-25'-41''$  West 20.58 feet; thence South  $31^{\circ}-58'-27''$  West, 589.13 feet to the Point of Beginning containing 1.488 acres (64,836 S.F.) of land more or less.

All persons having an interest in the area are invited to participate in the hearing and express their opinions. Written communications will also be considered. Please send written communications to:

City Clerk  
PO Box 150  
Fond du Lac, WI 54936-0150

Dated this 7<sup>th</sup> day of March, 2013

Sue Strands  
City Clerk

Publish: March 13<sup>th</sup>, 14<sup>th</sup>, & 15<sup>th</sup>, 2013

**PETITION FOR DISCONTINUANCE OF PUBLIC WAY**

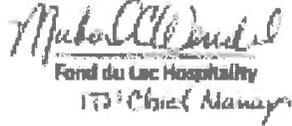
TO: CITY COUNCIL  
CITY OF FOND DU LAC  
FOND DU LAC, WISCONSIN

The undersigned, your petitioners, constituting all of the frontage of the lots and lands abutting upon the portion of the public way sought to be discontinued, respectfully request that your honorable body take such action as will discontinue or vacate the following described street in accordance with the provisions of s.66.1003(2), Wisconsin Statutes:

**DESCRIPTION FOR KAEDING LANE**

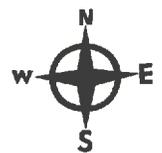
A Dedicated Right of Way to be vacated being a part of Certified Survey Map No. 6898, Volume 49, Pages 4 thru 4E, located in the Northeast 1/4 of the Southeast 1/4 and the Southeast 1/4 of the Southeast 1/4 of Section 21, T.15N.-R.17E. in the City of Fond du Lac, Fond du Lac County, Wisconsin, being more particularly described as follows:

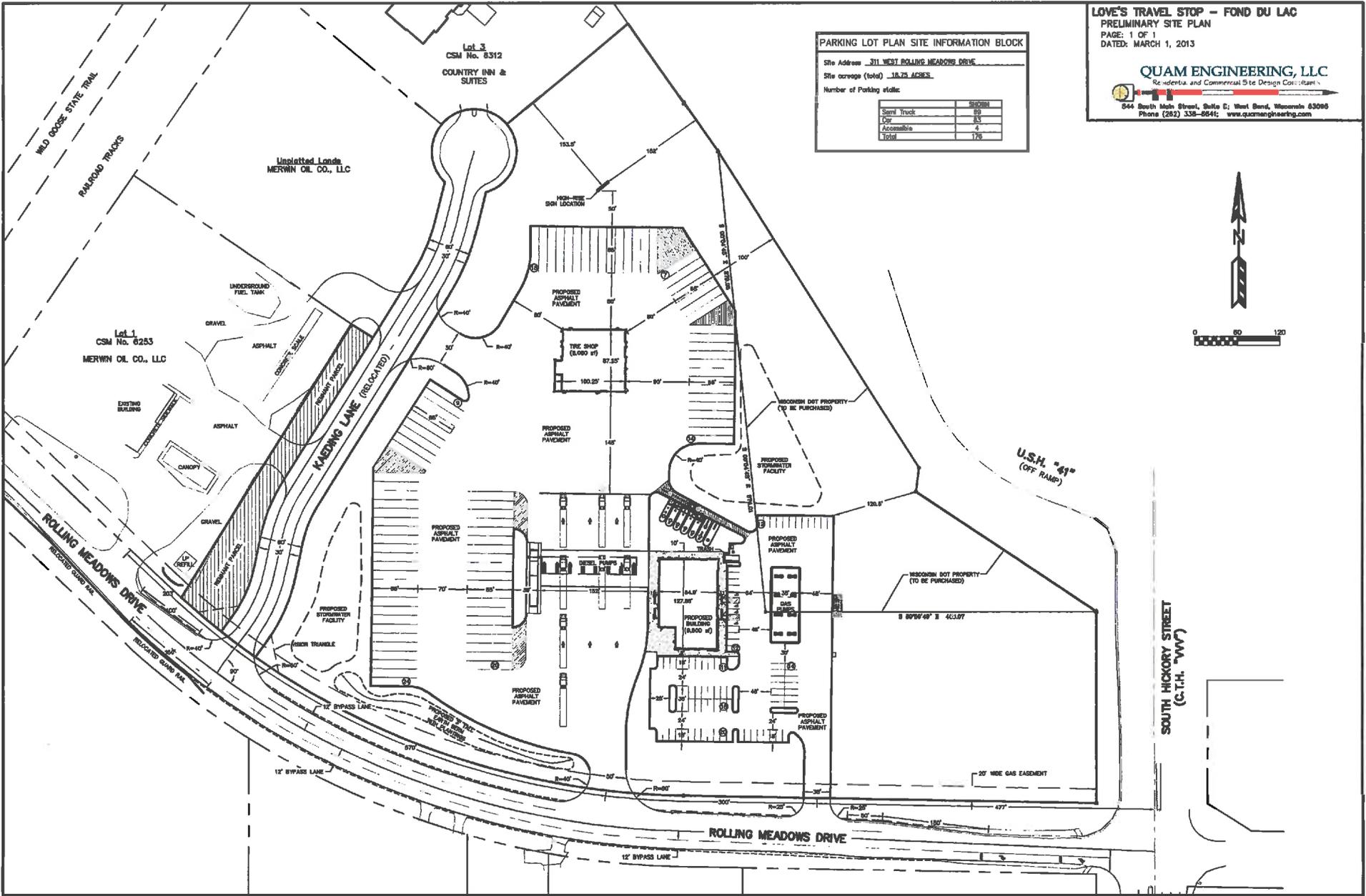
Commencing at the Southeast Corner of the Southeast 1/4 of said Section 21; thence North 88°-55'-05" West, 83.01 feet along the South Line of the Southeast 1/4 of said Section 21; thence North, 75.29 feet to the North Right of Way Line of Rolling Meadows Drive; thence North 88°-56'-58" West, 615.94 feet along the North Right of Way Line of Rolling Meadows Drive; thence 561.69 feet along the arc of a curve to the right having a radius of 1,096.28 feet and a chord bearing North 74°-16'-17" West, 555.56 feet to the Point of Beginning for this description; thence continuing 60.01 feet along the arc of a curve to the right having a radius of 1,096.28 feet and a chord bearing North 58°-01'-31" West, 60.00 feet; thence North 31°-58'-27" East, 589.13 feet; thence 38.36 feet along the arc of a curve to the right having a radius of 130.00 feet and a chord bearing North 40°-25'-42" East, 38.22 feet; thence North 48°-52'-57" East, 64.09 feet; thence North 41°-07'-03" West, 128.04 feet; thence 62.83 feet along the arc of a curve to the left having a radius of 60.00 feet and a chord bearing North 48°-52'-57" East, 60.00 feet; thence South 41°-07'-03" East, 403.04 feet; thence South 48°-52'-57" West, 60.00 feet; thence North 41°-07'-03" West, 215.00 feet; thence South 48°-52'-57" West, 64.09 feet; thence 20.65 feet along the arc of curve to the left having a radius of 70.00 feet and chord bearing South 40°-25'-41" West 20.58 feet; thence South 31°-58'-27" West, 589.13 feet to the Point of Beginning containing 1.488 acres (64,836 S.F.) of land more or less.

<u>NAME</u>	<u>ABUTTING PROPERTY ADDRESS</u>	<u>FRONT FOOTAGE</u>
 Steve P. Morwin, PRES Morwin Investment Inc	FDL-15-17-21-44-999-00 Unplatted Land	1768.49 Feet
 Steve P. Morwin, PRES Morwin Investment Inc	FDL-15-17-21-44-754-00 Lot #5	229.80 Feet
 Steve P. Morwin, PRES Morwin Investment Inc	FDL-15-17-21-44-753-00 Lot #4	173.24 Feet
 Michel Ouellet Fond du Lac Hospitality 1731 Chief Manager	FDL-15-17-21-44-752-00 121 Morwin Way	0.00 Feet

STREET VACATION - KAEDING LANE/MERWIN WAY

VICINITY MAP





**PARKING LOT PLAN SITE INFORMATION BLOCK**

Site Address 311 WEST ROLLING MEADOWS DRIVE  
 Site acreage (total) 18.78 ACRES

Number of Parking stalls:

	STANDARD
Semi Truck	99
Car	235
Accessible	6
<b>Total</b>	<b>178</b>

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

**QUAM ENGINEERING, LLC**  
 Residential and Commercial Site Design Corporation

844 South Main Street, Suite E, West Bend, Wisconsin 53095  
 Phone (262) 338-6641; www.quamengineering.com

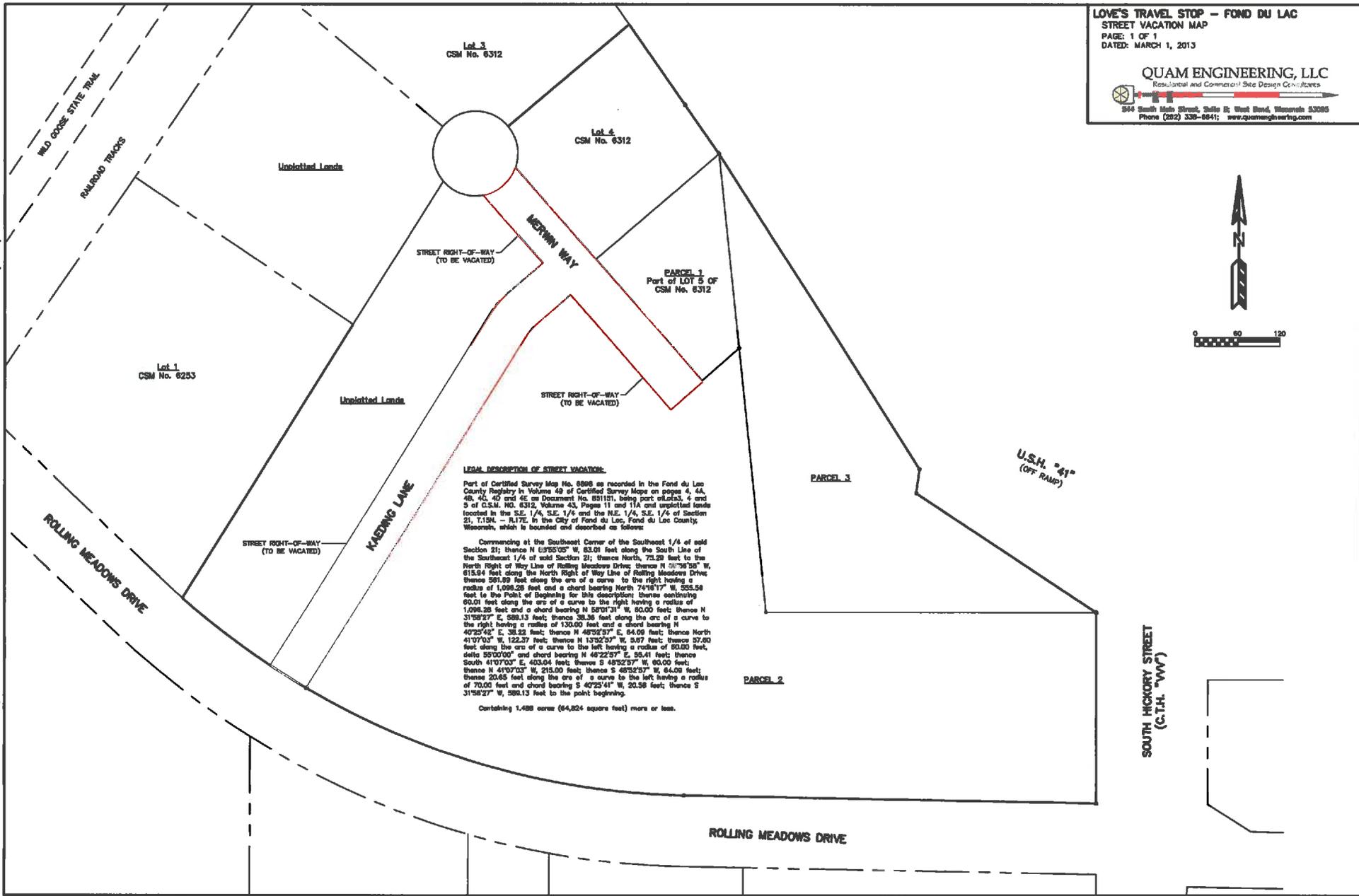
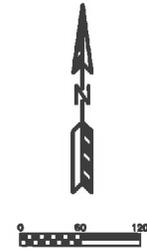


LOVE'S TRAVEL STOP - FOND DU LAC  
 STREET VACATION MAP  
 PAGE: 1 OF 1  
 DATED: MARCH 1, 2013

**QUAM ENGINEERING, LLC**  
 Residential and Commercial Site Design Consultants



544 South Main Street, Suite B, West Bend, Wisconsin 53095  
 Phone (262) 338-6641; www.quamengineering.com



Lot 3  
 CSM No. 6312

Lot 4  
 CSM No. 6312

Lot 1  
 CSM No. 6253

PARCEL 1  
 Part of LOT 5 OF  
 CSM No. 6312

PARCEL 3

PARCEL 2

**LEGAL DESCRIPTION OF STREET VACATION:**  
 Part of Certified Survey Map No. 6889 as recorded in the Fond du Lac County Register in Volume 48 of Certified Survey Maps on pages 4, 4A, 4B, 4C, 4D and 4E as Document No. 831151, being part of Lots 3, 4 and 5 of C.S.M. NO. 6312, Volume 43, Pages 11 and 11A and unsplit lands located in the S.E. 1/4, S.E. 1/4 and the N.E. 1/4, S.E. 1/4 of Section 21, T.15N. - R.17E. in the City of Fond du Lac, Fond du Lac County, Wisconsin, which is bounded and described as follows:

Commencing at the Southeast Corner of the Southeast 1/4 of said Section 21; thence N 63°55'03" W, 83.01 feet along the South Line of the Southeast 1/4 of said Section 21; thence North, 73.29 feet to the North Right of Way Line of Rolling Meadows Drive; thence N 00°56'58" W, 615.84 feet along the North Right of Way Line of Rolling Meadows Drive; thence 591.89 feet along the arc of a curve, to the right, having a radius of 1,098.28 feet and a chord bearing North 74°18'17" W, 555.58 feet to the Point of Beginning for this description; thence continuing 60.01 feet along the arc of a curve to the right having a radius of 1,098.28 feet and a chord bearing N 59°01'31" W, 60.00 feet; thence N 31°58'27" E, 588.13 feet; thence 38.36 feet along the arc of a curve to the right, having a radius of 130.00 feet and a chord bearing N 49°25'42" E, 38.22 feet; thence N 48°52'57" E, 64.09 feet; thence North 41°07'03" W, 122.37 feet; thence N 13°52'57" W, 5.67 feet; thence 57.60 feet along the arc of a curve to the left having a radius of 80.00 feet, delta 59°07'00" and chord bearing N 49°22'57" E, 55.41 feet; thence South 41°07'03" E, 403.04 feet; thence S 48°52'57" W, 60.00 feet; thence N 41°07'03" W, 215.00 feet; thence S 48°52'57" W, 64.09 feet; thence 20.85 feet along the arc of a curve to the left having a radius of 70.00 feet and chord bearing S 49°25'41" W, 20.58 feet; thence S 31°58'27" W, 588.13 feet to the point beginning.

Containing 1,488 acres (64,824 square feet) more or less.

U.S.H. #41  
 (OFF RAMP)

SOUTH HICKORY STREET  
 (C.T.H. "WW")

# plan commission memorandum

**Date:** March 13, 2013  
**To:** Plan Commission  
**From:** Joellyn Dahlin, Principal Planner  
Paul DeVries, City Engineer  
**RE:** Street Vacation – Kaeding Lane/Merwin Way

---

The area affected by the proposed street vacation is located at the southwest quadrant of the USH 41/ Hickory Street interchange. Existing development includes *Merwin Oil* which is located on Rolling Meadows Drive at Kaeding Lane and the *Country Inn & Suites* hotel on Merwin Way. *Love's Travel Stops & Country Stores* plans to develop a truck/travel center in the vicinity of the two existing businesses. A portion of the *Love's* site includes the existing street right-of-way area of Kaeding Lane and Merwin Way.

The vacation of Kaeding Lane and a portion of Merwin Way are proposed. The proposed street vacation is a companion to a certified survey map. The certified survey map and the street vacation proposal are separate items for action by the Plan Commission at its March 18<sup>th</sup> meeting.

Kaeding Lane is a short street that extends north from Rolling Meadows Drive to Merwin Way. Kaeding Lane currently provides two driveways for *Merwin Oil*; the continued use of the driveways is assured by existing access easements. *Merwin Oil* also has two driveways on Rolling Meadows Drive.

Merwin Way is a small cul-de-sac street at the north end of Kaeding Lane. Merwin Way provides access to the *County Inn & Suites*. No other existing development depends on access to Merwin Way. Vacation of the existing street area east of the cul-de-sac bulb is proposed.

The *Love's* development plan proposes relocation of Kaeding Lane slightly west of its existing location. To achieve relocation, existing street right-of-way must

be vacated. The new street would be a cul-de-sac street that terminates at the hotel property. The proposed right-of-way vacation and street relocation does not affect access to the hotel. Access to the hotel would not be changed.

The proposed name of the new street would be “Merwin Way”. The purpose for the particular street name is to accommodate the *Country Inn & Suites*, as the hotel is currently identified with an address on the existing Merwin Way.

The certified survey map to dedicate right-of-way for the new street includes an easement to protect public utilities currently situated within the existing right-of-way areas of Kaeding Lane and Merwin Way.

All abutting property owners have consented to the proposed street vacation.

<b>Recommendation</b>
-----------------------

Community Development and Engineering staff suggest a motion to recommend to the City Council vacation of the public right-of-way as requested.

## PUBLIC NOTIFICATION - Street Vacation/Kaeding Lane-Merwin Way

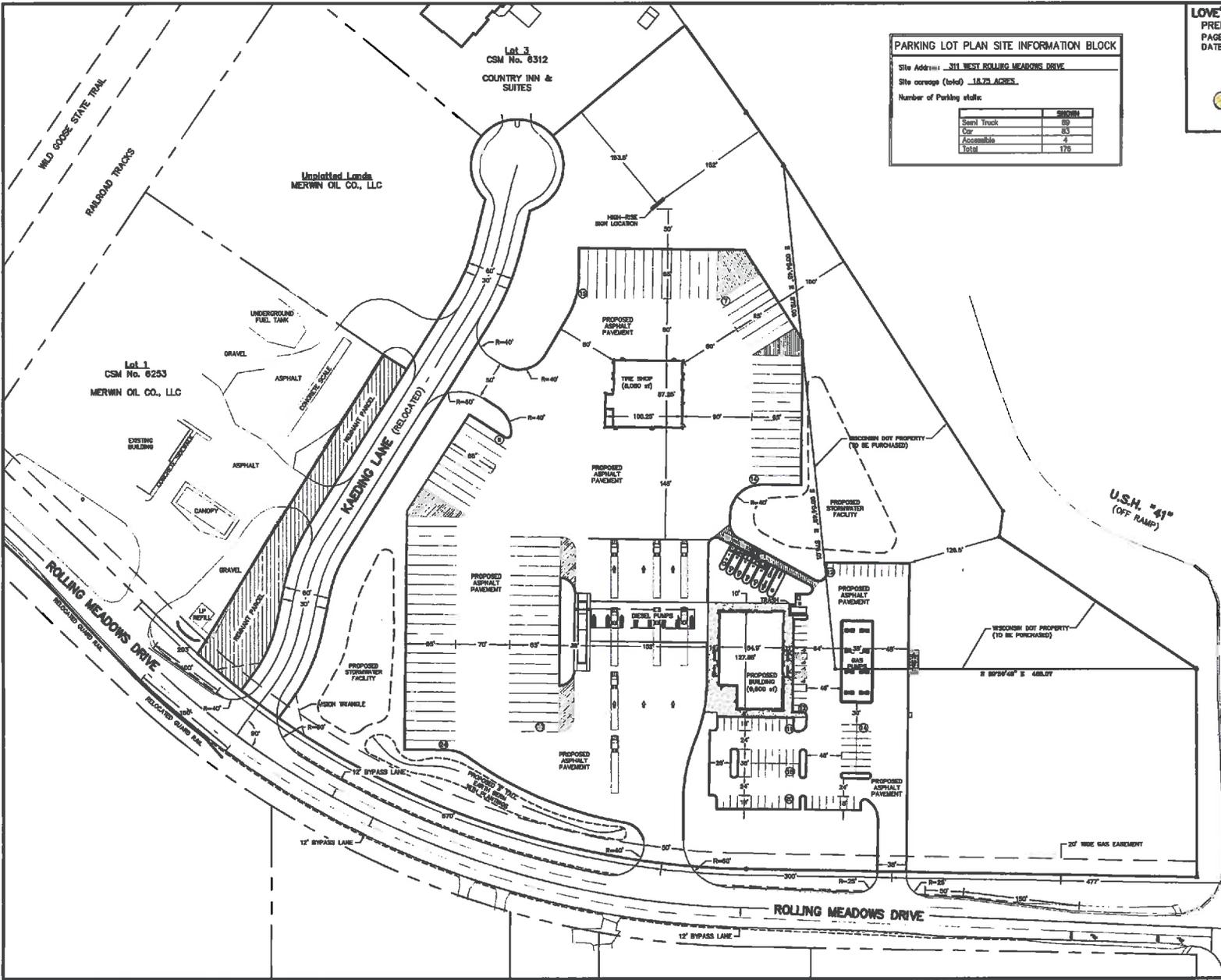
Parcel Number	Mailing Address I	Mailing City	Mailing State	Mailing Zip	Site Address
FDL-15-17-28-13-749-00	PO BOX 150	FOND DU LAC	WI	54936	0 W LARSEN DR
T09-15-17-27-07-002-00	PO BOX 150	FOND DU LAC	WI	54936	
FDL-15-17-28-11-249-00	PO BOX 150	FOND DU LAC	WI	54936	0 W ROLLING MEADOWS DR
FDL-15-17-21-44-752-00	366 S 10TH AVE	WAITE PARK	MN	56387	121 MERWIN WAY
T09-15-17-28-01-003-00	W6174 ROLLING MEADOWS D	FOND DU LAC	WI	54937	W6174 ROLLING MEADOWS DR
T09-15-17-28-01-002-00	W6178 ROLLING MEADOWS D	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 MEADOWS D	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

CERTIFIED SURVEY MAP – MERWIN INVESTMENTS INC.

VICINITY MAP



AREA OF CERTIFIED SURVEY MAP



**PARKING LOT PLAN SITE INFORMATION BLOCK**

Site Address: 311 WEST ROLLING MEADOWS DRIVE  
 Site coverage (total): 18,728 ACRES.

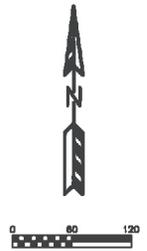
Number of Parking stalls:

	SHOWN
Small Truck	89
Car	83
Accessible	4
<b>Total</b>	<b>176</b>

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

**QUAM ENGINEERING, LLC**  
 Residential and Commercial Site Design Consultants

544 South Main Street, Suite B, West Bend, Wisconsin 53095  
 Phone (262) 338-6641; www.quamengineering.com



**ORDINANCE NO. 3511**

**A ZONING ORDINANCE**

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

**Section 1.** Chapter 11, CITY ZONING, Section 11.03, DISTRICT AND DISTRICT MAPS, of the Revised Zoning Code of the City of Fond du Lac is hereby amended by rezoning the following parcel of land in the City of Fond du Lac from M-2 Manufacturing to B-5 Special Commercial District:

311 West Rolling Meadows Drive as shown on the attached Exhibit A incorporated herein by reference.

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

**ADOPTED:**

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

Attest:

City Attorney:

\_\_\_\_\_  
Sue L. Strands, City Clerk

Reviewed CPW

# EXHIBIT A

## REZONING PROPOSAL – LOVE'S

### ZONING MAP



AREA PROPOSED FOR REZONING

RECOMMENDED ZONING: B-5



# PLAN COMMISSION MINUTES

March 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  
Jeffrey Quast  
Brent Schumacher  
Paul Smedberg  
Lee Ann Lorrigan

Absent - David Washkoviak (excused)  
Lynn Farr (excused)  
Hertha Longo (excused)

Administrative Staff - Joellyn Dahlin, Principal Planner

Chairman Smedberg declared a quorum present.

\* \* \* \* \* Other Business \* \* \* \* \*

## PUBLIC HEARINGS

Commissioner Smedberg declared the Public Hearing open.

With no appearances being made, Commissioner Smedberg declared the Public Hearing closed.

## REZONING

Effect: Rezone 2.76 acres of vacant land from M-2  
(Manufacturing) to B-5 (Special Commercial)  
Location: West Rolling Meadows Drive  
Initiator: Love's Travel Stops & Country Stores, Inc.

Motion made by Commissioner Quast to recommend to the City Council that the subject property be rezoned from M-2 (Manufacturing) to B-5 (Special Commercial).  
Seconded by Commissioner Schumacher.

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

Carried.

\* \* \* \* \* Other Business \* \* \* \* \*

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Plan Commission of the City of Fond du Lac, Wisconsin, will conduct a Public Hearing at 5:30 PM, March 18, 2013 in meeting rooms D & E of the City-County Government Center, 160 South Macy Street, at the request of Love's Travel Stops & Country Stores, Inc. to rezone property from M-2, Manufacturing to B-5, Special Commercial District for property located at:

2.76 Acres at 311 West Rolling Meadows Drive

All persons having an interest in the area are invited to participate in the hearing and express their opinions. Written communications will also be considered. Published in accordance with Section 62.23, Wisconsin Statutes.

For further information you are invited to contact the Community Development Department at (920) 322-3440.

Dated this 1<sup>st</sup> day of March, 2013

SUE L. STRANDS  
City Clerk

Published: March 6<sup>th</sup> & March 11, 2013

# ZONING PETITION – REZONING



LOCATION OF PROPERTY TO BE REZONED: Vacant Land - Legal Description Attached

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 Investments Inc.  
c/o Gene Merwin  
19300 N Ponderosa Ct  
Surprise, AZ 85387

## PROPOSED CHANGE OF ZONING FROM M-2 TO B-5

### Existing 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 checked="" type="checkbox"/> M-2 (Manufacturing)       |
| <input 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)     |   |

**PROPOSED DEVELOPMENT/LAND USE:** Area to be rezoned is vacant land located adjacent to an 18.75-acre land area planned for the construction of Love's Travel Stop. The 2.76-acres of land to be rezoned will be part of the Love's development.

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

Proposed time schedule for development and/or use of the property: Spring 2013

### Description of Existing Property Conditions and/or Development:

- RESIDENTIAL \_\_\_\_\_
- COMMERCIAL \_\_\_\_\_
- INDUSTRIAL \_\_\_\_\_
- VACANT: The undeveloped land is former highway right-of-way. The land is now surplus for Wis DOT.
- OTHER \_\_\_\_\_

PETITIONER SIGNATURE Frank Ille - Love's Travel Stops

City Clerk: \_\_\_\_\_ Date Rec'd 2/28/2013 Receipt # \_\_\_\_\_ Project # \_\_\_\_\_

LEGAL DESCRIPTION OF PROPERTY TO BE REZONED:

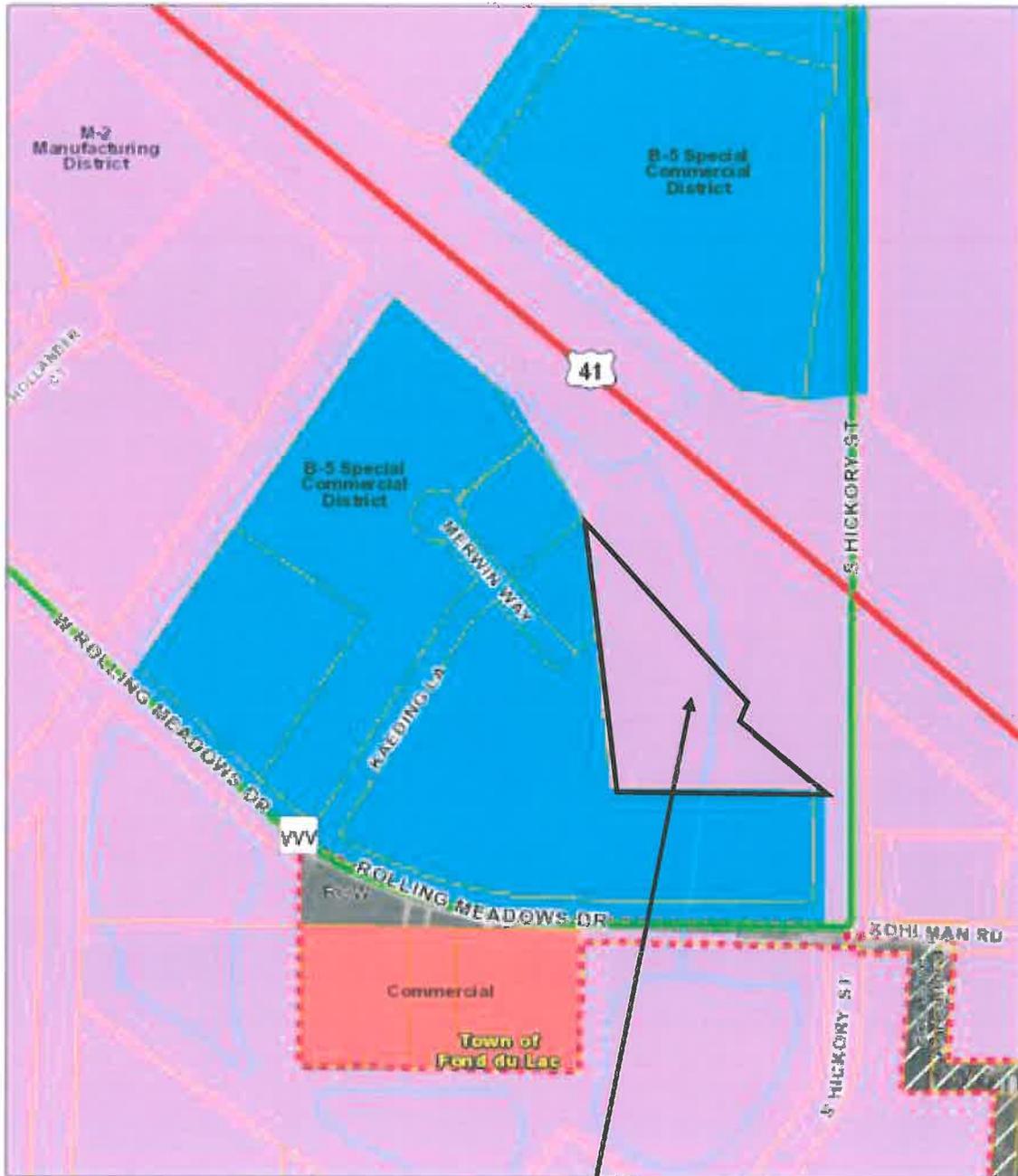
ALL OF THE LAND BEING PART OF THE SOUTHEAST ¼ OF THE SOUTHEAST ¼, SECTION 21, T15N, R17E, CITY OF FOND DU LAC, FOND DU LAC COUNTY, WISCONSIN, LYING WITHIN THE FOLLOWING DESCRIBED TRAVERSE:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 21; THENCE N 00°00'31" E, A DISTANCE OF 347.17 FEET, ALONG THE EAST LINE OF SAID SOUTHEAST ¼ OF THE SOUTHEAST ¼; THENCE N 89°59'48" W, A DISTANCE OF 115.28 FEET; TO THE WESTERLY LINE OF SOUTH HICKORY STREET AND THE POINT OF BEGINNING; THENCE ALONG THE SOUTHWESTERLY LINE OF USH 41 THE FOLLOWING TWO (2) COURSES, AS DESCRIBED IN BOOK 471, PAGE 24 AS DOCUMENT NUMBER 183972 OF FOND DU LAC COUNTY RECORDS, UNDER DOT PROJECT NUMBER T 03-1(23), N 89°58'48" W, A DISTANCE OF 348.08 FEET; THENCE N 05°54'52" W, A DISTANCE OF 468.08 FEET; THENCE N 05°54'52" W, A DISTANCE OF 653.09 FEET, TO THE END OF SAID COURSES; THENCE S 32°28'11" E, A DISTANCE OF 530.00 FEET; THENCE S 07°39'40" W, A DISTANCE OF 34.00 FEET; THENCE S 56°32'14" E, A DISTANCE OF 306.12 FEET, TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 120,073 SQ. FT. OR 2.76 ACRE(S) OF LAND, MORE OR LESS.

# REZONING PROPOSAL – LOVE'S

## ZONING MAP



AREA PROPOSED FOR REZONING

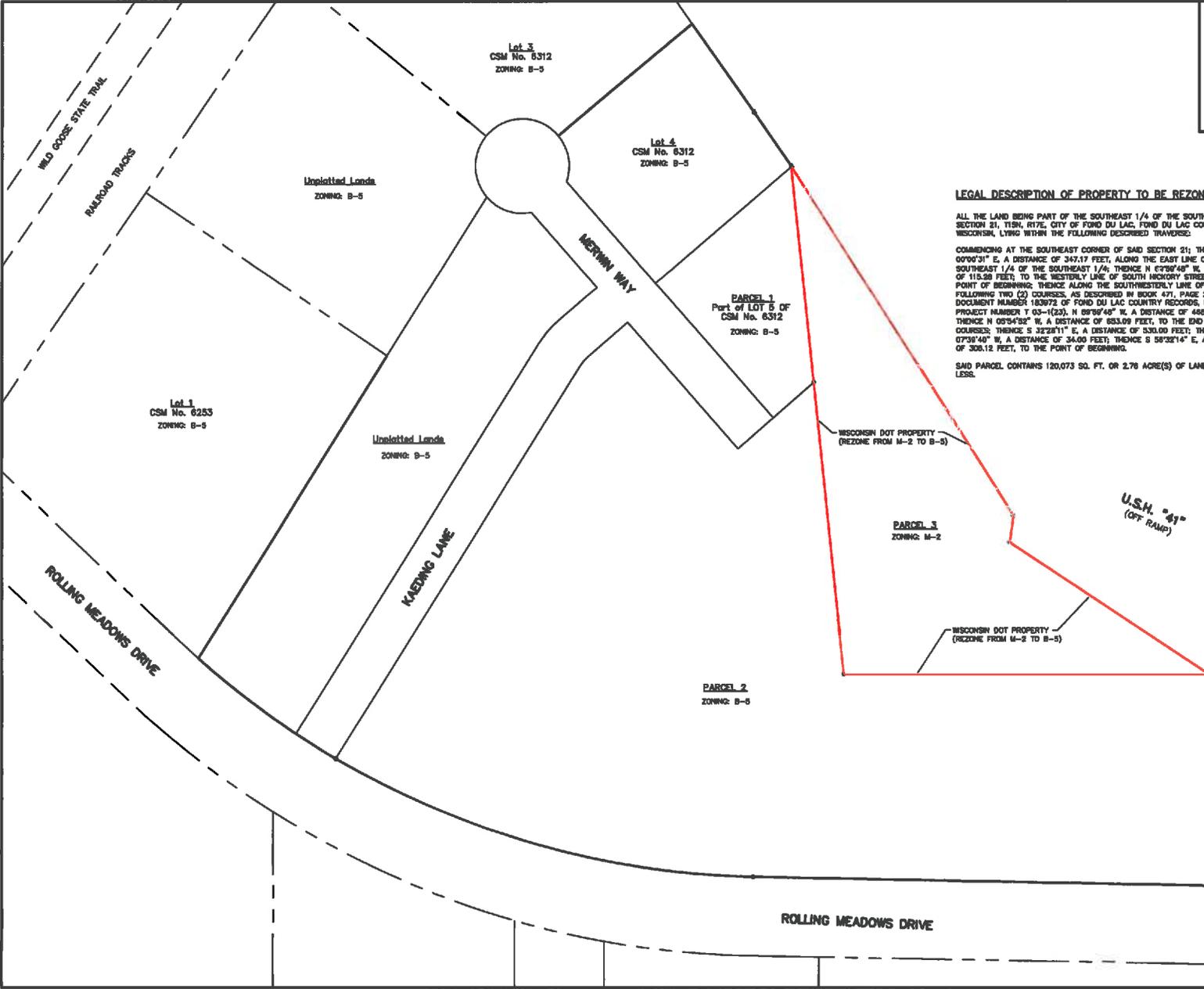
RECOMMENDED ZONING: B-5



**LOVE'S TRAVEL STOP - FOND DU LAC**  
 REZONING MAP  
 PAGE: 1 OF 1  
 DATED: MARCH 1, 2013

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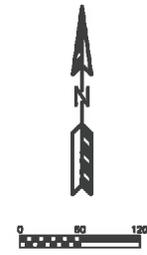


**LEGAL DESCRIPTION OF PROPERTY TO BE REZONED:**

ALL THE LAND BEING PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, SECTION 21, T15N, R17E, CITY OF FOND DU LAC, FOND DU LAC COUNTY, WISCONSIN, LYING WITHIN THE FOLLOWING DESCRIBED TRACTS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 21; THENCE N 00°00'31" E, A DISTANCE OF 347.17 FEET, ALONG THE EAST LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, THENCE N 67°00'40" E, A DISTANCE OF 115.99 FEET, TO THE WESTERLY LINE OF SOUTH HICKORY STREET AND THE POINT OF BEGINNING; THENCE ALONG THE SOUTHWESTERLY LINE OF USH 41 THE FOLLOWING TWO (2) COURSES, AS DESCRIBED IN BOOK 471, PAGE 24 AS DOCUMENT NUMBER 183972 OF FOND DU LAC COUNTRY RECORDS, UNDER DOT PROJECT NUMBER T 03-(123), N 89°00'46" W, A DISTANCE OF 468.09 FEET; THENCE N 00°04'52" W, A DISTANCE OF 853.09 FEET, TO THE END OF SAID COURSE; THENCE S 32°20'11" E, A DISTANCE OF 500.00 FEET; THENCE S 07°38'40" W, A DISTANCE OF 34.00 FEET; THENCE S 58°32'14" E, A DISTANCE OF 306.12 FEET, TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 120,073 SQ. FT. OR 2.76 ACRE(S) OF LAND, MORE OR LESS.

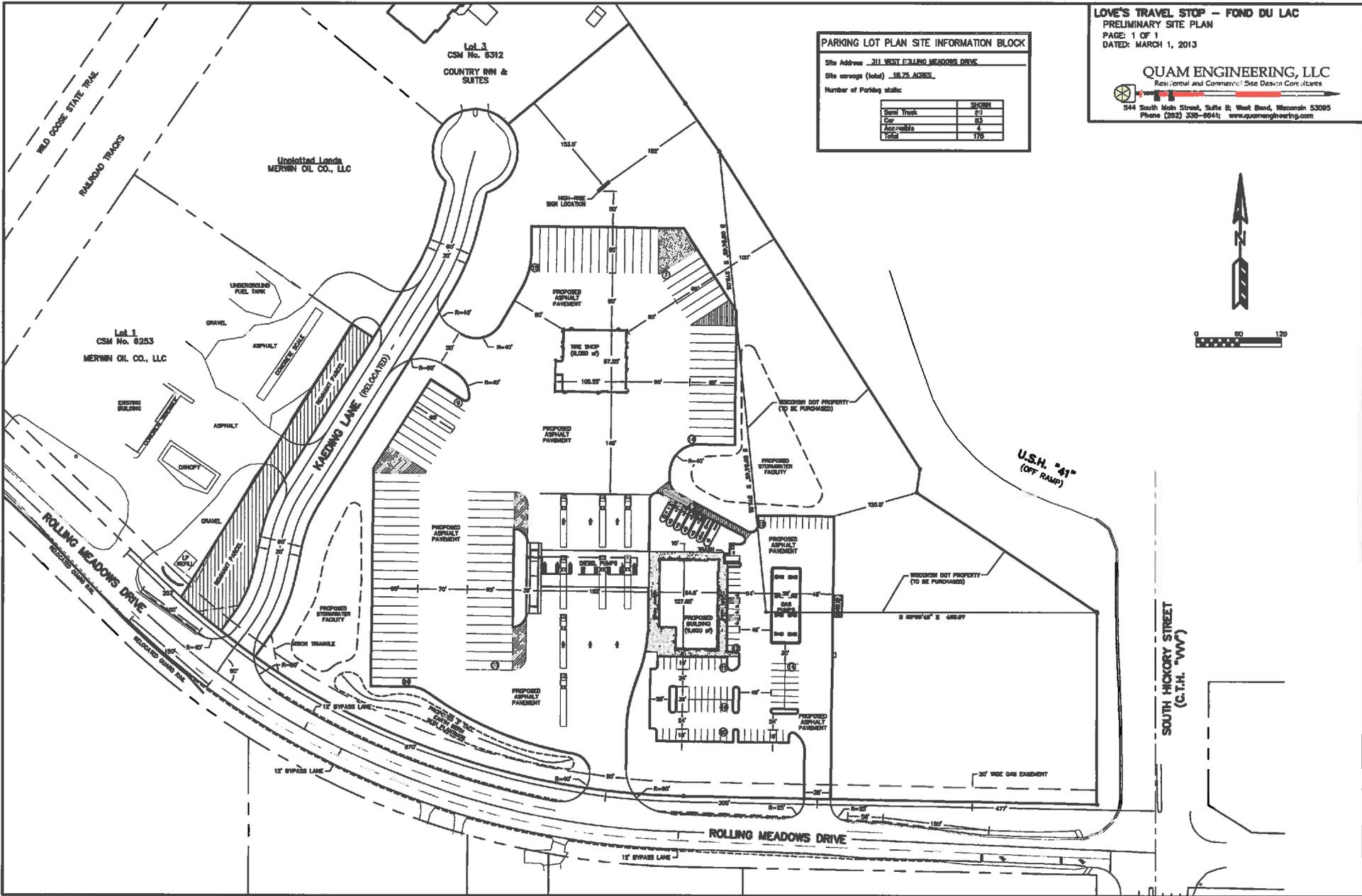


WISCONSIN DOT PROPERTY  
 (REZONE FROM M-2 TO B-5)

WISCONSIN DOT PROPERTY  
 (REZONE FROM M-2 TO B-5)

U.S.H. 41  
 (OFF RAMP)

SOUTH HICKORY STREET  
 (c.t.h. "VW")



**PARKING LOT PLAN SITE INFORMATION BLOCK**

Site Address: 311 WEST FOLLING MEADOWS DRIVE  
 Site acreage (total): .1875 ACRES  
 Number of Parking stalls:

	SUBTOTAL
Small Truck	131
Car	33
Accessible	6
<b>Total</b>	<b>176</b>

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

**QUAM ENGINEERING, LLC**  
 Residential and Commercial Site Design Consultants

544 South Main Street, Suite B; West Bend, Wisconsin 53095  
 Phone (262) 338-6641; www.quamengineering.com



# plan commission memorandum

**Date:** March 13, 2013  
**To:** Plan Commission  
**From:** Joellyn Dahlin, Principal Planner  
**RE:** Request for Rezoning – *Love's*

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**Location:** West Rolling Meadows Drive (vacant land west of South Hickory Street and south of USH 41)

**Applicant:** Love's Travel Stops and Country Stores, Inc.

**Request:** Rezone 2.76 acres of former highway right-of-way area from M-2 (Manufacturing) to B-5 (Special Commercial)

**Zoning:**

Site:	M-2 (Manufacturing)
North:	B-5 (Special Commercial)
South:	B-5
East:	M-2
West:	B-5

**Land Use:**

Site:	Vacant Land
North:	USH 41/Hickory Street Off-Ramp
South:	Vacant Land (Proposed Love's)
East:	Hickory Street
West:	Vacant Land (Proposed Love's)

## Analysis

*Love's Travel Stops & Country Stores* proposes to construct a truck/travel center on West Rolling Meadows Drive at South Hickory Street. The subject site is located at the southwest quadrant of the USH 41/ Hickory Street interchange. The property is situated east of *Merwin Oil* and the

*Country Inn & Suites* hotel. A change of zoning for a small area of the project site is requested.

The rezoning proposal is a companion item to a special use permit approved last month by the City Council to authorize the *Love's* development plan.

Most of the project site is zoned for commercial use. An area of former highway right-of-way that is part of the project area is zoned for manufacturing use. Rezoning of the former highway right-of-way area is proposed. The 2.76 acres of former highway right-of-way is situated along the Hickory Street off-ramp of USH 41. The rezoning proposal requests a change from M-2 (Manufacturing) to B-5 (Special Commercial).

Approval of the proposal will allow a uniform zoning designation for the project site.

<b>Recommendation</b>
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Community Development staff suggests the Plan Commission recommend to the City Council that the subject property be rezoned from M-2 to B-5.

## PUBLIC NOTIFICATION - Rezone/Love's

Parcel Number	Mailing Address 1	Mailing City	Mailing State	Mailing Zip	Site Address
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 MEADOWS D	FOND DU LAC	WI	54937	W6174 ROLLING MEADOWS DR
T09-15-17-28-01-002-00	W6178 ROLLING MEADOWS D	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 MEADOWS D	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

**COUNCIL**

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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 322-3405

SKIFF, DPW 322-3472

WORTMAN, DADM 322-3452

HOFFMANN, ATTY 322-3423

ROLLIN, DCD 322-3440

LAMB, POLICE 322-3702

OLEARY, FIRE 322-3802

ZITLOW, ITS 322-3605

STRANDS, CLERK 322-3432

BOLTHOUSE, LIBRARY 322-3959

KIEFER, PARKS 322-3590

AGNEW, ASSIST 322-3407

FAX NUMBER 322-3402

**CELL**

**HOME**

