

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

October 23, 2013  
6:00 P.M.

Legislative Chambers  
City-County Government Center

160 South Macy Street  
Fond du Lac, Wisconsin

**REGULAR AGENDA**

- 1. CALL TO ORDER**
  - A. Roll Call
  - B. Declaration A Quorum Is Present
  - C. Administer Oath Of Office To Appointed Council Member
- 2. PLEDGE OF ALLEGIANCE AND REFLECTION**
  - A. Pledge of Allegiance
  - B. A Moment of Silence
- 3. COUNCIL PRESIDENT PRESENTATIONS**
- 4. PUBLIC HEARINGS**

"The City of Fond du Lac provides equal opportunities and services to  
all individuals, including those individuals with disabilities"

"Assistive Listening Devices Are Available From The  
City Clerk For Use During Council Proceedings"

CONSENT AGENDA

5. **CONSENT AGENDA**

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

**A. APPROVAL OF MINUTES**

October 2, 2013 Special City Council Meeting

October 9, 2013 Regular City Council Meeting

**B. REPORTS OF OFFICERS**

**C. RESOLUTIONS**

REGULAR AGENDA

6. AUDIENCE COMMENTS

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

7. PUBLIC COMMENT

8. ORAL PRESENTATIONS

9. REPORTS OF OFFICERS

A. Director Of Administration, Dated October 16, 2013  
Subject: List Of Claims - Items Paid By The City

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

10. REPORTS OF COMMITTEES

11. PETITIONS OR COMMUNICATIONS

12. RESOLUTIONS

A. Introduction City Manager  
Resolution No. 8432  
Subject: A Resolution Approving The Proposed 2014 Through 2018  
Capital Improvement Plan

(Effect: Adopt The 2014 Through 2018 Capital Improvement Plan  
(Initiator: City Council  
(Plan Commission Recommendation: **Approve**)

B. Introduction City Manager  
Resolution No. 8433  
Subject: A Resolution Adopting The 2014 City Budget, Levying A Tax,  
And Establishing Fees

(Effect: Adopt The 2014 City Budget, Levy A Tax, And Establish Fees  
(Initiator: City Council

C. Introduction City Manager  
Resolution No. 8434  
Subject: A Resolution Adopting The 2014 Fond du Lac Area Transit  
Budgets

(Effect: Adopt The 2014 Fond du Lac Area Transit Budgets  
(Initiator: City Manager

D. Introduction Community Development Director

Resolution No. 8435

Subject: Resolution Preliminarily Determining Project Site To Be Blighted And Declaring Intent Regarding The Issuance Of Revenue Bonds By The Redevelopment Authority To Finance Schmidt Capital Investments, LLC Project

(Effect: Approve Preliminarily Resolution Determining Project Site To Be Blighted And Declaring Intent Regarding The Issuance Of Revenue Bonds By The Redevelopment Authority To Finance Schmidt Capital Investments, LLC Project

(Initiator: Community Development Director

**13. ORDINANCES**

**14. MISCELLANEOUS**

Items In This Category Must Be Noticed On The Agenda.

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

**16. ADJOURN**



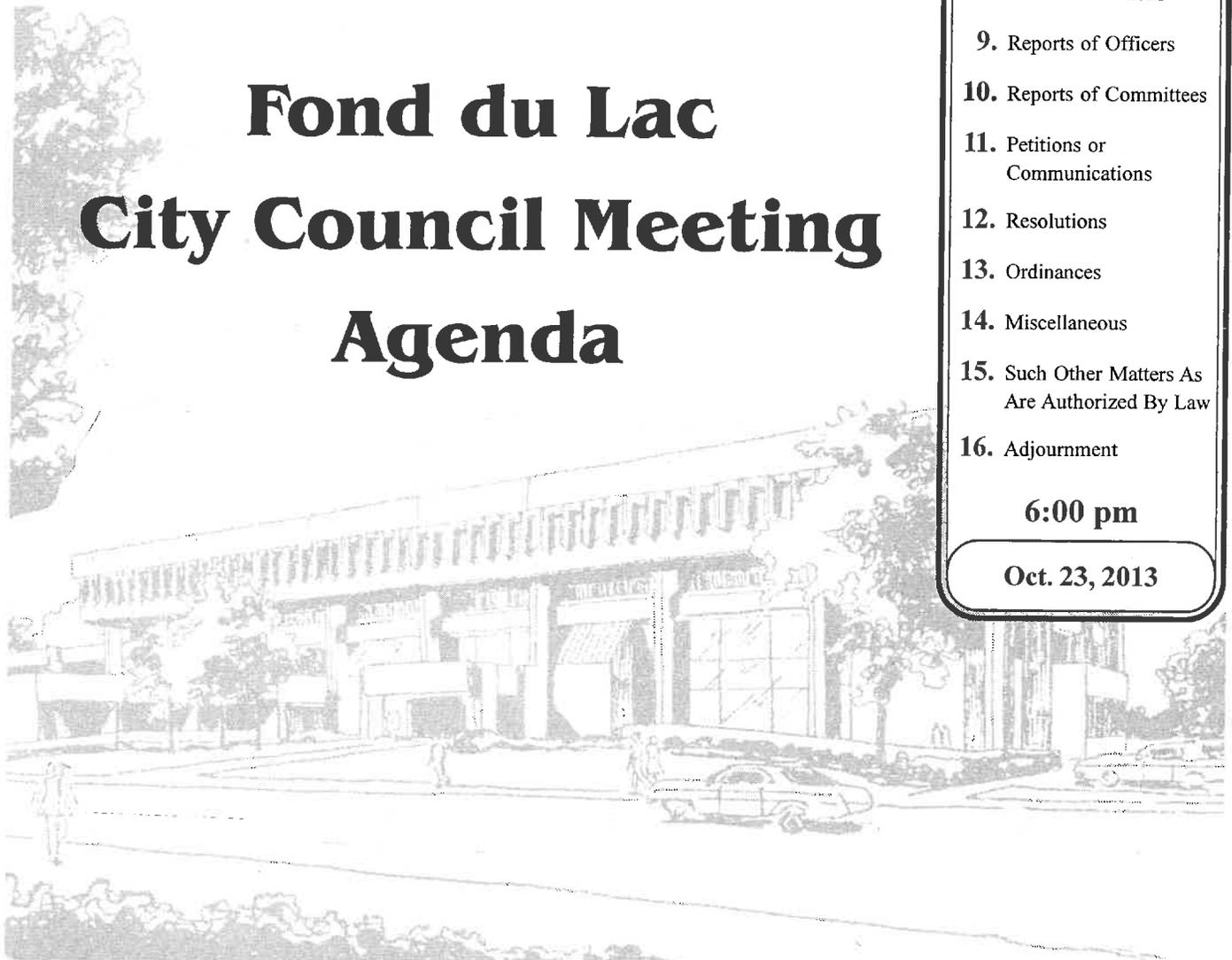
# Fond du Lac City Council Meeting Agenda

## 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. Public Comments
8. Oral Presentations
9. Reports of Officers
10. Reports of Committees
11. Petitions or Communications
12. Resolutions
13. Ordinances
14. Miscellaneous
15. Such Other Matters As Are Authorized By Law
16. Adjournment

**6:00 pm**

**Oct. 23, 2013**



*"The City of Fond du Lac provides equal opportunities and services to all individuals, including those individuals with disabilities."*

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

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

October 2, 2013  
6:00 P.M.

Legislative Chambers  
City-County Government Center

160 South Macy Street  
Fond du Lac, Wisconsin

**CALL TO ORDER**

ROLL CALL: Present - Catherine Block  
Brian Foster  
Lee Ann Lorrigan  
Dan Manning  
Karyn Merkel  
Sam Meyer  
Gary Miller

Absent - None

Administrative Staff - Joe Moore, City Manager  
Wayne Rollin, Dir of Comm Dev  
Hal Wortman, Dir of Administration  
Tracy Salter, Dpty Comptroller/  
Treasurer  
Eileen Baus, Sr Acct Purch  
Coordinator  
Tricia Davi, Sr Acct Risk  
Coordinator  
Deb Hoffmann, City Attorney  
Chad Wade, Assistant City Attorney  
Jordan Skiff, Dir of Public Works  
Paul De Vries, City Engineer  
John Leonhard, WCTS Operations Mgr  
Kathy Scharf, Water Op Mgr  
John Kiefer, Park Superintendent  
Steve Kees, Operations Director  
Ray Dilts, Fleet Manager  
Jon Mark Bolthouse, Library Dir  
Bill Lamb, Chief of Police  
Steve Klein, Asst. Police Chief of  
Operations  
Steve Thiry, Asst. Police Chief of  
Administration  
Peter O'Leary, Fire Chief  
Steve Beer, Assist. Fire Chief of  
Operations  
Lynn Gilles, Transit Manager



**CITY COUNCIL SPECIAL MEETING MINUTES**

October 2, 2013

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**ADJOURN**

Motion made by Councilperson Miller to adjourn.

Seconded by Councilperson Foster.

ROLL CALL VOTE:      Aye - Miller, Lorrigan, Manning,  
   Meyer, Merkel, Block, Foster  
   Nay - None

Carried.

Meeting adjourned at 7:41 p.m.

SUE STRANDS  
CITY CLERK

SS/maa

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

October 9, 2013  
6:02 P.M.

Legislative Chambers  
City-County Government Center

160 South Macy Street  
Fond du Lac, Wisconsin

**REGULAR AGENDA**

**CALL TO ORDER**

ROLL CALL: Present - Catherine Block  
Brian Foster  
Lee Ann Lorrigan  
Dan Manning  
Karyn Merkel  
Sam Meyer  
Gary Miller

Absent - None

Administrative Staff - Joe Moore, City Manager  
Wayne Rollin, Dir of Comm Devel  
Chad Wade, Assistant City Attorney  
Jon Mark Bolthouse, Library Director  
Bill Lamb, Chief of Police  
Steve Klein, Asst. Police Chief of  
Operations  
Peter O'Leary, Fire Chief

Council President Meyer declared a quorum present.

**PLEDGE OF ALLEGIANCE AND REFLECTION**

Pledge of Allegiance was recited.

A moment of silence was observed.

**CONSENT AGENDA**

**CONSENT AGENDA**

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





**CITY COUNCIL MINUTES**

October 9, 2013

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**RESOLUTIONS**

Introduction Community Development Director

**Resolution No. 8428**

Subject: A Resolution Approving The 2014 Business Improvement District Operating Plan And Budget

(Effect: Approve 2014 Budget And Work Plan)

(Initiator: Community Development Director)

(File No. 2013-110)

Spoke in Support of Resolution No. 8428:

Amy Hanson, President of Downtown Fond du Lac Partnership

Motion made by Councilperson Merkel to **approve** Resolution No. 8428.

Seconded by Councilperson Miller.

Motion made by Councilperson Meyer to **Amend** Resolution 8428 and maintain the \$150 minimum tax.

Seconded by Councilperson Lorrigan.

ROLL CALL VOTE: Aye - Lorrigan, Meyer, Merkel,  
Block, Foster

Nay - Miller, Manning

Carried.

Vote on Main Motion (as amended)

ROLL CALL VOTE: Aye - Miller, Lorrigan, Manning,  
Meyer, Merkel, Block, Foster

Nay - None

Carried.

Introduction City Manager

**Resolution No. 8429**

Subject: A Resolution Confirming Appointment To The Historic Preservation Commission

(Effect: Confirm Appointment Of Tom Meiklejohn III To The Historic Preservation Commission)

(Initiator: City Manager)

(File No. 2013-003)

Motion made by Councilperson Manning to **approve** Resolution No. 8429.

Seconded by Councilperson Merkel.

ROLL CALL VOTE: Aye - Miller, Lorrigan, Manning,  
Meyer, Merkel, Block, Foster

Nay - None

Carried.

**CITY COUNCIL MINUTES**

October 9, 2013

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Introduction City Manager

**Resolution No. 8430**

Subject: A Resolution Appointing Interim City Council Members To  
Serve On City Boards And Commissions

(Effect: Appoint Interim City Council Members To Serve On City  
Boards And Commissions

(Initiator: City Manager)

(File No. 2013-111

Motion made by Councilperson Meyer to nominate  
Councilperson Foster as Interim Member of the Historic  
Preservation Commission.

ROLL CALL VOTE: Aye - Miller, Lorrigan, Manning,  
Meyer, Merkel, Block, Foster  
Nay - None

Carried.

Motion made by Councilperson Miller to nominate  
Councilperson Manning as Interim Member for the primary  
position of the SRO Advisory Board.

ROLL CALL VOTE: Aye - Miller, Lorrigan, Manning,  
Meyer, Merkel, Block, Foster  
Nay - None

Carried.

Motion made by Councilperson Manning to nominate  
Councilperson Lorrigan as Interim Member for the  
alternate position of the SRO Advisory Board.

ROLL CALL VOTE: Aye - Miller, Lorrigan, Manning,  
Meyer, Merkel, Block, Foster  
Nay - None

Carried.

Motion made by Councilperson Miller to **approve**  
Resolution No. 8430.

Seconded by Councilperson Foster.

ROLL CALL VOTE: Aye - Miller, Lorrigan, Manning,  
Meyer, Merkel, Block, Foster  
Nay - None

Carried.

Introduction City Manager

**Resolution No. 8431**

Subject: A Resolution Regarding City Council Salaries

(Effect: Decide On A Salary For Future City Council Members

(Initiator: City Council)

(File No. 2013-112



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

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**Department of Administration**

**Date:** October 16, 2013

**To:** City Council

**From:** Hal Wortman, Director of Administration 

**Re:** List of Claims

The list of claims for goods and services for the payment periods September 28, 2013 through October 11, 2013 for all funds total \$941,455.59. 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

RESOLUTION NO. 8432

A RESOLUTION APPROVING THE PROPOSED  
2014 THROUGH 2018  
CAPITAL IMPROVEMENT PLAN

WHEREAS, the proposed Capital Improvement Plan has been presented for the five-year period from 2014 through 2018; and

WHEREAS, the Plan Commission has reviewed the proposed Plan; and

WHEREAS, the City Council has reviewed the five-year Capital Improvement Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fond du Lac that the proposed 2014-2018 Capital Improvement Plan as proposed is hereby approved.

ADOPTED:

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Samuel Meyer, President  
Fond du Lac City Council

Attest:

City Attorney:

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Margaret Hefter, Deputy City Clerk

Reviewed *DSM*

# PLAN COMMISSION MINUTES

September 16, 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  
Lee Ann Lorrigan  
Jordan Skiff (late arrival)  
Paul Smedberg  
David Washkoviak  
Marilyn Zangl  
Hertha Longo

Absent: Brent Schumacher (excused)  
Stan Ramaker (excused)

Administrative Staff - Joellyn Dahlin, Principal Planner  
Hal Wortman, Director of Admin

Chairman Smedberg declared a quorum present.

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

## PETITIONS AND COMMUNICATIONS

Director of Administration  
Subject: Five Year Capital Improvement Program

(Proposed Action: Recommend approval of Plan to City Council)

Motion made by Commissioner Lorrigan to recommend to the City Council approval of the Five Year Capital Improvement Program.

Seconded by Commissioner Erickson.

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

Nay - None

Carried.

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

RESOLUTION NO. 8433

A RESOLUTION ADOPTING THE 2014  
CITY BUDGET, LEVYING A TAX, AND ESTABLISHING FEES

WHEREAS, on September 25, 2013, the City Council held a public hearing on the 2014 City Budget pursuant to Section 65.90 of the Wisconsin Statutes; and

WHEREAS, the City Council met to deliberate on said budget on October 2, 2013; and

WHEREAS, the City Council adjusted said budget on October 2, 2013 and now wishes to finalize the 2014 City Budget pursuant to State law.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fond du Lac that the 2014 City Budget, as adjusted, which is by reference made a part of this resolution, is hereby adopted.

BE IT FURTHER RESOLVED, that a tax of \$21,501,692 is hereby levied upon all taxable property within the City of Fond du Lac as returned by the Assessor in the year 2013 for the uses and purposes as set forth in said budget, and that all taxing officers of the City are hereby authorized and directed to spread the tax upon the current tax roll of the City of Fond du Lac.

BE IT FURTHER RESOLVED, that the revenues of the Special Revenues Funds are committed for the specific purposes for which the individual Special Revenue Funds are established.

BE IT FURTHER RESOLVED, that the proposed fee schedules set forth on Exhibits A through L in said budget are hereby adopted and that said fees shall be effective commencing on January 1, 2014.

ADOPTED:

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Samuel Meyer, President  
Fond du Lac City Council

Attest:

City Attorney:

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Margaret Hefter, Deputy City Clerk

Reviewed DS/A

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

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**Department of Administration**

**To:** City Council  
**From:** Hal Wortman, Director of Administration  
**Date:** October 3, 2013  
**Subject:** City Council Changes to 2014 Budget

Attached is a revised 2014 Budget Summary which incorporates the changes made by the City Council to the 2014 Budget at the October 2, 2013 Committee of the Whole Budget meeting. The changes made by the City Council at the Committee of the Whole meeting are as follows:

## **Increase Library funding by \$41,000**

The effect of this change is to increase the City's support for the operations of the Library by \$41,000 to \$1,709,139. In addition to increasing the City's expenditure payment to the Library Board, the portion of the City's property tax levy for Library purposes also increased by \$41,000, the General Fund portion of the property tax levy decreased by \$41,000, and the use of general fund balance increased by \$41,000. The total property tax levy is unchanged at \$21,501,692.

## **Add funding for maintenance of downtown planters of \$3,750**

The effect of this change is to add \$3,750 to the Parks Department budget to fund the maintenance of approximately 15 downtown planters at an estimated annual cost of \$250 per planter. The funding source for the additional expenditure is an increase in the use of general fund balance of \$3,750.

As a result of the above changes, the total use of general fund balance has been increased from \$588,184 to \$634,934.

The resolution presented to the City Council for adoption of the 2014 Budget on October 23, 2013 incorporates these changes.

**CITY OF FOND DU LAC  
2014 BUDGET SUMMARY**

The 2014 **GENERAL FUND BUDGET** is as follows:

**REVENUES AND OTHER FINANCING SOURCES:**

	2013 Budget	2014 Budget	Percent Change
Taxes (other than property taxes)	\$1,812,005	\$1,959,346	
Special Assessment Payments	185,600	375,000	
Licenses and Permits	1,242,245	1,307,497	
Intergovernmental Revenues	9,111,403	9,159,902	
Public Charges for Services	1,908,767	2,080,217	
Fines, Forfeits and Penalties	480,000	365,000	
Interest and Rent	219,438	219,438	
Miscellaneous Revenues	71,025	81,525	
Total Revenues Excluding Property Taxes	\$15,030,483	\$15,547,925	
General Property Taxes	13,957,516	13,896,938	
Transfers from Other Funds	23,880	28,846	
Fund Balance Applied	915,770	632,934	
<b>TOTAL REVENUES, OTHER FINANCING SOURCES AND FUND BALANCE APPLIED</b>	<b>\$29,927,649</b>	<b>\$30,106,643</b>	<b>0.6%</b>

**EXPENDITURES AND OTHER FINANCING USES:**

General Government	\$2,664,113	\$2,932,929	
Public Safety	17,948,402	17,977,133	
Public Works	5,956,995	5,923,763	
Parks, Culture & Recreation	1,928,894	1,830,318	
Community Development	1,181,195	1,259,250	
<b>TOTAL EXPENDITURES</b>	<b>29,679,599</b>	<b>29,923,393</b>	
Transfers to Other Funds	248,050	183,250	
<b>TOTAL EXPENDITURES AND OTHER FINANCING USES</b>	<b>\$29,927,649</b>	<b>\$30,106,643</b>	<b>0.6%</b>

The 2014 **budgets for all funds combined:**

	Fund Balance January 1	Total Revenues	Total Expenditures	Fund Balance December 31
General Fund	\$ 5,367,412	\$29,473,709	\$30,106,643	\$ 4,734,478
Special Revenue Funds	1,571,383	7,815,722	8,124,006	1,263,099
Debt Service Fund	(8,166)	5,836,558	5,828,392	-
Capital Projects Funds	1,120,000	2,418,200	3,538,200	-
Wastewater Collection and Treatment System	8,149,966	15,770,493	15,328,970	8,591,489
Water Utility	4,213,592	14,647,068	16,525,202	2,335,458
Internal Service Fund-Health Insurance	1,880,802	6,059,108	6,254,508	1,685,402
Internal Service Fund-ITS	48,598	1,440,171	1,401,839	86,930
Total All Funds	\$ 22,343,587	\$ 83,461,029	\$ 87,107,760	\$ 18,696,856

The **property tax levy** for City purposes is summarized as follows:

	2013 Budget	2014 Budget	Percent Change
General Fund	\$13,957,516	\$13,896,938	
Library Special Revenue Fund	1,668,139	1,709,139	
Residential Solid Waste & Recycling Special Revenue Fund	507,864	507,864	
Transit Special Revenue Fund	221,591	221,591	
Debt Service Fund	4,514,819	5,166,160	
Total City Property Tax Levy	\$20,869,929	\$21,501,692	3.0%

	2013	2014	\$ Change	Percent Change
Equalized Value Property Tax Rate	\$8.219	\$8.478	\$0.259	3.2%

The City's outstanding debt at December 31, 2013 is projected to be:

General Obligation Notes and Bonds	\$78,205,000
Utility Revenue Bonds	100,408,839
Total Debt	\$178,613,839

**CITY OF FOND DU LAC - 2014 BUDGET  
LIBRARY**

**Appropriation Summary**

<b>DESCRIPTION</b>	<b>2012 ACTUAL</b>	<b>2013 ADOPTED BUDGET</b>	<b>2013 AMENDED BUDGET</b>	<b>2013 7 MONTHS ACTUAL</b>	<b>2013 ESTIMATED ACTUAL</b>	<b>2014 PROPOSED BUDGET</b>
<b>EXPENDITURES</b>						
Personal Services	0	0	0	0	0	0
Contractual Services	1,718,139	1,668,139	1,668,139	1,208,032	1,668,139	1,709,139
Materials & Supplies	0	0	0	0	0	0
Utilities	0	0	0	0	0	0
Other	0	0	0	0	0	0
Operating Transfers Out	0	0	0	0	0	0
<b>TOTAL EXPENDITURES</b>	<b>1,718,139</b>	<b>1,668,139</b>	<b>1,668,139</b>	<b>1,208,032</b>	<b>1,668,139</b>	<b>1,709,139</b>
<b>LESS DEDICATED REVENUES:</b>						
Tax Levy Support	1,718,139	1,668,139	1,668,139	1,208,032	1,668,139	1,709,139
Intergovernmental Revenues	0	0	0	0	0	0
Public Charges for Services	0	0	0	0	0	0
Fines & Rentals	0	0	0	0	0	0
Miscellaneous Revenues	0	0	0	0	0	0
<b>TOTAL DEDICATED REVENUES</b>	<b>1,718,139</b>	<b>1,668,139</b>	<b>1,668,139</b>	<b>1,208,032</b>	<b>1,668,139</b>	<b>1,709,139</b>
<b>INCREASE (DECREASE) IN FUND BALANCE</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**Purpose And Activities**

To account for the City contribution towards the operations of the Fond du Lac Public Library.

State Statutes give authority for the supervision and administration of the public library to the library board. The library board has exclusive control over all monies appropriated for library purposes, including the authority to set library staffing levels and employee compensation

**Budget Comments**

Tax levy increased by \$41,000 to cover 2% inflation adjustment to wage scales and avoid furlough days.

**CITY OF FOND DU LAC - 2014 BUDGET  
PARKS**

**Appropriation Summary**

DESCRIPTION	2012 ACTUAL	2013 ADOPTED BUDGET	2013 AMENDED BUDGET	2013 7 MONTHS ACTUAL	2013 ESTIMATED ACTUAL	2014 PROPOSED BUDGET
<b>EXPENDITURES</b>						
Personal Services	972,489	1,018,323	1,018,323	514,385	984,644	971,876
Contractual Services	84,159	100,285	100,476	62,187	99,487	109,384
Materials & Supplies	177,167	178,000	178,000	103,186	178,000	177,175
Utilities	65,885	66,200	66,200	25,165	66,200	63,200
Expense Transfers	(53,930)	(70,460)	(70,460)	(33,255)	(70,460)	(64,230)
<b>TOTAL EXPEDITURES</b>	<b>1,245,770</b>	<b>1,349,848</b>	<b>1,350,039</b>	<b>679,346</b>	<b>1,315,371</b>	<b>1,257,405</b>
<b>LESS DEDICATED REVENUES:</b>						
Public Charges for Services	39,787	38,500	38,500	24,092	38,500	40,500
Interest & Rent	2,350	3,000	3,000	1,350	3,000	3,000
Miscellaneous Revenues	6,198	600	600	0	600	600
<b>TOTAL DEDICATED REVENUES</b>	<b>48,335</b>	<b>42,100</b>	<b>42,100</b>	<b>25,442</b>	<b>42,100</b>	<b>44,100</b>
<b>GENERAL CITY FUNDING SOURCES</b>	<b>1,197,435</b>	<b>1,307,748</b>	<b>1,307,939</b>	<b>653,904</b>	<b>1,273,271</b>	<b>1,213,305</b>

**Purpose And Activities**

The Parks division provides an aesthetically pleasing park and open space program through planning, construction and effective maintenance.

Activities include park grounds sanitation, maintenance of restroom facilities, buildings, and shelters. Planting and maintaining flower beds, turf care, shrub and tree care. Repair of playground equipment, benches, tables and grills. Marina and concessions contracts, administration and supervision. Swimming pool preparation and maintenance. Cooperation and assistance with Walleye Weekend and Labor Day festivities. Contracting, assisting and supervision the 4th of July fireworks display.

**Budget Comments**

Budget includes \$3,750 to maintain approximately 15 Main Street planters at an estimated cost of \$250 each.

RESOLUTION NO. 8434

A RESOLUTION ADOPTING THE 2014  
FOND DU LAC AREA TRANSIT BUDGETS

**WHEREAS**, on September 25, 2013, the City Council held a public hearing on the 2014 City Budget pursuant to Section 65.90 and 85.20 of the Wisconsin Statutes, the rules of the Wisconsin Department of Transportation, and the Federal Transit Administration; and

**WHEREAS**, the City Council met to deliberate on said budgets on October 2, 2013; and

**WHEREAS**, the Federal Transportation Administration has been delegated authority to award Federal financial assistance for a transportation project;

**WHEREAS**, the grant or cooperative agreement for Federal Financial assistance will impose certain obligations upon the applicant, and may require the Applicant to provide the local share of the project cost;

**WHEREAS**, the Applicant has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Fond du Lac, Wisconsin that the 2014 Operating Budget of the Fond du Lac Area Transit in the amount of \$1,680,599 and the 2014 Capital Budget in the amount of \$72,500, with the local share of \$14,500 for one replacement Handi-Van, are hereby adopted and the appropriate state and federal operating and capital applications shall be filed with the Department of Transportation.

**BE IT FURTHER RESOLVED**, that the Fond du Lac Area Transit Manager or his/her designee is authorized to execute and file application for Federal Assistance authorized by 49 U.S.C. chapter 53, title 23, United States Code or other Federal statutes authorizing a project administered by the Federal Transit Administration.

**BE IT FURTHER RESOLVED,** that the Director of Administration is authorized to execute and file with such applications all assurances or any other documents required by the United States Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964 and other legally mandated requirements of the United States Department of Transportation.

**BE IT FURTHER RESOLVED,** that the Fond du Lac Area Transit Manager is authorized to furnish such additional information as the United States Department of Transportation may require in connection with the application for the program of projects.

**BE IT FURTHER RESOLVED,** that the City Manager is authorized to execute grant agreements on behalf of the City of Fond du Lac with the United States Department of Transportation for aid in the financing of the capital and operating assistance program of projects.

**ADOPTED:**

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Samuel Meyer, President  
Fond du Lac City Council

Attest:

City Attorney:

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Margaret Hefter, Deputy City Clerk

Reviewed

*ASRM*

CITY OF FOND DU LAC, WISCONSIN

RESOLUTION NO. 8435

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**RESOLUTION PRELIMINARILY DETERMINING  
PROJECT SITE TO BE BLIGHTED AND  
DECLARING INTENT REGARDING  
THE ISSUANCE OF REVENUE BONDS BY THE  
REDEVELOPMENT AUTHORITY  
TO FINANCE  
SCHMIDT CAPITAL INVESTMENTS, LLC PROJECT**

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WHEREAS, the Redevelopment Authority of the City of Fond du Lac, Wisconsin (the "Authority") is a Redevelopment Authority organized by the City of Fond du Lac, Wisconsin (the "City") and is authorized by Section 66.1333 of the Wisconsin Statutes, as amended (the "Act") to prepare redevelopment plans and urban renewal plans and undertake and carry out redevelopment and urban renewal projects within the corporate limits of the City, including but not limited to:

- (a) to acquire property necessary or incidental to an urban renewal program and to lease, sell or otherwise transfer such property to a public body or private party for use in accordance with a redevelopment plan and to assist private acquisition, expansion, improvement and development of blighted property for the purpose of eliminating its status as blighted property;
- (b) to enter into contracts determined to be necessary to effectuate the purposes of the Act; and
- (c) to issue revenue bonds to finance its activities; and

WHEREAS, the City and the Authority have been provided with a blight report (the "Blight Report"), attached hereto as Exhibit A, with respect to a project site located at 100 West Larsen Drive in the City of Fond du Lac, Wisconsin (the "Property") owned by Schmidt Capital Investments, LLC, a Wisconsin limited liability company (the "Borrower"); and

WHEREAS, the Borrower desires to finance a project on the Property consisting of the (i) purchase of land, (ii) acquisition and rehabilitation of an existing approximately 21,000 square foot facility located at 100 West Larsen Drive in the City of Fond du Lac, Wisconsin (the "Existing Facility"), (iii) construction of an approximately 11,000 square foot addition to the Existing Facility (the "Addition" and together with the Existing Facility, the "Facility"), which Facility will be owned by the Borrower and leased to Marchant-Schmidt, Inc., a Wisconsin corporation, to manufacture stainless steel equipment for the food and dairy industries, (iv) acquisition and installation of equipment at the Facility and (v) payment of certain professional costs and costs of issuance (collectively, the "Project"); and

WHEREAS, the Authority has made a preliminary determination that the Property is a blighted property in need of rehabilitation and blight elimination in accordance with Section 66.1333 of the Wisconsin Statutes; and

WHEREAS, the Authority will hold a public hearing in accordance with Section 66.1333(5)(c)(2) on November 19, 2013 to determine if the Property is blighted and will submit its findings to the City Council; and

WHEREAS, the Authority has also adopted an initial resolution (the "Initial Resolution") declaring its intent to issue redevelopment revenue bonds (the "Bonds") to finance the Project, subject to satisfaction of certain conditions; and

WHEREAS, because the Bonds cannot be issued unless the City Council of the City makes a determination that the Property is blighted and approves the Project, this City Council has been asked to make a preliminary determination as to the status of the Property as blighted property and the issuance of the Bonds by the Authority.

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

1. Findings and Determinations. Based on the information provided in the Blight Report, it is preliminarily determined that conditions of blight exist on the Property and that the Project will promote the elimination of the blighted conditions on the Property.

Subject to satisfaction of the conditions on the issuance of the Bonds set forth in Sections 2 and 3 of the Authority's Initial Resolution, the City Council supports the issuance of Bonds by the Authority to finance the Project.

2. Effective Date: Conformity. This resolution shall be effective immediately upon its passage and approval. To the extent that any prior resolutions of the City are inconsistent with the provisions hereof, this resolution shall control and such prior resolutions shall be deemed amended to such extent as may be necessary to bring them in conformity with this resolution.

ADOPTED: October 23, 2013

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Samuel Meyer, President  
Fond du Lac City Council

Attest:

City Attorney:

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Margaret Hefter, Deputy City Clerk

Reviewed: DSRU

CERTIFICATION BY CITY CLERK

I, Sue L. Strands, hereby certify that I am the duly qualified and acting City Clerk of the City of Fond du Lac, Wisconsin (the "City"), and as such I have in my possession, or have access to, the complete corporate records of the City and of its governing body; that I have carefully compared the transcript attached hereto with the aforesaid records; and that said transcript attached hereto is a true, correct and complete copy of all the records in relation to the adoption of Resolution No. \_\_\_\_\_ entitled: "RESOLUTION PRELIMINARILY DETERMINING PROJECT SITE TO BE BLIGHTED AND DECLARING INTENT REGARDING THE ISSUANCE OF REVENUE BONDS BY THE REDEVELOPMENT AUTHORITY TO FINANCE SCHMIDT CAPITAL INVESTMENTS, LLC PROJECT."

I hereby further certify as follows:

1. Said Resolution was considered for adoption by the City Council at a meeting held at City Hall, 160 South Macy Street, Fond du Lac, Wisconsin, at \_\_\_\_\_ p.m. on October 23, 2013. Said meeting was a regular meeting of the City Council and was held in open session.

2. Said Resolution was on the agenda for said meeting and public notice thereof was given not less than twenty-four (24) hours prior to the commencement of said meeting in compliance with Section 19.84 of the Wisconsin Statutes, including, without limitation, by posting on the bulletin board in the City Hall, by notice to those news media who have filed a written request for notice of meetings, and by notice to the official newspaper of the City.

3. Said meeting was called to order by \_\_\_\_\_, who chaired the meeting. Upon roll, I noted and recorded that the following alderpersons were present:

_____	_____
_____	_____
_____	_____
_____	_____

and that the following alderpersons were absent:

_____	_____
_____	_____

I noted and recorded that a quorum was present. Various matters and business were taken up during the course of the meeting without intervention of any closed session. One of the matters taken up was said Resolution, which was introduced, and its adoption was moved by \_\_\_\_\_ and seconded by \_\_\_\_\_. Following discussion and after all alderpersons who desired to do so had expressed their views for or against said Resolution, the question was called, and upon roll being called and the continued presence of a quorum being noted, the recorded vote was as follows:

AYE:

_____	_____
_____	_____
_____	_____
_____	_____

NAY:

_____	_____
_____	_____

ABSTAINED:

_____	_____
_____	_____

Whereupon the meeting chairperson declared said Resolution adopted, and I so recorded it.

IN WITNESS WHEREOF, I have signed my name hereto on this 23<sup>rd</sup> day of October, 2013.

**CITY OF FOND DU LAC, WISCONSIN**

[SEAL]

By: \_\_\_\_\_  
Margaret Hefter, Deputy City Clerk

## EXHIBIT A

### **BLIGHT REPORT OF PROPERTY LOCATED AT 100 West LARSEN DRIVE IN THE CITY OF FOND DU LAC (the "Project Site") (Schmidt Capital Investments, LLC Property)**

#### Statutory Definitions of "Blight"

Section 66.1333(2m)(bm) of the Wisconsin Statutes provides a definition of "blight" and cites certain examples of conditions of blight. Both the broad statutory definition and the blight finding which have been made by municipalities throughout the State are much broader than the classic dictionary definition of blight. Essentially the Statute provides three (3) separate routes to identify blight:

1. Property which by reason of dilapidation, deterioration, age or obsolescence, inadequate provisions of ventilation, light, air or sanitation, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime, and is detrimental to the public health, safety, morals or welfare; or

2. Property which by reason of faulty lot layout in relation to size, adequacy, accessibility of usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair market value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of a village, retards the provisions of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use; or

3. Property which is predominantly open and which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements or otherwise, substantially impairs or arrests the sound growth of the community.

#### Narrative Description of Blight Conditions at the Property

Schmidt Capital Investments, LLC represents that the following conditions of blight currently exist and will be corrected with completion of the Project to be financed with the proceeds of conduit Bonds:

#### CONDITIONS OF BLIGHT

The Project Site suffers from significant challenges that impaired efficient and economic development of the site, including but not limited to:

- The property has been listed for sale and underutilized for more than ten years.
- The facility has deteriorated due to underutilization and is in need of substantial rehabilitation.

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

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## **Department of Community Development**

**Date:** October 16, 2013

**To:** Joe Moore, City Manager

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

**Re:** Schmidt Capital Investments Resolution

The City Council will be asked to consider a resolution regarding an Industrial Revenue Bond (IRB) and declaration of blight for Schmidt Capital Investments (Marchant-Schmidt) located in the Southwest Industrial Park. This resolution is one of the steps required in the process of issuing an IRB through the City Redevelopment Authority. If the IRB is utilized to benefit a blighted property, the bond becomes “double tax exempt”, meaning that it is exempt from both federal and state taxes. This results in a bond which is more desirable to investors, and thus results in a lower interest rate and a better financing arrangement for Marchant-Schmidt.

Schmidt Capital Investments is purchasing the property next door (see map) to facilitate yet another expansion of their business. The property qualifies as blighted in the sense that the building has been unused or under-utilized for years. It was built for a specialized use and has been difficult to re-use because of this. This also increases the cost of the expansion and adds to the extent that the property qualifies as blighted for the purposes of issuing the IRB.

This is only one in a series of actions required to issue the IRB. The Redevelopment Authority has approved an initial resolution and will consider the matter again in November, before it returns to the Council for final action.

An IRB is an economic development tool authorized by federal and state law that allows the company to finance the project at below market interest rates. While the IRB would be issued in the name of the City of Fond du Lac, it would not represent a liability to the City and would not count against the City’s debt. The City of Fond du Lac would not be responsible for this IRB and would not be required to pay it back. There would be no cost to the City.

I recommend approval of the resolution. Should you or members of Council have any questions about this matter, please contact me. Thank you.

REVENUE BOND – SCHMIDT CAPITAL INVESTMENTS LLC  
100 W LARSEN DRIVE



PROPERTY

