

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

November 26, 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
- 2. PLEDGE OF ALLEGIANCE AND REFLECTION**
 - A. Pledge of Allegiance
 - B. A Moment of Silence
- 3. COUNCIL PRESIDENT PRESENTATIONS**
- 4. PUBLIC HEARINGS**

CONSENT AGENDA

5. CONSENT AGENDA

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

A. APPROVAL OF MINUTES

November 13, 2013 Regular City Council Meeting

B. REPORTS OF OFFICERS

C. RESOLUTIONS

REGULAR AGENDA

6. AUDIENCE COMMENTS

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

7. PUBLIC COMMENT

8. ORAL PRESENTATIONS

9. REPORTS OF OFFICERS

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

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

- B. Director Of Public Works
Subject: 2000 Wastewater Agreement Between City Of Fond du Lac And
Outlying Sewer Group

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

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

Entity: Fond du Lac Festivals Inc.
Event: Walleye Weekend
Location: Lakeside Park
Date: June 6 - 8, 2014

(Proposed Action: **Approve With Sales Ending At 10:00pm On
Friday And Saturday**)

- D. City Engineer, Dated November 8, 2013
Subject: Conveyance Of Land .34-Acres Located At 45 South National
Avenue

(Plan Commission Recommendation: **Approve**)

(Proposed Action: **Approve**)

10. REPORTS OF COMMITTEES

11. PETITIONS OR COMMUNICATIONS

12. RESOLUTIONS

A. Introduction City Manager

Resolution No. 8438

Subject: A Resolution Confirming Appointments To Various
Boards And Commissions

(Effect: Confirm Appointments To Downtown Fond du Lac Partnership,
Equal Opportunity Commission, And Alcohol License Committee)

(Initiator: City Manager)

B. Introduction Community Development Director

Resolution No. 8439

Subject: A Resolution Designating Spot Blight Of Project Site Located
At 100 West Larsen Drive

(Effect: Approve Resolution Determining Project Site To Be Blighted
At 100 West Larsen Drive Schmidt Capital Investments, LLC
Project)

(Initiator: Community Development Director)

C. Introduction Assistant City Attorney

Resolution No. 8440

Subject: A Resolution Approving And Authorizing The Execution Of The
Working Conditions Agreement With Fond du Lac Professional
Police Association Local 12

(Effect: Approve And Authorize The Execution Of The Working
Conditions Agreement With Fond du Lac Professional Police
Association Local 12)

(Initiator: Assistant City Attorney)

D. Introduction Assistant City Attorney

Resolution No. 8441

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

(Effect: Approve The Working Conditions Agreement With The
International Association Of Firefighters Local 400)

(Initiator: City Attorney/Human Resources 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

Nov. 26, 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

CITY COUNCIL MEETING MINUTES CITY OF FOND DU LAC, WISCONSIN

November 13, 2013
6:00 P.M.

Legislative Chambers
City-County Government Center

160 South Macy Street
Fond du Lac, Wisconsin

REGULAR AGENDA

CALL TO ORDER

ROLL CALL: Present - 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
Deb Hoffmann, City Attorney
Jordan Skiff, Dir of Public Works
Paul De Vries, City Engineer
Jon Mark Bolthouse, Library Dir
Bill Lamb, Chief of Police
Steve Klein, Asst. Police Chief of
Operations
Steve Thiry, Asst. Police Chief of
Administration
Peter O'Leary, Fire Chief

Others in Attendance: - Craig Molitor, President of the
FDL Convention & Visitors Bureau

Council President Meyer declared a quorum present.

PLEDGE OF ALLEGIANCE AND REFLECTION

Pledge of Allegiance was recited.

A moment of silence was observed.

CITY COUNCIL MINUTES

November 13, 2013

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COUNCIL PRESIDENT PRESENTATIONS

City Council President Meyer presented a proclamation to Joe Colwin, Dawn Colwin, Nici Colwin, Sandra Colwin, Ayda Colwin, Thaden Colwin, Cassie Morasch, Kevin Morasch, Ben Colwin and Bill Lamb, Chief of Police for their support of the Police Department.

City Council President Meyer presented a proclamation to Tracy Mathweg, Julie Balson, Sara Cujak and Danielle Domenosky, declaring November 30, 2013 as Small Business Saturday.

CONSENT AGENDA

CONSENT AGENDA

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

APPROVAL OF MINUTES

October 23, 2013 Committee Of The Whole Meeting

October 23, 2013 Regular City Council Meeting

October 23, 2013 Closed Session

Motion made by Councilperson Miller to **approve** the Consent Agenda.

Seconded by Councilperson Foster.

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

Carried.

REGULAR AGENDA

AUDIENCE COMMENTS

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

Spoke in Support of Resolution No. 8436:

Resident:

Ron Schmitz, 585 Ashbury Dr., Fond du Lac

CITY COUNCIL MINUTES

November 13, 2013

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PUBLIC COMMENT

The Presiding Officer shall read the Citizen Comment Sheet out loud.

Citizens Names: Charles Mauch
Citizens Address: 163 E McWilliams St., Fond du Lac

Expressed his disappointment with how the City of Fond du Lac billing is done for the water bills. Jordan Skiff, Director of Public Works will follow up on this matter.

REPORTS OF OFFICERS

Deputy Comptroller/Treasurer, Dated November 7, 2013
Subject: List Of Claims - Items Paid By The City

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

Motion made by Councilperson Merkel to **receive and file** the List of Claims dated November 7, 2013.

Seconded by Councilperson Lorrigan.

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

Carried.

City Clerk Dated November 7, 2013
Subject: Change of Agent "Class B" Combination License

Limited Liability Co: North Main Hospitality, LLC
Agent Name: Heidi Sonnenberg
Residence Address: 159 ½ 4th Street
Fond du Lac, WI
d/b/a: Retlaw Plaza Hotel
Location: One North Main Street
(Proposed Action: **Approve**)

Motion made by Councilperson Manning to **approve** the Change of Agent "Class B" Combination License d/b/a Retlaw Plaza Hotel, One North Main Street.

Seconded by Councilperson Lorrigan.

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

Carried.

CITY COUNCIL MINUTES

November 13, 2013

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City Clerk Dated November 7, 2013

Subject: Change of Agent "Class B" Combination License

Corporation: Blazin Wings, Inc.
Agent Name: Harley Kromm
Residence Address: 3355 Oregon Street
Oshkosh, WI
d/b/a: Buffalo Wild Wings
Location: 121 N Pioneer Road
(Proposed Action: **Approve**)

Motion made by Councilperson Lorrigan to **approve** the Change of Agent "Class B" Combination License d/b/a Buffalo Wild Wings, 121 N Pioneer Road.
Seconded by Councilperson Miller.
ROLL CALL VOTE: Aye - Miller, Lorrigan, Manning, Meyer, Merkel, Block, Foster
Nay - None
Carried.

RESOLUTIONS

Introduction Community Development Director

Resolution No. 8436

Subject: A Resolution Authorizing Development Agreement To Expand Conference Center

(Effect: Approve Development Agreement With F.D.L. PRO LLC)
(Initiator: Community Development Director)
(File No. 2013-114)

Spoke in Support of Resolution No. 8436:

Resident:

Craig Molitor, President of the Fond du Lac Convention & Visitor's Bureau

Motion made by Councilperson Miller to **approve** Resolution No. 8436.
Seconded by Councilperson Manning.
ROLL CALL VOTE: Aye - Miller, Lorrigan, Manning, Meyer, Merkel, Block, Foster
Nay - None
Carried.

CITY COUNCIL MINUTES

November 13, 2013

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Introduction Community Development Director

Resolution No. 8437

Subject: A Resolution Authorizing Sale Of Land

(Effect: Approve Sale Of Land With Evaporator Dryer
Technologies, Inc.)

(Initiator: Community Development Director)

(File No. 2013-115)

Motion made by Councilperson Manning to **approve**
Resolution No. 8437.

Seconded by Councilperson Merkel.

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

Carried.

ORDINANCES

Introduction City Engineer

Ordinance No. 3533

Subject: An Ordinance Amending Chapter 7, Traffic Code

(Effect: Remove Parking Prohibited At All Times)

(Location: Fourteenth St., South Side, Between S. Marr Street
And S. Park Ave)

Fourteenth St., North Side, From The East Back Of
Walk Of Ellis Street To 40 Feet East)

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

(File No. 2013-116)

Motion made by Councilperson Miller to **approve**
Ordinance No. 3533.

Seconded by Councilperson Foster.

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

Carried.

Introduction City Engineer

Ordinance No. 3534

Subject: An Ordinance Amending Chapter 7, Traffic Code

(Effect: Remove Parking Prohibited At All Times)

(Location: Third St., Both Sides, From A Point 240 Feet East
Of The East Curb Line Of Park Ave., East 260 Feet)

Third St., South Side, From Park Ave., East
Approximately 291 Feet)

CITY OF FOND DU LAC - Memorandum

Department of Administration

Date: November 20, 2013

To: City Council

From: Hal Wortman, Director of Administration



Re: List of Claims

The list of claims for goods and services for the payment periods November 2, 2013 through November 15, 2013 for all funds total \$1,961,058.03. 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

Director of Public Works

Date: November 20, 2013
To: Joe Moore, City Manager
From: Jordan Skiff, Director of Public Works
Re: Outlying Sewer Group Agreement Amendment

At the November 26 City Council meeting, I plan to provide a report about a proposed amendment to our Outlying Sewer Group (OSG) Agreement.

The OSG is a group of 19 sanitary districts, towns and villages which are served by the City's Wastewater Treatment Plant. Every year, they pay for the volume of wastewater they send to the Plant, as well as a proportional share of maintenance and any upgrades. This arrangement was established in a 2000 Agreement involving all parties.

The OSG has discovered a weakness in the current arrangement that they would like to address. Section 6.5 of the Agreement addresses—among other subjects—how costs are allocated for maintenance, repairs and upgrades to Shared Sewers. Section 7.1 addresses the same topics for Regional Interceptors. Both are sewer pipes that serve more than one of the Sanitary Districts in the OSG. The Districts want to make sure that the method used to figure their cost share is fair. They prefer the cost-share method outlined in Section 6.5, and would like to modify Section 7.1.2 to match.

Other than a minor modification in our role in figuring bills for work involving multiple Districts, approving this change will not affect the City. As a signatory on the Agreement, however, our approval of the Amendment is necessary.

Copies of the actual modified language can be provided to anyone who may be interested. Feel free to contact me at 322-3472 if you have any questions in this matter.

CITY OF FOND DU LAC - Memorandum

City Clerk's Office

Date: November 21, 2013

To: City Council

From: Sue L. Strands, City Clerk

Re: Permit to Sell Fermented Malt Beverages on Park Property

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

The following applications are being submitted for your approval:

Entity: Fond du Lac Festivals Inc.
Event: Walleye Weekend
Location: Lakeside Park
Date: June 6 – 8, 2014

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

Thank you.

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

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

10-8-2013

FEE \$ If not filed 15 days prior to event,
a \$25 rush fee will be charged.

Application Date: 8/19/13

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

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

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

at the premises described below during a special event beginning June 6, 2014 and ending June 8, 2014 and agrees to comply with all laws, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

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

- (a) Name Fond du Lac Festivals, Inc.
- (b) Address USO N Main St. Fond du Lac, WI, 54935
(Street) Town Village City
- (c) Date organized
- (d) If corporation, give date of incorporation
- (e) If the named organization is not required to hold a Wisconsin seller's permit pursuant to s. 77.54 (7m), Wis. Stats. check this box.
- (f) Names and addresses of all officers:

President Dean Volmer, USO N Main St, Fond du Lac, WI 54935
 President Sam Mellon, USO N Main St, Fond du Lac, WI 54935
 Vice President Roy Lapierre, USO N Main St, Fond du Lac, WI 54935
 Treasurer Karyn Wierckel, USO N Main St, Fond du Lac, WI 54935
 (g) Name and address of manager or person in charge of affair Leanne Boyle, USO N Main St, Fond du Lac, WI 54935

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

- (a) Street number Lakeside Park - Fond du Lac
- (b) Lot Block
- (c) Do premises occupy all or part of building?
- (d) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms. license is to cover:

3. NAME OF EVENT

- (a) List name of the event Walleye Weekend
- (b) Dates of event June 6-8, 2014

DECLARATION

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

Officer Sam Mellon (Signature/date) Fond du Lac Festivals, Inc. (Name of Organization)
 Officer Roy Lapierre (Signature/date) (Signature/date)
 Date Filed with Clerk Date Reported to Council or Board 11-13-2013

Date Granted by Council License No.
AT-315 (P. 5-11) Wisconsin Department of Revenue

10-9-2013
 LICENSE 4380
 RECPT.# 60053

CITY OF FOND DU LAC

Memorandum

Date: 10-9-2013
To: Chief of Police Attn: Records Division
From: City Clerk
Subject: Temporary Class B License

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

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

CITY OF FOND DU LAC

Memorandum

Date:
To: City Clerk
From: Chief of Police
Subject: Temporary Class B License

I hereby recommend that the application be:

Granted a license PER ATTACHED MEMO
 Denied a license. AGREEMENT

Comments _____

Fond du Lac Police Department
MEMO



To: Leanne Doyle
From: Assistant Chief Steve Klein
RE: *Walleye Weekend Hours*
Date: 11/6/2013

Leanne, per our conversation today this memo outlines the hours of alcohol sales for Walleye Weekend 2014 that were agreed upon today by you and I.

Festival hours will be 8 a.m. to 10:30 p.m. on June 6th and 7th and from 8 a.m. until 6 p.m. on Sunday June 8th.

Hours for the sale of alcohol are as follows: 8 a.m. to 10 p.m. on both Friday June 6 and Saturday June 7th, with the bands ending at 10:15 p.m. and the Festival closing at 10:30 p.m. On Sunday June 8th from 8 a.m. to 6 p.m. at which time the Festival ends.

Thank you for working with us to ensure a safe and enjoyable environment for all those attending Walleye Weekend. We look forward to a great 2014 Walleye Weekend Festival.


Festival Director/Date
11/8/2013


Police Official/Date
11/08/13

City of Fond du Lac

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

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

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

PART A: APPLICATION	
PARK & SPECIFIC LOCATION:	<i>Lakeside Park</i>
NAME OF APPLICANT:	<i>Wallup Weekend</i>
ORGANIZATION REPRESENTED:	<i>Fond du Lac Festivals, Inc.</i>
TYPE OF EVENT PLANNED:	<i>Outdoor Festival</i>
DATE(S) OF EVENT:	<i>June - 6-8, 2014</i>
SALE OF ALCOHOL ALLOWED ONLY DURING THESE HOURS:	<i>8am-10p.m.</i>
SIGNATURE OF APPLICANT:	<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="font-size: 2em;"><i>[Signature]</i></div> <div>DATE: <i>10-8-13</i></div> </div>

PART B: PAYMENT & APPROVAL	
\$100 DEPOSIT RECEIVED BY: <i>[Signature]</i>	10-8-2013 DATE:
APPROVED BY POLICE CHIEF:	DATE:
APPROVED BY CITY COUNCIL:	DATE:
NOTE: PLEASE KEEP ALL COPIES TOGETHER AND RETURN TO PARK OFFICE AFTER ALL APPROVAL STEPS ARE COMPLETE.	

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

WHITE--PARK

YELLOW--PERMITTEE

PINK--SEC/DEP BOOK

GOLD--COMPTROLLERS

plan commission memorandum

Date: November 8, 2013
To: Plan Commission
From: Paul De Vries, City Engineer
RE: Land Conveyance to Marian University

This land conveyance resolution is initiated by Paul De Vries, City Engineer, as a result of a cooperative effort between City staff and Marian College. The City currently owns by fee title, a 24' wide strip of land that bisects the Marian University property at 45 S. National Avenue. Marian University would benefit from having contiguous land for their campus and gives them additional flexibility in developing a Master Plan to meet future campus needs. It also gives them the ability to regulate the use of the land for students and staff.

The City would retain an easement for the existing storm sewer running through this land. The sidewalk will also be covered in an easement to the Fond du Lac School District for a student walkway.

Recommendation

Engineering and Community Development Department suggest a motion to recommend to the City Council approval of a resolution for the conveyance of land as proposed.



DIVISION STREET

NATIONAL AVENUE

MARIAN
UNIVERSITY
CAMPUS

LAND CONVEYANCE TO MARIAN UNIVERSITY.
APPROXIMATELY 610 FEET BY 24 FEET WIDE.

MORNINGSIDE DRIVE

MARIAN
UNIVERSITY
CAMPUS

WOODWORTH
MIDDLE
SCHOOL

SECOND STREET

Mc Dermott Creek

[RETYPE ONTO MARIAN UNIVERSITY LETTERHEAD]

[Date]

City of Fond du Lac
Attn: Director of Public Works
160 S. Macy Street
Fond du Lac, WI 54935

Re: Responsibility for Street Lights on Marian's Campus

Dear Sirs:

The City of Fond du Lac conveyed by Warranty Deed to Marian University, Inc. a parcel of real estate, which generally encompasses the East-West sidewalk running through Marian's main campus. In conjunction with this transaction, Marian granted back to the City an easement so that the City could maintain, operate, repair, inspect and replace the City's storm water facilities that are located within the easement area.

The property conveyed by the City to Marian includes various street lights. The purpose of this letter is to ratify and confirm that Marian assumes all legal and financial responsibility relating to the street lights, including the payment of relevant utility bills. Furthermore, Marian indemnifies, holds harmless and defends the City against any claims arising out of or relating to the street lights, unless the claim is attributable solely to the City's negligence.

Marian thanks the City for its cooperation in completing the transactions described in this letter.

Sincerely,

MARIAN UNIVERSITY, INC.

Robert A. Fale, Interim President

cc: John A. St. Peter, Marian Counsel
Deborah S.R. Hoffmann, City Counsel

PLAN COMMISSION MINUTES

November 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: Lee Ann Lorrigan
Jordan Skiff
Paul Smedberg
David Washkoviak
Marilyn Zangl

Absent: Dave Erickson (excused)
Brent Schumacher (excused)
Stan Ramaker (excused)
Hertha Longo (excused)

Administrative Staff - Joellyn Dahlin, Principal Planner

Chairman Smedberg declared a quorum present.

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

REPORTS OF OFFICERS

Initiator: City Engineer
Subject: Conveyance of land (.34-acres)
Location: 45 South National Avenue

Motion made by Commissioner Zangl to recommend to the City Council approval of a resolution for the conveyance of land as proposed.

Seconded by Commissioner Lorrigan.

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

Carried.

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

RESOLUTION NO. 8438

**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>Downtown Fond du Lac Partnership</u>	<u>Beginning</u>	<u>Ending</u>
Nicole D Wiese	1/01/2014	12/31/2016
Mitchell Kahl (Reappointment)	1/01/2014	12/31/2016
Louie Lange III (Reappointment)	1/01/2014	12/31/2016
Dave Buechel (Reappointment)	1/01/2014	12/31/2016
<u>Equal Opportunity Commission</u>		
Karyn Merkel	11/27/2013	4/30/2016
<u>Alcohol License Committee</u>		
Ray Lapierre (Reappointment)	1/01/2014	12/31/2016
Tyler John Vorpapel (Alternate)	1/01/2014	12/31/2014
Kerry Ann Strupp (Reappointment)	1/01/2014	12/31/2016

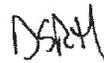
ADOPTED :

Samuel Meyer, President
Fond du Lac City Council

Attest:

City Attorney:

Sue Strands, City Clerk

Reviewed 

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

Downtown Fond du Lac Partnership (BID) Board

10/16/2013

Name of Board, Commission or Committee

Date

Nicole D. Wiese

Full Name

[REDACTED]

Address

Vice President - Marketing/Business Development

Occupation

National Exchange Bank & Trust

Employer

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

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

Are you currently a resident of Fond du Lac? Yes No No. of Years: 16 years

Education: UW-Oshkosh BA / PR & Advertising - UW-Oshkosh MBA

List potential conflicts of interest: _____

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
		FDL Family YMCA (current)	5
		FDL Area United Way	10
		Peace Lutheran Church Rosendale Church Council	3

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

Senior Management at National Exchange Bank & Trust, which is located in the BID, asked if I would be willing to serve on board as the bank's designee if the opportunity arose. I accepted the offer happily. My involvement in the city of Fond du Lac spans my entire career. I not only have worked for two organization located on Main Street but also volunteered for organizations with the health of our community at the heart of their missions. My only other board commitment at this time is with the FDL YMCA and my employer fully supports me in these endeavors. I believe my current and previous fellow board members would describe me as objective, dedicated and expressive.

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

Participating in the process of developing our downtown into a destination for businesses, community members and visitors including analyzing and executing decisions that are in the best interest of both existing stakeholders and the potential businesses who will fill the vacancies in years to come.

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**

DFP 10-24-13
Name of Board, Commission or Committee Date

Mitchell R. Kahl [REDACTED]
Full Name Address

President Jackson Kahl Insurance Jackson Kahl Insurance Services, LLC
Occupation Employer

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

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

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

Education: _____

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
<u>Parking Advisory</u>	<u>3</u>	<u>Immanuel Trinity</u>	<u>8</u>
<u>DFP</u>	<u>3</u>	<u>HBA of FDL & Dodge County</u>	<u>12</u>

I have read the information sheet outlining the desired qualifications for this board. My background and interests meet these desired qualifications as follows:
I own the property located at 39 South Main. I own the Jackson Kahl Insurance Services, LLC which has grown to 52 employees from 23 over the last 4 years while being located downtown. I am donating office space to the DFP for a 2 year period.

If selected, I would like to work towards bettering the community through my service in the following ways:
By providing and advertising opportunities within the DFP like increased funding and financing options, marketing and advertising partnerships and business networking.

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**

DFP

November 8, 2013

Name of Board, Commission or Committee

Date

Louie A Lange III

Full Name

Address

Real Estate Developer/Contractor

Occupation

The Commonwealth Companies

Employer

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

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

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

Education: BSBA Marquette University; MBA University of Notre Dame

List potential conflicts of interest: _____

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
DFP	3	LHHS	2
FCEDC	<1		

I have read the information sheet outlining the desired qualifications for this board. My background and interests meet these desired qualifications as follows:
 My education and experience as a developer and contractor provide a solid and unique basis for insight into the redevelopment of property and districts.

If selected, I would like to work towards bettering the community through my service in the following ways:
 Focus the DFP's resources on the redevelopment of property in the downtown and eliminate redundant efforts done by other organizations that include the downtown in their area of operation.

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**

Downtown Fond du Lac Partnership (BID) 11/15/13
Name of Board, Commission or Committee Date

DAVID PAUL BUEHNER [REDACTED]
Full Name Address

CO-OWNER VICE PRESIDENT RAY E. WOOD INC
Occupation Employer

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

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

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

Education: ASSOCIATE DEGREE - ACCOUNTING

List potential conflicts of interest: _____

List City boards, commissions or committees on which you have served:	Y/N	List other civic, church or club committees on which you have served:	Y/N
<u>DEP BOARD</u>		<u>CHURCH COUNCIL</u>	<u>Y</u>
<u>EVENTS COMMITTEE</u>		<u>HOLY FAMILY BAPTIST CHURCH</u>	<u>Y</u>

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

I AM A PROPERTY OWNER AND BUSINESS OWNER DOWNTOWN SO THE SUCCESS OF DOWNTOWN IS CAREFUL FOR ME.

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

IMPROVE THE APPEARANCE OF DOWNTOWN (GETTING MORE PROPERTY OWNERS INVOLVED IN DOWNTOWN, WORK TO FILL STAKE PLANTS WITH GOOD BEHAVIORING TENANTS)

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**

Equal Opportunity Commission November 1, 2013
 Name of Board, Commission or Committee Date

Karyn Merkel [REDACTED]
 Full Name Address

Billing Manager Charter
 Occupation Employer

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

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

Are you currently a resident of Fond du Lac? Yes No No. of Years: 10

Education: UW Whitewater

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
Please see attached		Please see attached	

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 proud resident of Fond du Lac who has a sincere interest in assuring the city continues to be a great place to live and work. I have excellent problem solving ability, can make objective decisions and have good judgment and an open mind.

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

- Increase tourism so that our area is perceived as a destination, Continue to develop a vibrant downtown area
- Maintain Fond du Lac's reputation as a safe place to live, work and raise a family, encourage both new businesses to develop in the area and existing businesses to stay and grow

Please note: By filing this application with the City of Fond du Lac, applicant acknowledges that

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

Name of Board, Commission or Committee
ALCOHOL LICENSING COMMITTEE

Date 3/19/12

Full Name Ray Lapierre

Address [REDACTED]

Occupation Consultant
Self Employed

Employer N/A

18 Years of Age or Older? Yes Home Phone [REDACTED] Business Phone _____

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

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

Education: Masters Degree

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
N/A		Seniors & Law Enforcement Together Board Chairman	4
		Fond du Lac Festivals, Inc	2
		Board Secretary	

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, I have the time and have worked on many non-profit and civic boards over a long career and I respect te opinion of others..

If selected, I would like to work towards bettering the community through my service in the following ways:
Insure that residents have the comfort of knowing that establishments that serve liquor are in compliance with governing codes.

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**

Alcohol Licensing Committee June 24, 2013
Name of Board, Commission or Committee Date

Tyler John Vorpagel [REDACTED]
Full Name Address

Congressional Aide Congressman Tom Petri
Occupation Employer

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

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

Are you currently a resident of Fond du Lac? Yes No No. of Years: 4 years

Education: Bachelors Degree from UW-Green Bay

List potential conflicts of interest: _____

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 Noon Rotary	3
		Exchange Club of Fond du Lac	4
		Fond du Lac Elks Lodge #57	1

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 worked in Fond du Lac for the past 6 years through my job have gotten to know and work with many leaders in the Fond du Lac community and I really appreciate all of the people who are willing to give their time and talents to make Fond du Lac a great place to live and raise a family. My involvement in the local service clubs has give me a better appreciation for getting involved in my community and I see this as another opportunity to give back. Now that I have been living in Fond du Lac for the past 4 years I am looking for other ways to get involved.

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

I hope to give a citizens voice to important issues that effect our community. I understand that this committee makes recommendations to the city council on a varity of subjects regarding businesses receiving or retaining alcohol licences which is important for many local businesses. I take very seriously the job of hearing everyone out and coming to a fair and rational conclusion.

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**

Alcohol Licensing Committee

November 13, 2013

Name of Board, Commission or Committee

Date

Kerry Ann Strupp

Full Name

[REDACTED]

Address

Higher Education

Occupation

Marian University

Employer

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

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

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

Education: MA in Education from Marian University; BS in Social Work from Ball State University

List potential conflicts of interest: I do not believe there are any possible conflicts of interest

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
Alcohol Licensing Committee	3+	FdL Boating Club, FdL Yacht Club	
		CSA Associate, Ladies of Harley, Job Fair Committee,	
		Marian University Alumni Board	

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 experience and an interest in conduct procedures/due process.

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

Helping to make sure businesses follow correct protocol regarding alcohol use and sales and making safe choices for our community!

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, WISCONSIN

RESOLUTION NO. 8439

**RESOLUTION DESIGNATING
SPOT BLIGHT OF PROJECT SITE LOCATED
AT 100 WEST LARSEN DRIVE**

WHEREAS, the Redevelopment Authority of the City of Fond du Lac, Wisconsin (the "Authority") is a public body corporate and politic duly organized by the City of Fond du Lac, Wisconsin (the "City") and is authorized by Section 66.1333 of the Wisconsin Statutes, as amended (hereinafter sometimes referred to as 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, 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 information regarding existing conditions located at 100 West Larsen Drive, Fond du Lac, Wisconsin (the "Property"), which Property is owned by Schmidt Capital Investments, LLC, a Wisconsin limited liability company, attached hereto as Exhibit A (the "Blight Report"); and

WHEREAS, the Property has been preliminarily identified as blighted property in need of rehabilitation and blight elimination in accordance with the Act; and

WHEREAS, a notice of public hearing in the form attached as Exhibit B was published and the Authority held a public hearing in accordance with Section 66.1333(5)(c)(2) of the Wisconsin Statutes on November 19, 2013; and

WHEREAS, following the public hearing, the Authority found that (a) conditions of blight exist at the Property and (b) development of the Property will alleviate blight, in accordance with Section 66.1333(6) of the Wisconsin Statutes and submitted its findings to the City Council; and

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

1. Findings and Determinations. It has been found and determined and is hereby declared that:

- (a) conditions of blight exist at the Property; and
- (b) development of the Property would act as an inducement for alleviation of blight and further development of the Property, thereby making more likely the accomplishment of the public purpose objectives set forth in the Act;
- (c) the City has reviewed the Blight Report and finds that blight existed and continues to exist on the Property; and
- (d) a comprehensive plan of redevelopment is not necessary with respect to the private redevelopment of the Property or the relation of the redevelopment of the Property to other property redevelopment by the Authority.

2. Spot Blight Designation. The City Council hereby finds that the Property is a blighted property in need of rehabilitation and blight elimination in accordance with the Act.

3. Waiver of Sole Property Owner. Schmidt Capital Investments, LLC, as the sole owner of the Property, has executed a waiver in the form attached as Exhibit C, waiving the twenty (20) day notice of hearing requirements set forth in Section 66.1333 of the Wisconsin Statutes.

4. General Authorizations. The Mayor and the City Clerk and the appropriate deputies and officials of the City, in accordance with their assigned responsibilities are hereby each authorized to execute, deliver, publish, file and record such other documents, instruments, notices and records and to take such other actions as shall be necessary or desirable to accomplish the purposes of this Resolution.

Any actions taken by the Mayor and the City Clerk consistent with this Resolution are hereby ratified and confirmed.

5. 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:

Samuel Meyer, President
Fond du Lac City Council

Attest:

City Attorney:

Reviewed DSM

Sue Strands, 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 for 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.

EXHIBIT B

**NOTICE OF PUBLIC HEARING
PROPOSED DESIGNATION OF SPOT BLIGHT BY THE
REDEVELOPMENT AUTHORITY OF THE
CITY OF FOND DU LAC**

The Redevelopment Authority of the City of Fond du Lac, Wisconsin (the "Redevelopment Authority") has proposed to designate the property located at 100 West Larsen Drive in the City of Fond du Lac, Wisconsin (the "Property") as blighted Property in need of rehabilitation and blight elimination in accordance with Section 66.1333 of the Wisconsin Statutes. The Redevelopment Authority will hold a public hearing at 5:30 p.m. on November 19, 2013, at the City/County Government Center, Rooms D/E, 160 South Macy Street, Fond du Lac, Wisconsin. The purpose of this public hearing is to allow all interested parties a full opportunity to express their views with respect to the proposed designation of blight with respect to the Property in order to assist the Redevelopment Authority in making its determination. Copies of the Blight Report are available from the Executive Director located in the Community Development Department, 160 South Macy Street, Fond du Lac, Wisconsin, weekdays from 7:45 a.m. – noon and 1:00 p.m. - 4:30 p.m. or by mail.

Publish above as Class 2 Notice on:
October 27, 2013 and November 3, 2013

Executive Director
Redevelopment Authority of the City of Fond du Lac

EXHIBIT C

**WAIVER OF NOTICE OF PROPOSED DESIGNATION OF SPOT BLIGHT BY THE
REDEVELOPMENT AUTHORITY OF THE
CITY OF FOND DU LAC**

The Redevelopment Authority of the City of Fond du Lac, Wisconsin (the "Redevelopment Authority") has proposed to designate the property located at 100 West Larsen Drive in the City of Fond du Lac, Wisconsin (the "Property") as blighted property in need of rehabilitation and blight elimination in accordance with Section 66.1333 of the Wisconsin Statutes (the "Act"). The Redevelopment Authority will hold a public hearing at 5:30 p.m. on November 19, 2013, at City Hall, 160 South Macy Street, Fond du Lac, Wisconsin. The purpose of this public hearing is to allow all interested parties a full opportunity to express their views with respect to the proposed designation of spot blight of the Property in order to assist the Redevelopment Authority in making its determination. Copies of the Blight Report with respect to the Property are available from the Executive Director located in the Community Development Department, 160 South Macy Street, Fond du Lac, Wisconsin, weekdays from 7:45 a.m. – noon and 1:00 p.m. – 4:30 p.m. or by mail.

The undersigned, as the owner of the Property, hereby waives the twenty (20) day notice of hearing requirements set forth in Section 66.1333(5)(c)(2) of the Wisconsin Statutes.

The owner further acknowledges that the Property is "Blighted Property" within the meaning of the Act, for the reasons set forth in the Blight Report.

Executed this ____ day of _____, 2013.

SCHMIDT CAPITAL INVESTMENTS, LLC

By: _____
Title: _____

CITY OF FOND DU LAC - Memorandum

Department of Community Development

Date: November 21, 2013
To: Joe Moore, City Manager
From: Wayne Rollin, Community Development Director
Re: Schmidt Capital Investments Resolution

This is the second and final Council resolution regarding a \$2.5 million Industrial Revenue Bond (IRB) and declaration of blight for Schmidt Capital Investments, located in the Southwest Industrial Park. The IRB is issued 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 expand their facilities. 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 already approved an initial resolution and will consider final action later this week.

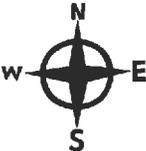
An IRB is an economic development tool authorized by federal and state law that allows the company to finance the project at below market interest rates. While the IRB would be issued in the name of the City of Fond du Lac, it would not represent a liability to the City and would not count against the 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 or Dyann Benson. Thank you.

REVENUE BOND – SCHMIDT CAPITAL INVESTMENTS LLC
100 W LARSEN DRIVE



PROPERTY



RESOLUTION NO. 8440

**A RESOLUTION APPROVING AND AUTHORIZING
THE EXECUTION OF THE WORKING CONDITIONS AGREEMENT
WITH FOND DU LAC PROFESSIONAL POLICE ASSOCIATION LOCAL 12**

WHEREAS, the City of Fond du Lac has negotiated with Fond du Lac Professional Police Association Local 12 to arrive at a working conditions agreement; and

WHEREAS, the parties are in concert and have come to an agreement on said matter.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fond du Lac that the working conditions agreement by and between the City of Fond du Lac and Fond du Lac Professional Police Association Local 12, incorporating the points described in the accompanying Memorandum from Labor Relations Coordinator Chad Wade, for the period of January 1, 2014 through December 31, 2016, is hereby approved and appropriate City officials are authorized to execute the same.

ADOPTED :

Samuel Meyer, President
Fond du Lac City Council

Attest:

City Attorney:

Sue Strands, City Clerk

Reviewed

DAM

CITY OF FOND DU LAC - Memorandum

City Attorney/Human Resource Department

Date: November 20, 2013

To: Joseph Moore, City Manager
Members of the City Council

From: Chad Wade, Labor Relations Coordinator

Re: Police Local 12 Tentative Agreement

The City has reached a tentative agreement with the Police Local 12 Union. I recommend approval of this tentative agreement as it meets the City's bargaining goals for a successor agreement. Most significantly, the agreement meets the financial constraints for the Police Department in the City's 2014 Adopted Budget.

The agreement is for 3 years (2014-2016) and contains wage increases of 3% for 2014 3% wage increase for 2015 and 3.25% for 2016. The agreement also phases in employee contributions to WRS so that all members of the unit pay the full employee share by January 1, 2016. Other provisions include:

- Increases in the health insurance premium contribution caps;
- Implements the City's new Biometric Scorecard for determining employee insurance premium share in 2016;
- Changes regularly scheduled hours for certain specialist positions to improve efficiency; and
- Increases reimbursement for uniform maintenance.

The remainder of the contract remains status quo.

RESOLUTION NO. 8441

**A RESOLUTION APPROVING AND AUTHORIZING
THE EXECUTION OF THE WORKING CONDITIONS AGREEMENT
WITH INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 400**

WHEREAS, the City of Fond du Lac has negotiated with International Association of Firefighters, Local 400 (herein referred to as IAFF Local 400), to arrive at a working conditions agreement; and

WHEREAS, the parties are in concert and have come to an agreement on said matter.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fond du Lac that the working conditions agreement by and between the City of Fond du Lac and IAFF Local 400, incorporating the points described in the accompanying Memorandum from Labor Relations Coordinator Chad Wade, for the period of January 1, 2014 through December 31, 2015, is hereby approved and appropriate City officials are authorized to execute the same.

ADOPTED:

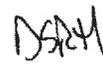
Samuel Meyer, President
Fond du Lac City Council

Attest:

City Attorney:

Sue Strands, City Clerk

Reviewed



CITY OF FOND DU LAC - Memorandum

Human Resource Department

Date: November 20, 2013

To: Joseph Moore, City Manager
Members of the City Council

From: Chad Wade, Labor Relations Coordinator

Re: Fire Local 400 Tentative Agreement

The City has reached a tentative agreement with the Firefighter Local 400 Union. I recommend approval of this tentative agreement as it meets the City's bargaining goals for a successor agreement. Most significantly, the agreement meets the financial constraints for the Fire Department in the City's 2014 Adopted Budget.

The agreement is for 2 years (2014-2015) and contains a 2% wage increase for 2014 and another 2% wage increase for 2015. Other provisions include:

- Increases in the health insurance premium contribution caps;
- Implements the City's new Biometric Scorecard for determining employee insurance premium share in 2015;
- Revises the promotional processes for union positions to match or exceed current standards;
- Conforms the existing Residency requirement with the new statutory limits under Wisconsin Statutes § 66.0502;
- Introduces caps on the amount of compensatory time that may be carried over year to year;
- Adds random testing to the City's protocol on Drug and Alcohol Testing; and
- Includes other minor contract language changes to improve efficiency and effectiveness.

The remainder of the contract is status quo.