

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

April 24, 2013
7:00 P.M.

Legislative Chambers
City-County Government Center

160 South Macy Street
Fond du Lac, Wisconsin

REGULAR AGENDA

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE AND REFLECTION

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

3. COUNCIL PRESIDENT PRESENTATIONS

A Proclamation Declaring May As "Youth Traffic Safety Month"

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

April 10, 2013 Regular City Council Meeting

B. REPORTS OF OFFICERS

C. RESOLUTIONS

REGULAR AGENDA

6. AUDIENCE COMMENTS

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

7. ORAL PRESENTATIONS

8. REPORTS OF OFFICERS

- A. Director Of Administration, Dated April 17, 2013
Subject: List Of Claims - Items Paid By The City

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

- B. City Clerk, Dated April 18, 2013
Subject: Class "B" Fermented Malt Beverage License
Renewal Application

Corporation: Fond du Lac Softball, Inc.
Agent: Adam White
Agent Address: 188 7th Street
Fond du Lac, WI
d/b/a: Fond du Lac Softball Inc.
Location: Softball Island Concession

(Proposed Action: **Approve**)

- C. City Attorney, Dated April 18, 2013
Subject: Claim Doug Ramthun

(Proposed Action: **Deny**)

- D. Councilperson Lorrigan
Subject: Rules Governing Skate Park

(Proposed Action: **Refer To Park Board For Advisory Opinion**)

- E. City Attorney, Dated April 17, 2013
Subject: Parliamentary Procedure For Filling Council Positions

(Proposed Action: **Approve**)

9. REPORTS OF COMMITTEES

10. PETITIONS OR COMMUNICATIONS

11. RESOLUTIONS

- A. Introduction City Manager
Resolution No. 8398
Subject: A Resolution Confirming Appointments To Various
Boards And Commissions
- (Effect: Confirm Appointments To Fond du Lac Library Board,
Historic Preservation Commission And Ethics Board)
(Initiator: City Manager)

12. ORDINANCES

- A. Introduction City Attorney/HR Director
Ordinance No. 3517
Subject: An Ordinance Amending Section 2.07 Of The Code Of Ordinances
Of The City Of Fond du Lac, Wisconsin
- (Effect: Change Order Of Business For Regular City Council
Meetings)
(Initiator: City Attorney/HR Director)
- B. Introduction City Manager
Ordinance No. 3518
Subject: An Ordinance Amending Section 1.07, Salaries, To Allow
Salaries To Be Adopted By Resolution, Of The Code Of
Ordinance Of The City Of Fond du Lac, Wisconsin
- (Effect: Allow Salaries To Be Adopted By Resolution)
(Initiator: City Manager)

13. MISCELLANEOUS

Items In This Category Must Be Noticed On The Agenda.

14. SUCH OTHER MATTERS AS ARE AUTHORIZED BY LAW

15. PUBLIC COMMENT

The presiding officer shall limit comments to one minute.

16. ADJOURN



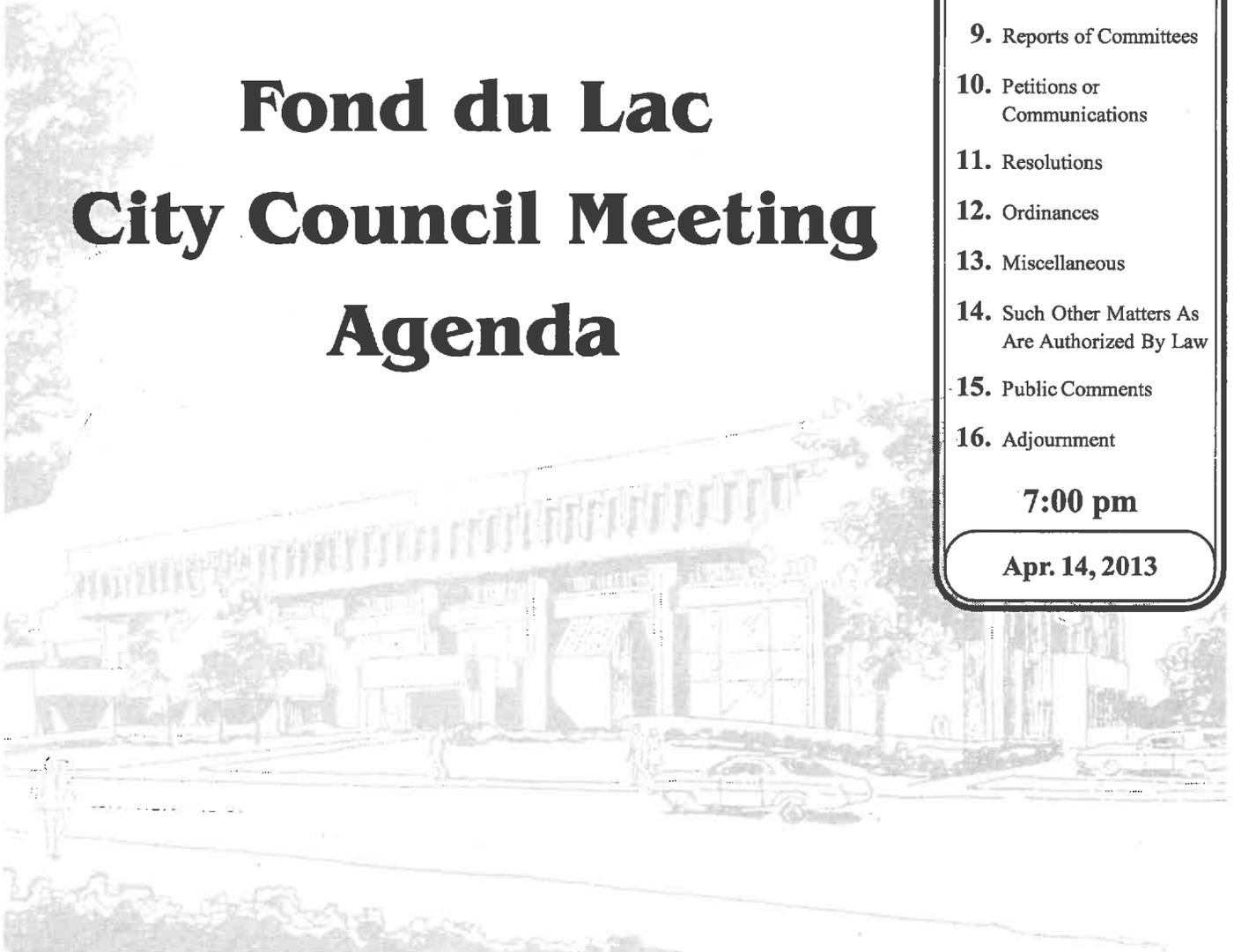
Fond du Lac City Council Meeting Agenda

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

7:00 pm

Apr. 14, 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**

April 10, 2013
7:00 P.M.

Legislative Chambers
City-County Government Center

160 South Macy Street
Fond du Lac, Wisconsin

REGULAR AGENDA

CALL TO ORDER

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

Absent - Mick Burroughs (excused)

Administrative Staff - Wayne Rollin, Dir of Comm Dev
Dyann Benson, Redevelopment Planner
Chad Wade, Assistant City Attorney
Paul De Vries, City Engineer
Jon Mark Bolthouse, Library Dir
Bill Lamb, Chief of Police
Steve Klein, Asst. Police Chief of
Operations
Peter O'Leary, Fire Chief

Council President Vande Zande declared a quorum present.

PLEDGE OF ALLEGIANCE AND REFLECTION

Pledge of Allegiance was recited.

A moment of silent was observed.

COUNCIL PRESIDENT PRESENTATIONS

President Vande Zande presented a proclamation to Laura Schwartzburg, Chair of the Equal Opportunities Commission recognizing April as "Fair Housing Month".

President Vande Zande presented a proclamation to Sandy Bernier, Linda Trent, Jennifer Smith, Amy Johannes, Joyce Gau, Connie Betz, and Cathryn Jones, declaring April as "Alcohol Awareness Month".

President Vande Zande presented a plaque to Councilmember Lunde-Ross in recognition for her years of service on the City Council.

CITY COUNCIL MINUTES

April 10, 2013

Page 3

REPORTS OF OFFICERS

Director Of Administration, Dated April 3, 2013
Subject: List Of Claims - Items Paid By The City

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

Motion made by Councilperson Lorrigan to **receive and file** the List of Claims dated April 3, 2013.

Seconded by Councilperson Lunde-Ross.

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

Nay - None

Carried.

City Clerk Dated April 4, 2013
Subject: Change of Agent "Class B" Combination License

Name: Michael Benson
Residence Address: 57 Elm Tree Lane
Fond du Lac, WI
d/b/a: Fond du Lac Yacht Club
Location: 705 Mohawk Avenue

(Proposed Action: **Approve**)

Motion made by Councilperson Miller to **approve** Change of Agent "Class B" Combination License d/b/a Fond du Lac Yacht Club, 705 Mohawk Avenue.

Seconded by Councilperson Lunde-Ross.

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

Nay - None

Carried.

City Attorney, Dated April 4, 2013
Subject: Claim Margaret Diedrich

(Proposed Action: **Deny**)

Motion made by Councilperson Lunde-Ross to **deny** claim by Margaret Diedrich.

Seconded by Councilperson Lorrigan.

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

Nay - None

Carried.

CITY COUNCIL MINUTES

April 10, 2013

Page 4

City Attorney, Dated April 4, 2013

Subject: Claim Sandra Stahl

(Proposed Action: **Deny**)

Motion made by Councilperson Miller to **deny** claim by Sandra Stahl.

Seconded by Councilperson Lorrigan.

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

Nay - None

Carried.

City Attorney, Dated April 4, 2013

Subject: Claim BBL Real Estate LLC v. Fond du Lac (2011 Pending)

(Proposed Action: **Deny**)

Motion made by Councilperson Lunde-Ross to **deny** claim by BBL Real Estate LLC.

Seconded by Councilperson Lorrigan.

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

Nay - None

Carried.

City Attorney, Dated April 4, 2013

Subject: Claim JMK LLC v. Fond du Lac

(Proposed Action: **Deny**)

Motion made by Councilperson Miller to **deny** claim by JMK LLC.

Seconded by Councilperson Lorrigan.

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

Nay - None

Carried.

City Attorney, Dated April 4, 2013

Subject: Claim Walgreens v. Fond du Lac

(Proposed Action: **Deny**)

Motion made by Councilperson Lunde-Ross to **deny** claim by Walgreens.

Seconded by Councilperson Lorrigan.

CITY COUNCIL MINUTES

April 10, 2013

Page 7

ORDINANCES

Introduction City Engineer

Ordinance No. 3512

Subject: An Ordinance Amending Chapter 7, Traffic Code

(Effect: Designate As A One-Way Street In Accordance With Code Of Ordinances Section 7.04 And Schedule D)

(Location: Alley, East Of Brooke Street And West Of Harrison Place, With Ingress At Forest Avenue And Egress At West Second Street, Southbound)

(Initiator: Patrick Merklin, 120 Harrison Place)

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

(File No. 2013-054

Motion made by Councilperson Miller to **approve** Ordinance No. 3512.

Seconded by Councilperson Vande Zande.

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

Nay - None

Carried.

Introduction City Engineer

Ordinance No. 3513

Subject: An Ordinance Amending Chapter 7, Traffic Code

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

(Location: S. Main St., East Side, From The North Right Of Way Of Guindon Blvd., North 40 Feet)

(Initiator: Neil Delorme, 155 Guindon Blvd)

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

(File No. 2013-055

Motion made by Councilperson Miller to **approve** Ordinance No. 3513.

Seconded by Councilperson Lunde-Ross.

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

Nay - None

Carried.

Introduction City Engineer

Ordinance No. 3514

Subject: An Ordinance Amending Chapter 7, Traffic Code

(Effect: Parking Prohibited at All Times in accordance with Code Of Ordinances Section 7.05(1) and Schedule E)

CITY COUNCIL MINUTES

April 10, 2013

Page 8

(Location: Sheboygan St., North Side, From The West Right Of
Way Of South Marr Street, West 135 Feet)
(Initiator: Windhover c/o Tom Meiklejohn)
(Advisory Parking & Traffic Board Recommendation: **Approve**)
(File No. 2013-056)

Motion made by Councilperson Lunde-Ross to **approve**
Ordinance No. 3514.
Seconded by Councilperson Lorrigan.
ROLL CALL VOTE: Aye - Miller, Lorrigan, Lunde-Ross,
Vande Zande
Nay - None

Carried.

Introduction Fire Chief

Ordinance No. 3515

Subject: An Ordinance Amending Chapter 5, Fire Protection Code

(Effect: Fire Protection Third Party Reporting)
(Initiator: Fire Chief
(File No. 2013-057)

Motion made by Councilperson Lunde-Ross to **approve**
Ordinance No. 3515.
Seconded by Councilperson Lorrigan.
ROLL CALL VOTE: Aye - Miller, Lorrigan, Lunde-Ross,
Vande Zande
Nay - None

Carried.

SUCH OTHER MATTERS AS ARE AUTHORIZED BY LAW

City Manager Moore provided an update on the status of North Main
Hospitality's Stipulation Agreement with the City of Fond du Lac.

ADJOURN

Motion made by Councilperson Miller to adjourn.
Seconded by Councilperson Lunde-Ross.
ROLL CALL VOTE: Aye - Miller, Lorrigan, Lunde-Ross,
Vande Zande
Nay - None

Carried.

Meeting adjourned at 8:02 p.m.

SUE STRANDS
CITY CLERK

SS/maa

CITY OF FOND DU LAC - Memorandum

Department of Administration

Date: April 17, 2013
To: City Council
From: Tricia Davi, Senior Accountant 
Re: List of Claims

The list of claims for goods and services for the payment periods March 30, 2013 through April 12, 2013 for all funds total \$753,574.01. Wisconsin statute 66.0609 (2) requires the comptroller to file, at least monthly with the City Council, a list of approved claims paid.

Suggested Motion: Receive and File

CITY OF FOND DU LAC - Memorandum

City Clerk's Office

Date: April 18, 2013
To: City Council
From: Sue Strands, City Clerk
Re: May 1, 2013- October 31, 2013
Class "B" Fermented Malt Beverage

CLASS "B" FERMENTED MALT BEVERAGE

Corporation: Fond du Lac Softball Inc.
Agent: Adam White
Address: 188 7th St
Fond du Lac, WI 54935
d/b/a: Fond du Lac Softball Inc.
Location of Premises: Lakeside Park Softball Island Concession

RENEWAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk. Read instructions on reverse side.

For the license period beginning: 05/01/2013 ending: 10/31/2013
(MM DD YYYY) (MM DD YYYY)

TO THE GOVERNING BODY of the: Town of } FOND DU LAC
 Village of }
 City of }

County of FOND DU LAC Aldermanic Dist. No. _____ (if required by ordinance)

CHECK ONE Individual Partnership Limited Liability Company
 Corporation/Nonprofit Organization

Complete A or B. All must complete C.

A. Individual or Partnership:

Full Name(s) (Last, First and Middle Name) Home Address Post Office & Zip Code

B. Full Name of Corporation/Nonprofit Organization/Limited Liability Company FOND DU LAC SOFTBALL INC.
 Address of Corporation/Limited Liability Company (if different from licensed premises) P.O. BOX 1655 FOND DU LAC, WI 54935
 All Officer(s) Director(s) and Agent of Corporation and Members/Managers and Agent of Limited Liability Company:

Title	Name (Inc. Middle Name)	Home Address	Post Office & Zip Code
President/Member	<u>DERECK WYROBECK</u>	<u>111 7th ST FOND DU LAC WI</u>	<u>54935</u>
Vice President/Member	<u>RYAN JULKA</u>	<u>238 E. JOHNSON ST FOND DU LAC WI</u>	<u>54935</u>
Secretary/Member	<u>KARLA KORMANJ</u>	<u>NP079 LIBERTY CIRCLE MALDEN WI</u>	<u>53049</u>
Treasurer/Member	<u>ADAM WHITE</u>	<u>188 7th ST FOND DU LAC WI</u>	<u>54935</u>
Agent	<u>ADAM WHITE</u>	<u>188 7th ST FOND DU LAC WI</u>	<u>54935</u>

C. 1. Trade Name FOND DU LAC SOFTBALL INC Business Phone Number N/A
2. Address of Premises SOFTBALL ISLAND CONCESSIONS Post Office & Zip Code LAKE SIDE PARK

3. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? Yes No
4. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) CONCESSION STAND - LAKE SIDE PARK
5. Legal description (omit if street address is given above): SOFTBALL ISLAND PROMEN DR
6. a. Since filing of the last application, has the named licensee, any member of a partnership licensee, or any member, officer, director, manager or agent for either a limited liability company licensee, corporation licensee, or nonprofit organization licensee been convicted of any offenses (excluding traffic offenses not related to alcohol) for violation of any federal laws, any Wisconsin laws, any laws of other states, or ordinances of any county or municipality? If yes, complete reverse side Yes No
- b. Are charges for any offenses presently pending (excluding traffic offenses not related to alcohol) against the named licensee or any other persons affiliated with this license? If yes, explain fully on reverse side Yes No
7. Except for questions 6a and 6b, have there been any changes in the answers to the questions as submitted by you on your last application for this license? If yes, explain. Yes No
8. Was the profit or loss from the sale of alcohol beverages for the previous year reported on the Wisconsin Income or Franchise Tax return of the licensee? If not, explain. Yes No
9. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown under Section A or B above? [phone (608) 266-2776] Yes No
10. Does the applicant understand that alcohol beverage invoices must be kept at the licensed premises for 2 years from the date of invoice and made available for inspection by law enforcement? Yes No
11. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.)

SUBSCRIBED AND SWORN TO BEFORE ME

this 2ND day of APRIL, 2013

[Signature]
 (Clerk/Notary Public)

My commission expires 9-27-2015

[Signature]
 (Officer of Corporation/Member/Manager of Limited Liability Company /Partner/Individual)

[Signature]
 (Officer of Corporation/Member/Manager of Limited Liability Company /Partner)

(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>4-2-13</u>	Date reported to council/board <u>4-24-13</u>	Date license granted
License number issued	Date license issued	Signature of Clerk / Deputy Clerk

Applicant's Wisconsin Seller's Permit Number: <u>456-0000349938-02</u>	
Federal Employer Identification Number (FEIN): <u>24-1501701</u>	
LICENSE REQUESTED	
TYPE	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$ <u>100</u>
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
Publication fee	\$ <u>55</u>
TOTAL FEE	\$ <u>155</u>

SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION/NONPROFIT ORGANIZATION OR LIMITED LIABILITY COMPANY

COPY

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

- Town
Village
City

To the governing body of Fond du Lac County of Fond du Lac

The undersigned duly authorized officer(s)/members/managers of Fond du Lac Softball Inc

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Fond du Lac Softball Inc - Concession Stand

located at Lakeside Park - Softball Island

appoints Adam B. White 188 7th St Fond du Lac, WI 54935

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 15 YRS

Place of residence last year 188 7th St Fond du Lac, WI 54935

For: Fond du Lac Softball Inc
By: [Signature]
And: [Signature]

ACCEPTANCE BY AGENT

I, Adam B. White, hereby accept this appointment as agent for the

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

[Signature] 3/28/2013
188 7th St Fond du Lac, WI 54935

Agent's age
Date of birth

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY
(Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on by Title

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name) <u>Waters</u>		(first name) <u>Adam</u>		(middle name) <u>BROOKE</u>	
Home Address (street/route) <u>188 7th ST</u>		Post Office <u>FOND DU LAC</u>	City <u>FOND DU LAC</u>	State <u>WI</u>	Zip Code <u>54735</u>
Home Phone Number <u>920-979-2523</u>		Age <u>[REDACTED]</u>	Date of Birth <u>[REDACTED]</u>	Place of Birth <u>[REDACTED]</u>	

The above named individual provides the following information as a person who is (check one):

Applying for an alcohol beverage license as an individual.

A member of a partnership which is making application for an alcohol beverage license.

AGENT of FOND DU LAC SOFTBALL INC
(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 15 YRS
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? Yes No

If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)

CITY ORDINANCE - EXCESSIVE NOISE

- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? Yes No

If yes, describe status of charges pending.

- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No

If yes, identify.

(Name, Location and Type of License/Permit)

- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? Yes No

If yes, identify.

(Name of Wholesale Licenses or Permittee)

(Address By City and County)

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

Employer's Name <u>HERZING UNIVERSITY</u>	Employer's Address <u>5718 E TERRACE MADISON WI</u>	Employed From <u>8/2009</u>	To <u>12/2011</u>
Employer's Name <u>CLUBBERS</u>	Employer's Address <u>234 W. MAIN FOND DU LAC, WI</u>	Employed From <u>9/2001</u>	To <u>CURRENT</u>

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Subscribed and sworn to before me

this 29th day of MARCH, 20 13

[Signature]
(Clerk/Notary Public)

[Signature]
(Signature of Named Individual)

My commission expires 9-27-2015



Printed on Recycled Paper

DUPLICATE

No. 139 CITY OF FOND DU LAC
OPERATOR'S LICENSE

To sell Fermented Malt Beverages, Wines & Intoxicating Liquors.

This is to certify, that the City Clerk of the City of Fond du Lac, WI. under authority of the City Council of said City, has granted to

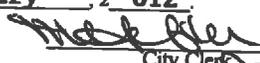
Name ADAM WHITE

Address 188 7th ST. FDL, WI

an Operator's License, which authorizes above named person to sell and serve Fermented Malt Beverages, Wines and Intoxicating Liquors in any place operated under a Class A or B Fermented Malt Beverages and/or Class A or B Liquor License, in the City of Fond du Lac, Wisconsin, for a term ending on the 30th day of June, 2 013.

This license is granted pursuant to Sections 125.17, Wisconsin Statutes.

IN WITNESS WHEREOF, the City Clerk of the City of Fond du Lac, WI. has duly signed these presents and affixed the Corporate Seal of said City the 9th day of January, 2 012.


City Clerk Deputy

CITY OF FOND DU LAC - Memorandum

City Attorney

Date: April 18, 2013

To: City Council

DSRH

From: Deborah S. R. Hoffmann, City Attorney

Re: Denial of Claim – Doug Ramthun

Mr. Ramthun made a claim for water damage to his home on February 27, 2013. Our Claims adjuster has investigated this claim and recommends denial.

Generally, where a City has a regular inspection program, like Fond du Lac does, it is not liable for sewer back-ups.

The recommendation of the City Attorney is that this claim be denied.

CITY OF FOND DU LAC - Memorandum

City Attorney/Human Resources Department

Date: April 17, 2012

To: Joe Moore, City Manager

From: Deborah Hoffmann, City Attorney/Director – Human Resources

Re: Process to be used to fill the Vacancy on the Common Council

After the recent elections, our Council has 6 members. We have one vacancy remaining on the Council for the balance of the term ending April 15, 2014. The Council must decide how to handle the vacancy. This memo will provide the law that governs filling a vacancy, recommend a process for the Council to use and address some procedural issues arising from the filling of a vacancy.

The Wisconsin State Code makes some provision for filling vacancies in municipal offices. Our City Code has adopted this section by reference.

17.23. Vacancies in city offices; how filled

(1) General and special charter cities. Vacancies in offices of cities operating under the general law or special charter shall be filled as follows:

(a) In cities of the 2nd, 3rd, or 4th class, in the office of mayor, except as provided in s. 9.10, by appointment by the common council for the residue of the unexpired term unless a special election is ordered by the common council, in which case the person appointed shall serve until his or her successor is elected and qualified. In the office of alderperson, by the common council, except as provided in s. 9.10. A person so appointed shall hold office until a successor is elected and qualified. Unless otherwise ordered by the common council, a successor shall be elected for the residue of the unexpired term on the first Tuesday of April next after the vacancy happens, in case it happens no later than December 1 preceding the first Tuesday in April, but if the vacancy happens after December 1 preceding the first Tuesday in April and before that day, then the successor shall be elected on the first Tuesday in April of the next ensuing year. The common council may, if a vacancy occurs before June 1 in the year preceding expiration of the term of office, order a special election to fill a vacancy to be held on the Tuesday after the first Monday in November following the date of the order. A person so elected shall serve for the residue of the unexpired term.

April 18, 2013

Page 2

Section 17.23, Wis. Stats., does not set forth the specific process that must be followed. The League of Wisconsin Municipalities has provided this guidance on vacancies:

Method of Appointment

Questions often arise concerning the method that a governing body must employ when appointing a person to fill a vacancy on the governing body. Although the statutes provide that vacancies on common councils and village boards can be filled by appointment by the governing bodies of the city or village, the statutes do not set forth a procedure by which the appointments must be made. Since no method of appointment is prescribed by statute, municipal governing bodies may determine their own procedure for nominating candidates and selecting a person to fill the vacancy.

Options

As a result, the Council has three options.

1. Post an announcement, collect applications and have interviews, like filling a job opening.
2. Hold a Special Election.
3. Nominate someone and then vote to see if they are approved.

Pros and Cons

Option 1 – The main advantages of Option 1 are that it opens up the process to the largest group of eligible citizens, and it is the easiest method administratively. This is also a familiar process to many people and is generally recognized as a valid method for finding good candidates. The Fond du Lac School District has used this method to fill vacancies on the school board. One disadvantage to this method is that the appointed member has not been elected by the citizens of Fond du Lac. It also means that if the member seeks election at the end of the term they do so as an incumbent even though they have never actually been through the election process.

Option 2 – The advantage of Option 2 is that the member is actually selected by the citizens of Fond du Lac in a traditional sense. However, there are significant costs involved in holding a special election when there are no other elections occurring. Further, Option 2 would cause fairly significant time delays in filling the vacancy.

Option 3 – Option 3 is very similar to Option 1 in that the Council appoint the new member. However, Option 3 is more restrictive because interested citizens would have to seek nomination from current Council members. Further, in order to comply with the open meeting requirements and give the public a chance to provide their input, you'd

April 18, 2013

Page 3

need to nominate people at one meeting, and vote on the nominations at a subsequent meeting. As a result, this process would be somewhat limiting, and less open to the general public.

Recommendation

The City Attorney's office recommends Option 1. This is a generally accepted and cost effective method for filling vacancies.

Procedural Issues

The Attorney General has opined that votes on a vacancy are to be done by open ballot.

The Open Meeting Law, 19.81 et seq. St.1975, § , mandates that a common council fill a vacancy on the council resulting from resignation by open rather than secret balloting. Op.Atty.Gen., July 30, 1976.

A related question concerns the number of votes necessary to fill a vacancy on the governing body. For village boards, sec. 17.24 specifies that vacancies in elective village offices may be filled by appointment by a majority of the members of the board. The statutes are silent with respect to the number of votes necessary to fill a vacancy on the common council. Section 17.23 merely provides that vacancies on the council shall be filled by appointment by the council.

The common law rule in Wisconsin is that in the absence of a statute, ordinance, or rule requiring the vote of a majority or greater number of the members of a governing body, a majority of a quorum is sufficient to elect.

Finally, when a person is elected to fill a vacancy on the governing body, the appointment is complete once the result of a sufficient vote is ascertained and announced, and no resolution declaring that person to be appointed is necessary. In addition, the weight of authority seems to be that once a governing body has appointed a person to fill a vacancy in a municipal office, the governing body cannot rescind its vote or reconsider its action and elect another person.

RESOLUTION NO. 8398

**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>Fond du Lac Public Library Board</u>	<u>Beginning</u>	<u>Ending</u>
John McDowell	05/01/2013	06/30/2015
<u>Historic Preservation Commission</u>		
Lisa Marie Weber Pauly (Reappointment)	05/01/2013	04/30/2016
<u>Ethics Board</u>		
Caryn Cleveland-Short	07/01/2013	06/30/2016

ADOPTED:

Samuel Meyer, President
Fond du Lac City Council

Attest:

City Attorney:

Sue L. Strands, City Clerk

Reviewed CFW

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

Library 3/14/2013
 Name of Board, Commission or Committee Date

John McDowell [REDACTED]
 Full Name Address

Teacher U.W.F.D.L
 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: 6

Education: B.S. ED MS. Math Ed

List potential conflicts of interest: extended winter hiatus in AZ

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
		OCUUF BLDG Maint.	5

I have read the information sheet outlining the desired qualifications for this board. My background and interests meet these desired qualifications as follows:
As a lifelong library patron I feel that I meet all 7 of the essential qualifications for board candidates.

If selected, I would like to work towards bettering the community through my service in the following ways:
Promoting the FDL library system as a community and information center.

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

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

Historic Preservation Commission, 4-10-13
Name of Board, Commission or Committee Date

Lisa Marie Weber Pauly [Redacted]
Full Name Address

Director of Operations Fond du Lac Convention
Occupation Employer + Visitors Bureau

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

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

Are you currently a resident of Fond du Lac? Yes No No. of Years: 47

Education: Conrad High School, Marquette Technical Institute

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
Historic Preservation Comm	6	Fond du Lac County	
Secretary Syrac		Historical Society	17
Chairman Lyr		Pres 2yrs, VPres 1yr various committees	

I have read the information sheet outlining the desired qualifications for this board. My background and interests meet these desired qualifications as follows:
As current Chairman & past Secretary of the Commission, I understand the purpose & mission of the APC. I've also spent many years with the FCHS serving as President of the Board and chairing several committees with hands-on preservation & education experience.

If selected, I would like to work towards bettering the community through my service in the following ways:
I would continue the mission of the APC with education of historic sites and reviewing and approving local historic designations

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**

Ethics Board

4/17/2013
Date

Name of Board, Commission or Committee

Caryn Cleveland-Short MA BSD RN
Full Name

[Redacted]
Address

Director - Clarity Care Training Institute
Occupation

Clarity Care, Inc.
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: 3

Education: MA-Communications, BA-Poli Sci/Communications, BSD-Nursing - 3 years
low

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
Chair - Arkansas Community Planning for HIV Prevention (State of AR - Health Department)	5	2 battered women's shelter (founding director)	8
		Arkansas Department - American Diabetes Association	5

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

- ① Served on Ethics panels in For-profit & non-profit hospital: (7 years)
- ② Taught Ethics to health care students (10 years)
- ③ Served as Rule 7A Prosecutor (2 years - felonies)
- ④ Worked as Director of the training division for Family Services
- ⑤ Malpractice medical consultant
- ⑥ Codified Ethics values for hospital

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

- Maintaining unbiased work for the value of all citizens
- Representing the citizenry of Fond du Lac
- Serving the city with an eye to the past and future growth/development

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.

ORDINANCE NO. 3517

**AN ORDINANCE AMENDING SECTION 2.07 OF THE
CODE OF ORDINANCES OF THE CITY OF FOND DU LAC, WISCONSIN**

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

Section 1. That Section 2.07 (1)(a)6. of the Code of Ordinances of the City of Fond du Lac, Wisconsin, is hereby amended to read as follows:

2.07 COUNCIL PROCEDURE. (1) ORDER OF BUSINESS. The order of business at all regular Council meetings shall be as follows:

(a) Regular Meeting.

1. Call to Order.
2. Pledge of Allegiance and Invocation.
3. Council President Presentation.
4. Public Hearings.
5. Consent Agenda.
6. Audience Comments. (Comments limited to items noticed on the agenda)
7. Public Comments.(the public may make comments on subject matters not noticed on the agenda with a time limit of one minute)
8. Oral Presentations.
9. Approval of Minutes.
10. Reports of Officers.
11. Reports of Committees.
12. Petitions or Communications.
13. Resolutions.
14. Ordinances.
15. Miscellaneous. Items in this category must be noticed on the agenda.
16. Such other matters as are authorized by law.
17. Adjournment.

Section 2. The appropriate City officials are hereby authorized and directed to take such action as is necessary to effectuate the terms of this Ordinance.

Section 3. All other ordinances and resolutions inconsistent with this Ordinance are hereby repealed.

Section 4. This Ordinance shall take effect and be in force upon its passage and publication as provided by law.

ADOPTED:

Samuel Meyer, President
Fond du Lac City Council

City Attorney:

Reviewed CPW

Attest:

Sue Strands, City Clerk

CITY OF FOND DU LAC - Memorandum

City Attorney/Human Resources Department

Date: April 17, 2012

To: Joe Moore, City Manager

From: Deborah Hoffmann, City Attorney/Director – Human Resources

Re: Changing Order of the Agenda requires Ordinance Amendment

At the organizational meeting on April 16th, the Council amended their supplemental rules to change the order of the agenda, to allow the public comment section to be sooner in the meeting. In order to effectuate that change, the Council also needs to amend Chapter 2 of the City Ordinances which proscribes the exact order of the agenda.

There is no legal requirement that the order of the agenda be contained in the Code of Ordinances. Many other Cities do not include an order of agenda in their ordinances. Because the Agenda is spelled out in the Code, we often have a multi-page agenda where many of the items are blank. This is unnecessary and when printed out, creates waste.

As we move to having Council agendas created and published online, it would likely streamline and improve the process if we did not include a rigid order of agenda in our code of ordinances. This is something to consider as we review our processes and move forward with recodification.

CITY OF FOND DU LAC - Memorandum

City Attorney/Human Resources Department

Date: April 18, 2013

To: Joe Moore, City Manager
City Council

From:  Deborah Hoffmann, City Attorney/Director – Human Resources

Re: Section 1.07 - Salaries

Our Current Ordinance provides that the elected officials' salary shall be adopted by ordinance. While the initial decision to establish a salary for elected officials needed to be by ordinance, any subsequent changes can be done by motion with a simple majority vote. Our actual practice is to consider salaries as part of the budget process. This ordinance change would conform our ordinance to our practice of approving salaries with our budget resolution.

During the budget process last year, Council decided to reduce their salaries by \$500.- This change would not be effective for those Council Members already in office, but would be in effect for all new Council Members. This means our current Council salaries for 2013 are:

<u>Name</u>	<u>Position</u>	<u>Salary</u>	<u>Term</u>
Samuel Meyer	President	\$2,800	2015
Catherine Block	Council Member	\$2,500	2015
Dan Manning	Council Member	\$2,500	2015
Rob Vande Zande	Council Member	\$3,000	2014
Gary Miller	Council Member	\$3,000	2014
Lee Ann Lorrigan	Council Member	\$3,000	2014
Open Seat	Council Member	\$3,000	2014

Please call me if you have any questions.

ORDINANCE NO. 3518

AN ORDINANCE AMENDING SECTION 1.07, SALARIES, TO ALLOW SALARIES TO BE ADOPTED BY RESOLUTION, OF THE CODE OF ORDINANCES OF THE CITY OF FOND DU LAC, WISCONSIN

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

Section 1. That Section 1.07 , SALARIES, of the Code of Ordinances of the City of Fond du Lac, Wisconsin, is hereby amended as to read as follows:

1.07 SALARIES. Salaries of elected officials of the City shall be as adopted from time to time by ~~ordinance~~ resolution of the City Council.

Section 2. The appropriate City officials are hereby authorized and directed to take such action as is necessary to effectuate the terms of this Ordinance.

Section 3. All other ordinances and resolutions inconsistent with the provisions of this Ordinance are hereby repealed.

Section 4. This Ordinance shall take effect and be in force after June 1, 2013, upon its passage and publication as provided by law.

ADOPTED:

Samuel Meyer, President
Fond du Lac City Council

Attest:

City Attorney:

Sue L. Strands, City Clerk

Reviewed CPW

ORDINANCE NO. 3518

AN ORDINANCE AMENDING SECTION 1.07, SALARIES, TO ALLOW SALARIES TO BE ADOPTED BY RESOLUTION, OF THE CODE OF ORDINANCES OF THE CITY OF FOND DU LAC, WISCONSIN

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

Section 1. That Section 1.07 , SALARIES, of the Code of Ordinances of the City of Fond du Lac, Wisconsin, is hereby amended as to read as follows:

1.07 SALARIES. Salaries of elected officials of the City shall be as adopted from time to time by resolution of the City Council.

Section 2. The appropriate City officials are hereby authorized and directed to take such action as is necessary to effectuate the terms of this Ordinance.

Section 3. All other ordinances and resolutions inconsistent with the provisions of this Ordinance are hereby repealed.

Section 4. This Ordinance shall take effect and be in force after June 1, 2013, upon its passage and publication as provided by law.

ADOPTED:

Samuel Meyer, President
Fond du Lac City Council

Attest:

City Attorney:

Sue L. Strands, City Clerk

Reviewed CPW

COUNCIL

BLOCK, CATHERINE

625 Skyline Ct. ~ cblock@fdl.wi.gov

LORRIGAN, LEEANN

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

MANNING, DAN

109 S. PARK AVE. ~ dmanning@fdl.wi.gov

MEYER, SAM

38 TYLER CT. ~ smeyer@fdl.wi.gov

MILLER, GARY

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

VANDEZANDE, ROB

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

*Not for release to the Public

WORK

[REDACTED]

HOME

[REDACTED]

DEPT. HEAD

MOORE, MGR

SKIFF, DPW

WORTMAN, DADM

HOFFMANN, ATTY

ROLLIN, DCD

LAMB, POLICE

OLEARY, FIRE

ZITLOW, ITS

STRANDS, CLERK

BOLTHOUSE, LIBRARY

KIEFER, PARKS

AGNEW, ASSIST

FAX NUMBER

WORK

322-3405

322-3472

322-3452

322-3423

322-3440

322-3702

322-3802

322-3605

322-3432

322-3959

322-3590

322-3407

322-3402

CELL

[REDACTED]

HOME