

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

May 22, 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 Recognizing The Dedicated Service Of Carol Jewett
- B. Proclamation Recognizing The Fond du Lac Symphonic Band For Financial Support To Repair The Buttermilk Performance Center
- C. Recognition Of Military Enlistees

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

May 7, 2013 Special City Council Meeting

May 8, 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**

The presiding officer shall limit comments to one minute.

8. **ORAL PRESENTATIONS**

Andrea Welsch
Subject: Children's Museum Update

9. **REPORTS OF OFFICERS**

A. Director Of Administration, Dated May 15, 2013
Subject: List Of Claims - Items Paid By The City

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

B. City Clerk, Dated May 16, 2013
Subject: Permit To Sell Fermented Malt Beverages On
Park Property

Name: Fond du Lac Evening Optimists
Event: Father's Day Car Show
Location: Lakeside Park Oven Island
Date: June 16, 2013

(Proposed Action: **Approve**)

C. City Council
Subject: Select Member Of The Fond du Lac City Council

(Proposed Action: **Select City Council Member**)

D. Director Of Public Works
Subject: Street Maintenance Overview

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

E. City Manager
Subject: 2014 Initial Budget Summary Forecast

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

- 10. REPORTS OF COMMITTEES
- 11. PETITIONS OR COMMUNICATIONS
- 12. RESOLUTIONS
- 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



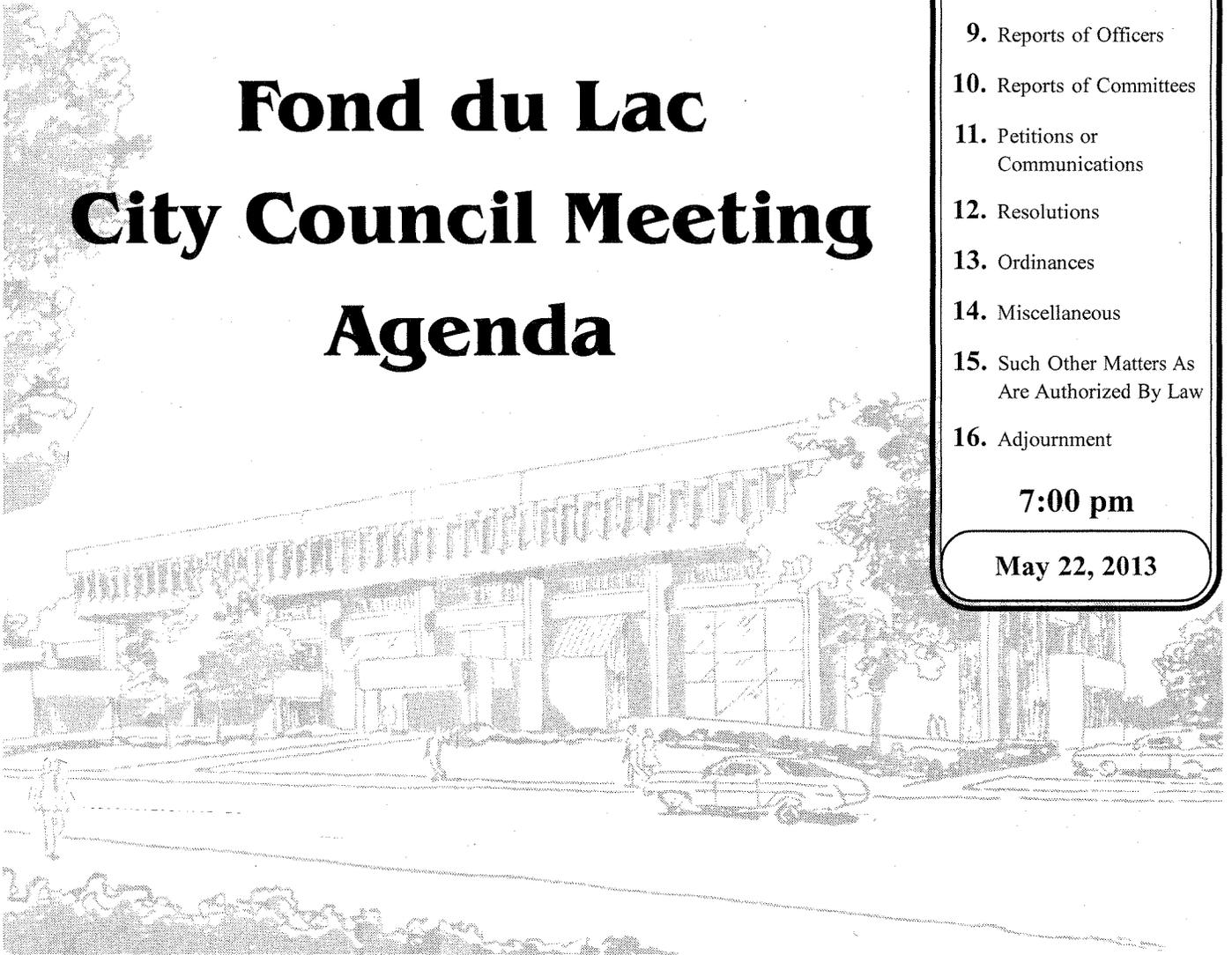
Fond du Lac City Council Meeting Agenda

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

7:00 pm

May 22, 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
SPECIAL MEETING MINUTES
CITY OF FOND DU LAC, WISCONSIN**

May 7, 2013
6:00 P.M.

Lakeside Park Pavilion

71 Promen Drive
Fond du Lac, Wisconsin

REGULAR AGENDA

CALL TO ORDER

ROLL CALL: Present - Catherine Block
 Lee Ann Lorrigan
 Dan Manning
 Sam Meyer
 Rob Vande Zande

Absent - Gary Miller (excused)

Administrative Staff - Joe Moore, City Manager
 Hal Wortman, Dir of Administration
 Tracy Salter, Dpty Comptroller/
 Treasurer
 Eileen Baus, Sr Acct Purch
 Coordinator
 Tricia Davi, Sr Acct Risk
 Coordinator
 Deb Hoffmann, City Attorney
 Chad Wade, Assistant City Attorney
 Jordan Skiff, Dir of Public Works
 Dyann Benson, Redevelopment Planner
 Jon Mark Bolthouse, Library Dir
 Bill Lamb, Chief of Police
 Mary Driscoll, Admin Assistant
 Steve Klein, Asst. Police Chief of
 Operations
 Peter O'Leary, Fire Chief
 Dave Zittlow, IT Service Manager

Council President Meyer declared a quorum present.

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

May 8, 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 - Catherine Block
Lee Ann Lorrigan
Dan Manning
Sam Meyer
Rob Vande Zande

Absent - Gary Miller (excused)

Administrative Staff - Joe Moore, City Manager
Wayne Rollin, Dir of Comm Dev
Deb Hoffman, City Attorney
Jordan Skiff, Dir of Public Works
Bill Lamb, Police Chief
Steve Beer, Assist Fire Chief of
Operations

Council President Meyer declared a quorum present.

PLEDGE OF ALLEGIANCE AND REFLECTION

Pledge of Allegiance was recited.

A moment of silence was observed.

COUNCIL PRESIDENT PRESENTATIONS

President Meyer presented a proclamation to Lori Agnew recognizing her for her years of dedicated service.

President Meyer presented a proclamation to Don Wilhelms and Myra Wilhelms, representing the Lutheran Home & Health Services, Mari Beth Borek, CEO Lutheran Homes & Health Services, Irene Majerus and Regis Westphal representing St. Peters Place, declaring May as "Older Americans Month".

CITY COUNCIL MINUTES

May 8, 2013

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Invitation for the City Council Members, City Staff and the public to attend the Walk to Cure Diabetes on Saturday, May 11, 2013.

REPORTS OF OFFICERS

Director Of Administration, Dated May 1, 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 May 1, 2013.

Seconded by Councilperson Block.

ROLL CALL VOTE: Aye - Lorrigan, Manning, Meyer,
Vande Zande, Block

Nay - None

Carried.

City Clerk, Dated May 2, 2013
Subject: "Class A" Intoxicating Liquor And Class "A" Fermented Malt Beverage License Application

Corporation: Schneider Markets Inc.

Agent: Daniel Jahnke

Agent Address: 329 East North Street
Juneau, WI

d/b/a: Piggly Wiggly

Location: 131 University Drive

(Proposed Action: **Approve**)

Motion made by Councilperson Vande Zande to **approve** the "Class A" Intoxicating Liquor and Class "A" Fermented Malt Beverage License d/b/a Piggly Wiggly, 131 University Drive.

Seconded by Councilperson Manning.

ROLL CALL VOTE: Aye - Lorrigan, Manning, Meyer,
Vande Zande, Block

Nay - None

Carried.

CITY COUNCIL MINUTES

May 8, 2013

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City Clerk, Dated May 2, 2013

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

Corporation: Gombas Inc.
Agent: James Moses
Agent Address: 35 Hazotte Court
Fond du Lac, WI
d/b/a: Phillys On The Miracle Mile
Location: 1305 South Main Street

(Proposed Action: **Approve**)

Motion made by Councilperson Block to **approve** "Class A"
Intoxicating Liquor and Class "A" Fermented Malt
Beverage License d/b/a Phillys on the Miracle Mile,
1305 S Main Street.

Seconded by Councilperson Vande Zande.

ROLL CALL VOTE: Aye - Lorrigan, Manning, Meyer,
Vande Zande, Block.

Nay - None

Carried.

City Manager

Subject: City Council Vacancy Planning Selection Process

(Proposed Action: Approve Process)

RESOLUTIONS

Introduction City Manager

Resolution No. 8399

Subject: A Resolution Regarding The US 151/CTH V Interchange

(Effect: Support Inclusion Of The Construction Of An Interchange
And North Frontage Road At US 151 And CTH V On the
South Side Of The City In The Department Of
Transportation State Budget)

(Initiator: City Council)

(File No. 2008-012)

Motion made by Councilperson Lorrigan to **approve**
Resolution No. 8399.

Seconded by Councilperson Manning.

ROLL CALL VOTE: Aye - Lorrigan, Manning, Meyer,
Block

Nay - Vande Zande

Carried.

CITY COUNCIL MINUTES

May 8, 2013

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Introduction Community Development Director

Resolution No. 8400

Subject: A Resolution Authorizing Extension Of Option

(Effect: Authorize An Option And Right Of First Refusal To J.F. Ahern On 50 Acres Of Land Within The Fox Ridge Business Park)

(Initiator: Community Development Director
(File No. 2013-062

Motion made by Councilperson Vande Zande to **approve** Resolution No. 8400.

Seconded by Councilperson Block.

ROLL CALL VOTE: Aye - Lorrigan, Manning, Meyer,
Vande Zande, Block

Nay - None

Carried.

Introduction City Manager

Resolution No. 8401

Subject: A Resolution Confirming Appointment To Downtown Fond du Lac Partnership (BID)

(Effect: Confirm Appointment To Downtown Fond du Lac Partnership (BID)

(Initiator: City Manager)
(File No. 2013-003

Motion made by Councilperson Vande Zande to approve Resolution No. 8401.

Seconded by Councilperson Manning.

ROLL CALL VOTE: Aye - Lorrigan, Manning, Meyer,
Vande Zande, Block

Nay - None

Carried.

SUCH OTHER MATTERS AS ARE AUTHORIZED BY LAW

Councilperson Vande Zande expressed concern regarding a drug deal that took place in front of his home. He stated that he does not want this in our city and will not tolerate this in our neighborhood's. Citizens should contact police if they should see anything suspicious.

City Manager, Joe Moore gave an update regarding the status of the Retlaw Hotel.

CITY OF FOND DU LAC - Memorandum

Department of Administration

Date: May 15, 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 April 27, 2013 through May 10, 2013 for all funds total \$2,624,637.21. 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: May 16, 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 application is being submitted for your approval:

Entity: Fond du Lac Evening Optimist
Event: Father's Day Car Show
Location: Lakeside Park Oven Island
Date: June 16, 2013

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

Thank you.

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

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

FEE \$ 10.00

Application Date:

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

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

- X 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 16, 2013 and ending June 16, 2013 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) X Bona fide Club Church Lodge/Society Veteran's Organization Fair Association

(a) Name Fdl Evening Optimist

(b) Address P.O. Box 1422, Fond du Lac, WI 54936-1422 (Street) Town Village City

(c) Date organized 1949

(d) If corporation, give date of incorporation 6-29-49

(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 Gerald Bonlander 94 6th St Fdl 54935

Vice President Juera Bonlander 585 S. Main St Fdl 54935

Secretary Lynn Nickel 251 E Cotton St Fdl 54935

Treasurer " " " "

(g) Name and address of manager or person in charge of affair: Dan Ireland 102 S. Sallie Ave Fdl 54935

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

(a) Street number Oven Island Lakeside Park FDL

(b) Lot Block

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

(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: all of Oven Island

3. NAME OF EVENT

(a) List name of the event 36th Annual Fond du Lac Evening Optimist Fathers Day Car Show

(b) Dates of event Sunday June 16, 2013

DECLARATION

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

Officer (Signature/date) Fond du Lac Evening Optimist (Name of Organization) Lynn Nickel (Signature/date)

Officer (Signature/date) Officer (Signature/date)

Date Filed with Clerk 4-26-2013 Date Reported to Council or Board 5-22-2013

Date Granted by Council License No. 4234

CITY OF FOND DU LAC

Memorandum

Date: 4.26.2013
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 *AKee*
 Denied a license

Comments _____

City of Fond du Lac

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

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

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

PART A: APPLICATION	
PARK & SPECIFIC LOCATION:	Lakeside Park Owen Island
NAME OF APPLICANT:	Lynn Nickel
ORGANIZATION REPRESENTED:	FDL Evening Optimist
TYPE OF EVENT PLANNED:	Annual Antique Car Show
DATE(S) OF EVENT:	June 16, 2013
SALE OF ALCOHOL ALLOWED ONLY DURING THESE HOURS:	6am - 6pm
SIGNATURE OF APPLICANT:	<div style="display: flex; justify-content: space-between;"> <i>Lynn Nickel</i> DATE: 4-26-13 </div>

PART B: PAYMENT & APPROVAL	
\$100 DEPOSIT RECEIVED BY:	<div style="display: flex; justify-content: space-between;"> <i>[Signature]</i> 4-26-2013 DATE: </div>
APPROVED BY POLICE CHIEF:	DATE:
APPROVED BY CITY COUNCIL:	4-24-13 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: