

COMMON COUNCIL MEETING NOTICE

Pursuant to Wisconsin Statutes §19.84, notice is hereby given to the public and news media that a regular meeting of the Common Council of the City of De Pere will be held on August 21, 2012 at 7:30 p.m. in the City Hall Council Chambers, Second Floor of De Pere City Hall, 335 South Broadway, De Pere, WI 54115.

This meeting can be viewed LIVE on Time Warner Cable Channel 4 and Channel 99 AT&T U-verse. This meeting is also rebroadcast on Time Warner Cable Channel 4 and Channel 99 AT&T U-verse throughout the week.

AGENDA FOR SAID MEETING:

1. Roll call.
2. Pledge of Allegiance to the Flag.
3. Approval of the minutes of the August 7, 2012 regular meeting of the Common Council.
4. Public Hearing to act on a Precise Implementation Plan Amendment request for a 98,101 square foot office building for Foth at 2121 Innovation Court; Part of Parcels WD-D0037 and WD-D0033.
 - A. Notice of Public Hearing.
 - B. Recommendation from the Plan Commission.
 - C. After the hearing is held, Ordinance #12-20, Amending Precise Implementation Plan Commercial Horizons – Foth (Part of Parcels WD-D0037 and WD-D0033), is presented for consideration.
5. Public comment upon matters not on agenda or other announcements.
6. Recommendation from the Plan Commission to approve:
 - A. Extraterritorial 2 lot CMS in the Town of Rockland.
7. Recommendation from the Board of Public Works:
 - A. Award Project E12-02, Radio System Narrow Band Upgrade for Portables, Mobile and Repeater to Nielson's Communications, Inc.
8. Recommendation from the Finance/Personnel Committee to approve:
 - A. \$300 donation from the De Pere Men's Club to be used toward the senior picnic.
 - B. \$500 Green Bay Community Grant from the Shopko Foundation to be used toward a technology upgrade in the Police Department.
 - C. Utilizing Ice Center Funds for maintenance and remodeling of concession stands.
9. Recommendation from the License Committee:
 - A. Request for approval of a premise description change for Nicky's Lionhead Tavern and Grill, 331 Main Ave., De Pere, WI. Submitted by Nicky's Inc.,

- B. Request for a temporary premise description change for the Drift Inn, 1535 N. Ashland Ave., De Pere, WI.
 - C. Request for approval of a premise description change for The Day Spa, 600 N. 10th St., De Pere, WI.
 - D. Application for a for a Class "A" Beer Fermented Malt Beverage License for The Day Spa Ltd., 600 N. 10th St., De Pere, WI.
 - E. Application for a Class "A" Beer Fermented Malt Beverage License for CVS/Pharmacy #2214, 800 Main Ave., De Pere, WI .
 - F. Application for a Class "A" Beer Fermented Malt Beverage License for De Pere Minimart, 821 George St., De Pere, WI.
 - G. Application for a Special Permit Allowing Consumption of Alcohol Beverages on Public Ways. Submitted by the De Pere Area Chamber of Commerce Foundation, Inc. for the Fall Fest De Pere 2012 on Saturday, Sept. 8th from 12:00 p.m. – 6:00 p.m.
 - H. Application for a Temporary Class "B"/ "Class B" Retailer's License for De Pere Area Chamber of Commerce Foundation, for **Fall Fest** on September 8, 2012 at George Street Landing, De Pere, WI. (Previously tabled).
10. Resolution #12-94, Authorizing and Providing for the Sale and Issuance of \$2,980,000 General Obligation Corporate Purpose Bonds, Series 2012A, and All Related Details.
 11. Resolution #12-95, Authorizing and Providing for the Sale and Issuance of \$2,850,000 Taxable General Obligation Community Development Bonds, Series 2012B, and All Related Details.
 12. Resolution #12-96, Authorizing Agreement Waiving Notice and Agreeing to Payment of Stormwater Improvement Costs (Parcels ED-F0094-3, ED-F0094, D-29-1 and part of ED-F0096).
 13. Resolution #12-97, Accepting Sanitary Sewer Line Easement from The State Of Wisconsin Department Of Natural Resources (Parcel ED-80-3).
 14. Resolution #12-98, Revising Sewer Service Rates (August 2012).
 15. Resolution #12-99, Authorizing Sidewalk Café Permit for Nicky's, Inc.
 16. Resolution #12-100, Authorizing Renewal of SCADA Maintenance Agreement with P.J Kortens and Company, Inc.
 17. Resolution #12-101, Amending Municipal Court Bond Schedule.
 18. Resolution #12-102, Ratifying Submission Letter of Commitment for School & Government Energy Efficiency Program through Wisconsin Public Service and Focus on Energy.
 19. Presentation of City of De Pere "How to Run for Elected Office" Guide.

20. Voucher approval.
21. Applications for Operator's Licenses.
22. Future agenda items.
23. City Administrator Performance Evaluation.

PLEASE TAKE NOTICE, that pursuant to Section 19.85(1)(c), Wis. Stats., the Council may convene in closed session for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.

The Council may then reconvene in open session to take action on any matter discussed in closed session or for such other purposes as are allowed by law.

24. Adjournment.

Lawrence M. Delo
City Administrator

Any person wishing to attend this meeting who, because of disability, requires special accommodations should contact the Clerk-Treasurer's office at 339-4050 by Noon, August 20, 2012 so that arrangements can be made.

AGENDA SENT TO:

Mayor
Alderspersons
Department Heads
TV, Newspapers, & Radio Stations
Kress Family Library
De Pere Chamber of Commerce
JOE GEGARE SOUTHBRIDGE PROPERTIES 111 N WASHINGTON #400 GREEN BAY, WI 54301
BOB WEYERS SOUTHBRIDGE PROPERTIES 111 N WASHINGTON #400 GREEN BAY, WI 54301
JERRY SEVICK FOTH 2737 S Ridge RAD SUITE 700 GREEN BAY, WI 54307
John Ambrosius, Belmark, 600 Heritage Road, De Pere, WI
Mark Hoff, PJ Kortens and Co. Inc., 1985 W. Packard St, Appleton, WI 54914
Tom Nick, Nicky's Lionhead Tavern, 331 Main Ave, De Pere, WI 54115
Gail Kozlovsky, 4900 Sportman Drive, De Pere, WI 54115-
The Day Spa, Ltd., Agent: Kathleen F. Schmaltz, 3418 Delahaut St., Green Bay, WI 54301
Wisconsin CVS Pharmacy, LLC, Agent: Kendra Welty, 4282 Packerland Dr., De Pere, WI 54115
De Pere Minimart, LLC, Agent: Bishnu P. Adhikari, 1305 Lucerne Dr., Menasha, WI 54952
De Pere Area Chamber of Commerce Foundation, Alicia Detrick, 441 Main Avenue, De Pere, WI 54115
De Pere Area Chamber of Commerce Foundation, Inc., Attn: Cheryl Detrick, P.O. Box 5142, De Pere, WI 54115
Steve Bieda Mau & Associates 400 Security Blvd. Green Bay, WI 54313
Nickel Ledge Inc. P.O. Box 232 De Pere, WI 54115
Wisconsin Department of Natural Resources Attention: Facilities & Lands 2984 Shawano Avenue Green Bay, WI 54313
Nielson's Communications 645 Potts Avenue Green Bay, WI 54304

**COMMON COUNCIL MEETING
CITY OF DE PERE, WISCONSIN – AUGUST 7, 2012**

The Common Council of the City of De Pere, Wisconsin, met in regular session at the Council Chambers in City Hall on Tuesday, August 7, 2012.

Mayor Walsh called the meeting to order at 7:36 p.m.

Roll call was taken and the following members were present: Alderpersons Kevin Bauer, James Boyd, Scott Crevier, Michael Donovan, Jim Kneiszel, Larry Lueck, Dan Robinson & Kathy Van Vonderen. The Council said the Pledge of Allegiance to the Flag.

Aldersperson Donovan moved, seconded by Aldersperson Crevier to approve the minutes of the July 17, 2012 regular meeting of the Common Council. Discussion followed. Upon vote, the minutes were approved unanimously.

PUBLIC HEARING

4A. A Public Hearing to amend the Precise Implementation Plan for Agri-Partners Cooperative, 1221 Grant Street, to allow for the installation of a billboard sign is scheduled for 7:35 p.m. or soon after. Clerk Shana Defnet announced the Notice of Public Hearing was published in the City's Official Newspaper, the De Pere Journal on July 5 and July 12, 2012.

4B. City Planner Ken Pabich stated the Plan Commission recommended denial of amending the Precise Implementation Plan for Agri-Partners Cooperative.

4C. Mayor Walsh declared the public hearing open. Larry Sidman of Jones Sign Company explained the zoning issues he dealt with in trying to place a sign at this location. Mayor Walsh declared the public hearing closed. Mayor Walsh entertained a motion to act upon Ordinance 12-18, Amending Precise Implementation Plan Agri-Partners Cooperative (WD-D0217-1 and WD-D0217-4). Aldersperson Lueck moved, seconded by Aldersperson Boyd to deny the ordinance. City Attorney Judy Schmidt-Lehman explained the history of the parcels and the zoning. She stated that since 2000, both the owner of the property and City staff believed that both parcels were zoned as part of the Planned Development District; one parcel is zoned PDD. The sign would fall on both parcels, therefore prohibiting the placement of the sign regardless of whether the southern parcel was or wasn't zoned PDD. Discussion followed. Aldersperson Donovan moved, seconded by Aldersperson Robinson to open the meeting. Upon vote, motion carried unanimously. Larry Sidman of Jones Sign Company explained that the legal description is partially incorrect. He explained that our maps at the city never reflected that one parcel was zoned PDD and one wasn't. Attorney Judy Schmidt-Lehman acknowledged that the maps at the City were incorrect. Aldersperson Donovan moved, seconded by Aldersperson Bauer to close the meeting. Upon vote, motion carried unanimously. Discussion followed. Upon vote of the denial of Ordinance 12-18, motion carried unanimously.

5A. A Public Hearing to amend the Precise Implementation Plan for CVS Pharmacy, 800 Main Avenue, to change the height of the ground mount sign is scheduled for 7:35 p.m. or soon after. Clerk Shana Defnet announced the Notice of Public Hearing was published in the City's Official Newspaper, the De Pere Journal on July 5 and July 12, 2012.

5B. City Planner Ken Pabich stated the Plan Commission recommended denial of amending the Precise Implementation Plan for CVS Pharmacy.

5C. Mayor Walsh declared the public hearing open. No one wished to speak. Mayor Walsh declared the

public hearing closed. Mayor Walsh entertained a motion to act upon Ordinance 12-19, Amending Precise Implementation Plan CVS/Caremark (800 Main Avenue). Alderperson Lueck moved, seconded by Alderperson Crevier to deny the ordinance. Discussion followed. Upon vote, motion carried unanimously.

6. Public Comment or other Announcements. Alderperson Crevier stated that he enjoyed meeting with people in his neighborhood for National Night Out and appreciates the effort of the De Pere Police Department to hold this event for the community. Mayor Walsh echoed Alderperson Crevier's appreciation and stated that the event makes neighborhoods feel smaller and safer.

Elmer Schill of 823 Oak Street, De Pere WI 54115 spoke of his frustration with the new CVS Pharmacy being constructed by his home and had complaints about the fence that they are installing between his property and the pharmacy property. Mayor Walsh stated that the City will look into his issue.

7. Ordinance 12-16, Amending Chapter 146 De Pere Municipal Code Regarding Noise Ordinance Exemptions (second reading) was presented. Alderperson Boyd moved, seconded by Alderperson Robinson to approve the ordinance. Discussion followed. Upon vote, motion carried 7-1 with Alderperson Bauer voting nay.

8. Resolution 12-89, Authorizing Division Of Public Health Contract Agreement Public Health Preparedness – DPH Contract #21391 was presented. Alderperson Donovan moved, seconded by Alderperson Robinson to approve the resolution. Mary Dorn presented the council with a summary of the contract. Upon roll call vote, motion carried unanimously.

9. Resolution 12-90, Resolution Of The Common Council Of The City Of De Pere Establishing The Boundaries Of And Approving The Project Plan For Tax Incremental Financing District No. 9, City Of De Pere was presented. Alderperson Boyd moved, seconded by Alderperson Lueck to approve the resolution. Upon vote, motion carried unanimously.

10. Resolution 12-91, Resolution Of The Common Council Of The City Of De Pere Establishing The Boundaries Of And Approving The Project Plan For Tax Incremental Financing District No. 10, City Of De Pere was presented. Alderperson Donovan moved, seconded by Alderperson Lueck to approve the resolution. Discussion followed. Upon vote, motion carried unanimously.

11. Resolution 12-92, Authorizing The Agreement Between The City Of De Pere And Humana Insurance Company (Southwest Park Playground Donation) was presented. Alderperson Crevier moved, seconded by Alderperson Kneiszel to approve the resolution. Upon vote, motion carried unanimously.

12. Resolution 12-93, Requesting Swift Action To Approve Detailed Study Alternative 2 As Southern Bridge Corridor (Arterial Street Along Rockland And Red Maple Roads With A US 41 Interchange) was presented. Alderperson Kneiszel moved, seconded by Alderperson Robinson to approve the resolution. Discussion followed. Upon vote, motion carried unanimously.

13. Discussion regarding Riverwalk bonding resolution. Administrator Larry Delo explained that this was on the agenda to determine how the council wants to handle bonding for the project. Discussion followed.

14. Alderperson Van Vonderen moved, seconded by Alderperson Donovan to approve the vouchers. Upon vote, motion carried unanimously.

15. Applications for Operator's Licenses.

ITEM#	NAME	ADDRESS	CITY	ST	ZIP
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Previously Tabled Operator License for the 2010-2012 Licensing Period					
1	BARTMANN, SCOT M.	2191 TRAILSIDE LANE	DE PERE	WI	54115
2	BRAYTON, DANNY J.	1215 S. 7TH ST.	DE PERE	WI	54115
3	ELSNER NAVARRO, SUSAN M.	1593 FRANZ AVENUE	GREEN BAY	WI	54302
4	ELWELL, ALEXANDRA G.	17926 HEROLD ROAD	DENMARK	WI	54208
5	LESPERANCE, NICOLE M.	2817 VIKING DRIVE	GREEN BAY	WI	54304
6	MALONE, STEPHANIE L.	304 MAIN AVENUE, #6	DE PERE	WI	54115
7	PHILLIPS, SHEILA R.	508 S. JACKSON	GREEN BAY	WI	54301
Temporary Operator Licenses for the 2012-2014 Licensing Period					
1	GRASEE, JAMES T.	3551 HIDDEN VALLEY COURT	GREEN BAY	WI	54311
2	GODDARD, TAMMY M.	5123 NORTH AVENUE	DENMARK	WI	54208
3	MATERNOSKI, MICHAEL J.	425 DE PERE ROAD	DENMARK	WI	54208
4	NEMETZ, DENISE L.	5702 PARK ROAD	DENMARK	WI	54208
Operator Licenses for the 2012-2014 Licensing Period					
1	DENNY, RENEE L.	2754 VESTCO COURT	GREEN BAY	WI	54313
2	FRENCH, ROBYN M.	1022 SILVER STREET	DE PERE	WI	54115
3	GRODE, KELLY	1613 SWAN ROAD #6	DE PERE	WI	54115
4	HEMMERICH, ALEXIS R.	137 LONGVIEW AVENUE	GREEN BAY	WI	54301
5	HENDERSON, MICHAEL M.	515 S. TAYLOR STREET	GREEN BAY	WI	54303
6	JACKSON, MARY L.	2200 NICK LANE	DE PERE	WI	54115
7	JENSWOLD, MELINDA E.	822 CATHERINE STREET	GREEN BAY	WI	54301
8	MARLOW, SHARON M.	1118 S. NINTH STREET	DE PERE	WI	54115
9	MATHEYS, LUKE J.	1477 WEXFORD LANE	GREEN BAY	WI	54313
10	MONTAGUE, MEGHAN M.	2203 FOX HEIGHT LANE #204	GREEN BAY	WI	54304
11	RADLOFF, JODI L.	917 GREEN RIDGE DRIVE	GREEN BAY	WI	54313
12	STURDIVANT, JENNIFER M.	417 N. SAINT BERNARD DRIVE	DE PERE	WI	54115
13	TERRELL, MELISSA S.	724 PINE STREET	DE PERE	WI	54115
14	TESCH, JEREMIAH S.	1120 FORT HOWARD AVENUE	DE PERE	WI	54115

Alderson Bauer moved, seconded by Alderson Kneiszel to approve Previously Tabled Applications #1, 2, 3, & 6; to deny Previously Tabled Applications #4 & 7; and to table Previously Tabled Application #5. Upon vote, motion carried unanimously. Alderson Bauer moved, seconded by Alderson Kneiszel to approve Temporary Applications #1-4. Upon vote, motion carried unanimously. Alderson Bauer moved, seconded by Alderson Kneiszel to table Applications #1, 8, & 14 and to approve Applications #2-7 & 9-13. Upon vote, motion carried unanimously. Alderson Donovan moved, seconded by Alderson Bauer to reconsider Previously Tabled Applications. Upon vote, motion carried unanimously. Alderson Bauer moved, seconded by Alderson Kneiszel to approve Previously Tabled Applications #1, 3, & 6; to approve Previously Tabled Application #2 contingent upon satisfaction of warrant; to deny Previously Tabled Applications #4 & 7; and to table Previously Tabled Application #5. Discussion followed. Upon vote, motion carried unanimously.

16. Future Agenda Items. Alderson Crevier asked that all council members receive emails of any notifications sent to residents regarding City of De Pere projects; City Administrator Delo stated that the City will provide the Council with these public notifications.

Upon motion by Alderperson Van Vonderen, seconded by Alderperson Crevier, the Common Council adjourned at 9:14 p.m. Upon vote, motion carried unanimously.

Respectfully submitted,

Shana Defnet
City Clerk-Treasurer

*** Item approved at the July 23, 2012 Joint Plan Commission and Redevelopment Authority Meeting.**

Item: Review the CSM request for an extraterritorial 2 lot CSM in the Town of Rockland. Surveyor: Steve Bieda.

Mau has submitted the CSM that creates two lots located on Ledge Creek Road in the Town of Rockland, which are 10 and 27.79 acres, respectively. Under our review, the City ensures that a CSM meets the standards of Chapter 46 which governs our Platting and Division of Land. For areas within our urban reserve, the code, as written, sets out general requirements, design standards and use standards.

In June of 2010, the Wisconsin legislature changed how a municipality can review a Plat or CSM by taking away the ability to look at proposed use of an extraterritorial plat. Specifically 2010 Wisconsin Act 399 states:

"236.45(3) (b) Notwithstanding par. (a) and subs. (1) and (2), a municipality may not deny approval of a plat or certified survey map under this section or s. 236.10 or 236.13 on the basis of the proposed use of land within the extraterritorial plat approval jurisdiction of the municipality, unless the denial is based on a plan or regulations, or amendments thereto, adopted by the governing body of the municipality under s. 62.23 (7a) (c)."

Based on Act 399, the City cannot consider using the land use standards set out in §46-4(h). However, the standards set forth in §46-4(g), which do not look at proposed use as review criteria, still apply. Under §46-4(g) the proposed CSM does meet the following:

1. Section 46-4 (g) 1.5: Lots within urban reserve area of extraterritorial review jurisdiction. Every lot within the urban reserve area of the extraterritorial review jurisdiction shall be a minimum of ten acres in area.
2. Section 46-4 (g) 2.5: Lot dimensions within urban reserve area of extraterritorial review jurisdiction. Every lot within the urban reserve area of the extraterritorial review jurisdiction shall have a minimum lot width and frontage of not less than 300 feet.

Based on these provisions, the proposed CSM does meet the 10 acre minimum lot size and both lots meet the minimum lot frontage.

Recommendations

Based on the findings above, staff would recommend approval of the CSM subject to the following:

1. The CSM be forwarded to the City Council for approval.
2. The CSM must meet all state and local regulations and changes required by the County.

ORDINANCE #12-20

AMENDING PRECISE IMPLEMENTATION PLAN
COMMERCIAL HORIZONS - FOTH
(Part of Parcels WD-D0037 and WD-D0033)

WHEREAS, the Common Council of the City of De Pere, having reviewed the recommendation of the City Plan Commission regarding the proposed changes to the Precise Implementation Plan for the property described below and having scheduled a public hearing then to be decided by the Common Council; and

WHEREAS, the City Clerk-Treasurer, having published a Notice of Public Hearing regarding such proposed zoning change and, pursuant thereto, a public hearing having been held on the 21st day of August, 2012 at 7:35 p.m. and the Common Council having heard all interested parties or their agents and attorneys;

NOW, THEREFORE, the Common Council of the City of De Pere, Wisconsin, do ordain as follows:

Section 1. That the Precise Implementation Plan for the property located at 2121 Innovation Court (Part of WD-D0037 and WD-D0033), legally described as:

Part of Government Lots 1 and 2, the Northeast 1/4 of the Southwest 1/4, and the Southeast 1/4 of the Northwest 1/4, all being in Section 31, T23N-R20E, in the City of De Pere, Brown County, Wisconsin.

be and the same is hereby amended to allow for a 98,101 square foot office building as a use within the development subject to the following conditions:

Public Works

Sanitary Sewer

1. Connection to city sanitary sewer is required; a 6-inch sanitary sewer connection will be available at station 57+70 by the end of the 2012 construction season.

Water Main

2. Connection to city water is required; a 6-inch water main connection point will be available at station 60+20 by the end of the 2012 construction season.

Storm Water Management

3. The new development total suspended solids (TSS) reduction from the site is designed for 80% removal. Provide calculations for verification.
4. The storm water management plan includes a regional wet detention basin to handle additional runoff. This detention basin design needs to be reviewed by the City prior to construction. The pond shown on the plans was not reviewed by the City.
5. Provide all storm water calculation for the site.
6. The CSM shall show the 30 foot easement 10 feet north and 20 feet south of the storm pipe from Innovation Court to the detention pond.

Traffic/Vehicle Access

7. Two access points are proposed. The maximum access opening for the northerly driveway is 45 feet or 25 feet maximum width at the property line and the maximum flare of 10 feet.
8. Existing driveway approaches within the right of way should be 8-inch concrete. Driveways for heavy trucks shall include reinforcement.

General

9. Label the property line on the plan.
10. The concrete roadway will be constructed in 2013.
11. All areas intended to be utilized for parking spaces and driveways shall be surfaced with bituminous asphalt or concrete. See 14.60 (12) (j) De Pere Municipal Code.
12. Change creek name to "Ashwaubenon" not Hemlock.

Forestry

1. There are not any planting diagrams included on the plan. All planting, mulching and staking shall be in accordance with WDNR recommendations and current proper practices.
2. All plant material and beds shall have a follow up schedule for maintenance and replacement. It is essential that this schedule be established to ensure that the plants are maintained for health and any compromised plants are to be replaced in a timely manner. This maintenance schedule should include provisions to protect plants in the winter, as some of these may be susceptible to animal feeding or damage.
3. A preservation and protection plan for existing vegetation and trees, including City owned trees and shrubs, shall be included on plans when applicable.

Fire

1. Provide complete detailed plans for construction review; provide details of use for all areas of structure. Provide detailed plans prior to start of construction.
2. Separation of hazards/use may be required. Provide floor arrangement for inside structure.
3. Provide details for the means of egress throughout the structure. Provide exit/emergency lighting throughout the means of egress.
4. Provide fire extinguishers at maximum 75' travel distances, locate extinguishers towards the exits.
5. Provide sprinkler system drawings with calculations and cut sheets for approval prior to installation.
6. Provide fire alarm system drawings for approval prior to installation of any system.
7. Install a key box for fire department access.

Building/Planning

1. A signage plan shall be submitted to the City for approval.
2. No outside storage allowed; refuse to be stored in building.
3. Given access to the trail, staff would recommend that they consider parking for bicycles.

and as subject to the regulations set forth in and regulated by §14-59, De Pere Municipal Code.

Section 2. That the Clerk-Treasurer is directed to amend the City of De Pere Zoning Map in conformity with the provisions of this ordinance.

Section 3. That all other ordinances in conflict herewith are hereby repealed.

Adopted by the Common Council of the City of De Pere, Wisconsin, this 21st day of August, 2012.

APPROVED:

Michael J. Walsh, Mayor

ATTEST:

Shana L. Defnet, Clerk-Treasurer

Ayes: _____

Nays: _____

Publish: August 2 and August 9, 2012 in the De Pere Journal (Class 2 Notice)

NOTICE OF PUBLIC HEARING

Notice is Hereby given, that on **Tuesday, August 21, 2012** at 7:35 PM or as soon thereafter as can be heard in the Council Chambers of the De Pere City Hall, 335 S. Broadway St, De Pere, WI, a public hearing will be held by the Common Council of the City of De Pere to act on the Precise Implementation Plan amendment request for the following property:

Precise Implementation Plan amendment for a 98,101 square foot office building for Foth at 2121 Innovation Court. Part of Parcels WD-D0037 and WD-D0033. Petitioner: Commercial Horizons by Agent: Joe Gegare.

A plan of the proposed amendment is available through the City of De Pere Planning Department at 335 S. Broadway St., De Pere, WI 54115.

Dated this 2nd day of August, 2012.

BY ORDER OF THE COMMON COUNCIL

Michael J. Walsh
Mayor

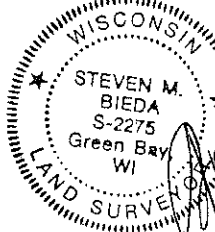
Shana Defnet
City Clerk-Treasurer

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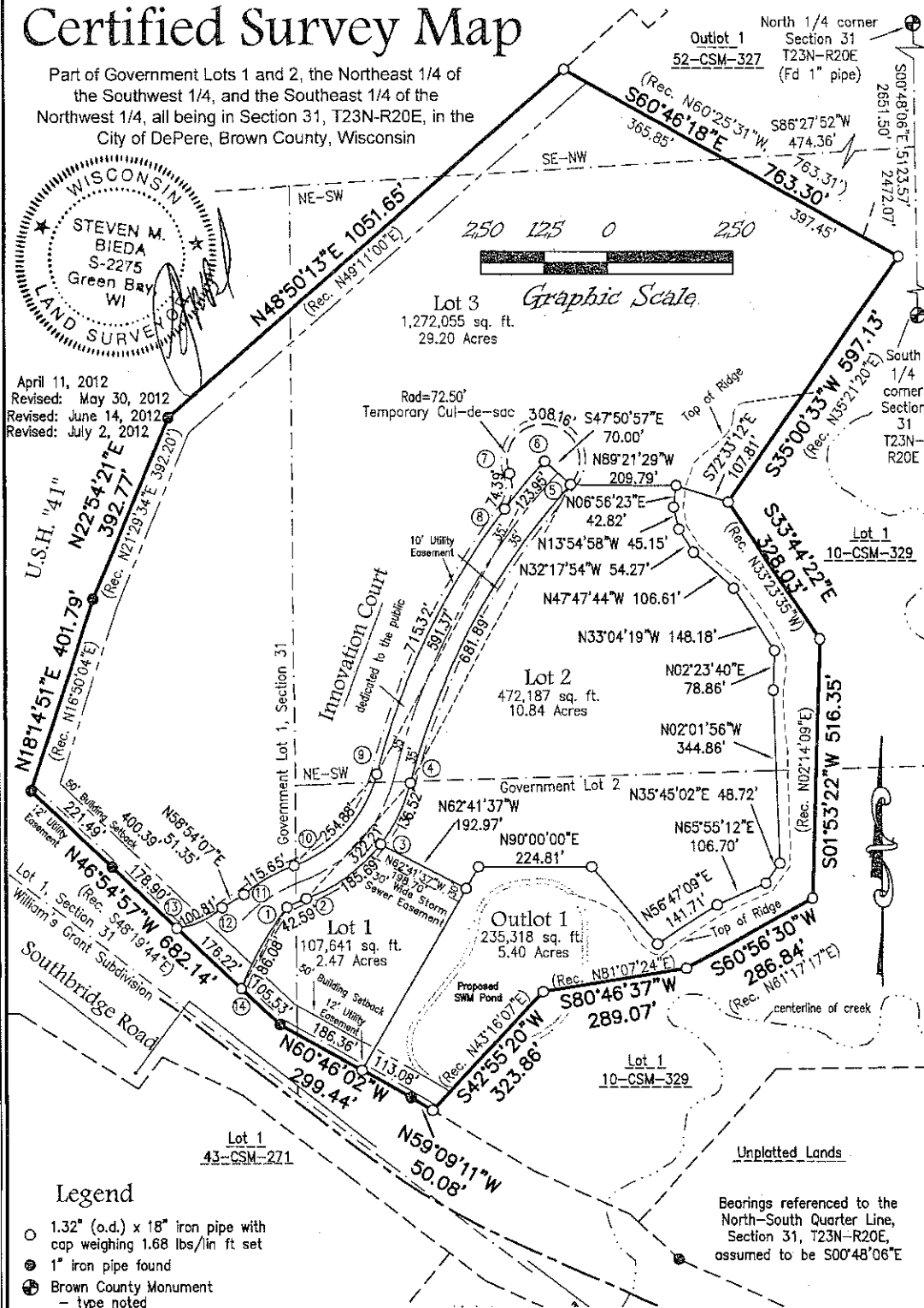
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Certified Survey Map

Part of Government Lots 1 and 2, the Northeast 1/4 of the Southwest 1/4, and the Southeast 1/4 of the Northwest 1/4, all being in Section 31, T23N-R20E, in the City of DePere, Brown County, Wisconsin



April 11, 2012
Revised: May 30, 2012
Revised: June 14, 2012
Revised: July 2, 2012



Client: Commercial Horizons
Drafted By: JMP
File: P-21205CSM 070212.dwg

Scale: 1"=250'
Tax Parcel Number
WTD-10037, WTD-10036, WTD-10033

Mau & Associates
LAND SURVEYING & PLANNING
CIVIL & WATER RESOURCE ENGINEERING
Phone: 920-434-9670 Fax: 920-434-9672

Sheet One of Four
Project No.: P-21205
Drawing No.: L-8114

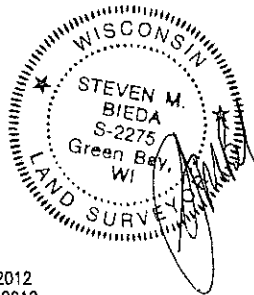
SURVEYOR'S CERTIFICATE

I, Steven M. Bieda, Registered Land Surveyor, S-2275, do hereby certify that I have surveyed, divided and mapped Part of Government Lots 1 and 2, the Northeast 1/4 of the Southwest 1/4, and the Southeast 1/4 of the Northwest 1/4, all being in Section 31, T23N-R20E, in the City of DePere, Brown County, Wisconsin, more fully described as follows:

Commencing at the North 1/4 Corner, Section 31, T23N-R20E; thence S00°48'06"E, 2651.50 feet along the East line of the Northwest 1/4, said Section; thence S86°27'52"W, 474.36 feet along the South line of said Northwest 1/4, to the point of beginning; thence S60°46'18"E, 397.45 feet along the South line and its extension of Outlot 1, Volume 52, Certified Survey Maps, page 327, Map No. 7671, Document No. 2318068 Brown County Records; thence S35°00'33"W, 597.13 feet; thence S33°44'22"E, 328.03 feet; thence S01°53'22"W, 516.35 feet; thence S60°56'30"W, 286.84 feet; thence S80°46'37"W, 289.07 feet; thence S42°55'20"W, 323.86 feet to the North right-of-way of Southbridge Road; thence N59°09'11"W, 50.08 feet along said North right-of-way; thence N60°46'02"W, 299.44 feet along said North right-of-way; thence N46°54'57"W, 682.14 feet along said North right-of-way to the East right-of-way of U.S.H. "41"; thence N18°14'51"E, 401.79 feet along said East right-of-way; thence N22°54'21"E, 392.77 feet along said East right-of-way; thence N48°50'13"E, 1051.65 feet along said East right-of-way; thence S60°46'18"E, 365.85 feet along the South line of said Outlot 1 to the point of beginning.

Parcel contains 2,180,758 square feet / 50.06 acres more or less.
Road dedication contains 93,557 square feet / 2.15 acres more or less.
Parcel subject to any easements and restrictions of record.

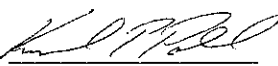
That such plat is a correct representation of all the exterior boundaries of the land survey and the division thereof. That I have made such a survey, land division and plat by the direction of the owners listed hereon. That I have fully complied with the provisions of Chapter 236, section 236.34 of the Wisconsin Statutes and the City of De Pere in surveying, dividing and mapping the same.



April 11, 2012
Revised: May 30, 2012
Revised: June 14, 2012
Revised: July 2, 2012

CERTIFICATE FOR THE CITY OF DE PERE

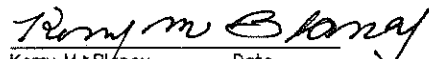
Approved for the City of DePere this 10 day of July, 2012

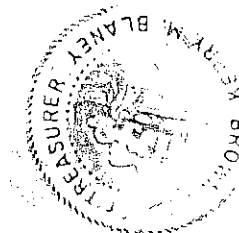

Ken Pabich
Director of Planning



TREASURER'S CERTIFICATE

As duly elected Brown County Treasurer, I hereby certify that the records in my office show no unredeemed tax sales and no unpaid taxes or special assessments affecting any of the lands included in this Certified Survey Map as of the dates listed below.


Kerry M. Blaney Date 7-24-12
Brown County Treasurer



Sheet Two of Four
Project No.: P-21205
Drawing No.: L-8114

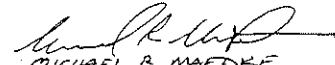
LIMITED LIABILITY COMPANY OWNER'S CERTIFICATE

South Bridge Properties LLC, a limited liability company duly organized and existing under and by virtue of the laws of the State of Wisconsin, does hereby certify that said limited liability company caused the land on this Certified Survey Map to be surveyed, divided, dedicated, and mapped as represented hereon. South Bridge Properties LLC does further certify that this Certified Survey Map is required to be submitted to City of De Pere for approval or objection in accordance with current Land Subdivision Ordinances.

In Witness Whereof, the said South Bridge Properties LLC has caused these presents to be signed by Jeffrey J. Weyers, its Member, on this 20th day of July, 2012.


Member

Personally came before me this 20th day of July, 2012, the above named Member of said Limited Liability Company and acknowledged that he executed the foregoing instrument as such Member as the deed of said Limited Liability Company, by its authority.


MICHAEL R. MAEDKE
Notary Public
Brown County, Wisconsin

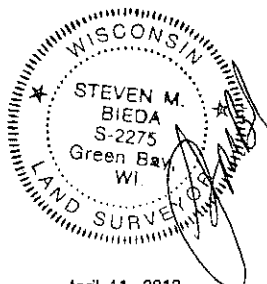
My Commission Expires 2-15-2015



STATE OF WISCONSIN }
COUNTY OF BROWN } SS

RESTRICTIVE COVENANTS

- 1) The land on all side and rear lot lines of all lots shall be graded by the property owner and maintained by the abutting property owners to provide for adequate drainage of surface water.
- 2) Each lot owner shall grade the property to conform to the adopted sidewalk grade elevation and maintain said elevation for future sidewalks.
- 3) No poles, pedestals or buried cable are to be placed so as to disturb any survey stake or obstruct vision along any lot lines or street line, a disturbance of a survey stake by anyone is a violation of section 236.32 of the Wisconsin Statutes.



April 11, 2012
Revised: May 30, 2012
Revised: June 14, 2012
Revised: July 2, 2012

Sheet Three of Four
Project No.: P-21205
Drawing No.: L-8114

2584032

CONSENT OF CORPORATE MORTGAGEE

The Business Bank a corporation duly organized and existing under and by virtue of the laws of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedication of the land described on this plat and does hereby consent to the above certificate of Southbridge Owner(s).

IN WITNESS WHEREOF, The Business Bank has caused these presents to be signed by Scott Yukel, its Vice President and countersigned by William Hodgkins, its Market President, at Appleton, WI this 20 day of July, 2012

(signature #1) Scott Yukel (signature #2) William C. Hodgkins
(print name #1) Scott Yukel (print name #2) William C. Hodgkins
(print title #1) Vice President (print title #2) Market President

Personally came before me this 20th day of July, 2012, the above named officers of said corporation to me known to be the persons who executed the foregoing instrument and to me known to be such officers of said corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said corporation, by its authority.

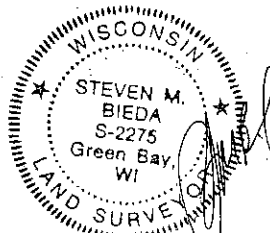
Paul A. Klister
Notary Public My Commission Expires 2/17/16

PAUL A. KLISTER
Notary Public
State of Wisconsin

STATE OF WISCONSIN]
] ss
COUNTY OF BROWN]

Curve Data

Curve No.	Arc Length	Radius	Chord Length	Chord Bearing	Central Angle	Tangent Bearing
1-2	42.59	265.00	42.54	N65°17'33"E	9°12'28"	N69°53'47"E, S60°41'19"W
2-3	187.32	335.00	184.89	N53°52'39"E	32°02'16"	
2-4	322.21	335.00	309.93	N42°20'33"E	55°06'28"	N14°47'19"E
3-4	134.89	335.00	133.98	N26°19'25"E	23°04'12"	
4-5	681.89	1427.87	675.43	N28°28'11"E	27°21'44"	N42°09'03"E
5-7	308.16	72.50	123.28	N79°36'55"W	24°31'56"	
7-8	74.39	72.50	71.17	S08°00'50"W	56°47'26"	N21°22'53"W
8-9	591.37	1497.87	587.53	S26°05'56"W	22°37'14"	N37°24'33"E
9-6	715.32	1497.87	708.54	N28°28'11"E	27°21'44"	N42°09'03"E
8-6	123.95	1497.87	123.92	N39°46'48"E	4°44'30"	
9-10	254.88	265.00	245.17	S42°20'33"W	55°06'28"	N14°47'19"E
10-11	115.85	335.00	115.08	N60°00'22"E	19°46'50"	N69°53'47"E, S50°06'57"W
1-14	186.08	667.35	185.48	N29°18'55"E	15°58'34"	N37°18'12"E, S21°19'38"W
12-13	100.81	184.67	99.25	N65°43'00"E	35°04'40"	N48°10'40"E, S63°15'20"W



April 11, 2012
Revised: May 30, 2012
Revised: June 14, 2012
Revised: July 2, 2012

Office of the Register of Deeds
Brown County, Wisconsin

Received for Record July 24, 2012,
at 11:47 o'clock A M and recorded as
Document # 2584032 in
Volume 57 of CSM's on Page 255-258
Cathy Williquette Lindsay
Cathy Williquette Lindsay, Register of Deeds

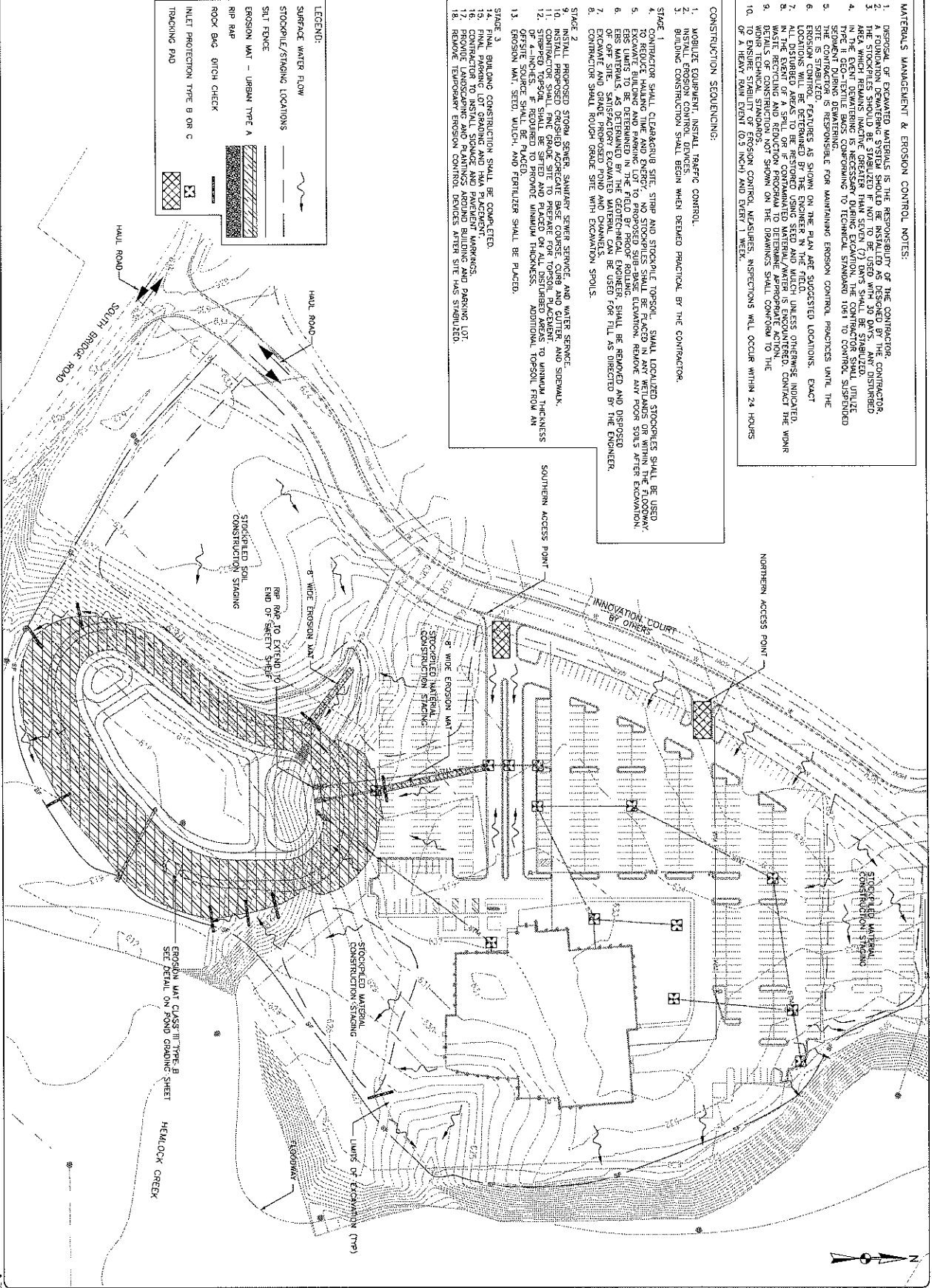
Sheet Four of Four
Project No.: P-21205
Drawing No.: L-8114

VOL 57 PAGE 258

- MATERIALS MANAGEMENT & EROSION CONTROL NOTES:**
1. DISPOSAL OF EXCAVATED MATERIALS IS THE RESPONSIBILITY OF THE CONTRACTOR.
 2. A FOUNDATION DRAINAGE SYSTEM SHOULD BE INSTALLED AS DESIGNED BY THE CONTRACTOR.
 3. EXCAVATED MATERIALS SHOULD BE STOCKPILED IN A DESIGNATED STOCKPILE AREA WHICH REMAINS INACTIVE GREATER THAN SEVEN (7) DAYS SHALL BE STABILIZED.
 4. IN THE EVENT DRAINAGE IS NECESSARY DURING EXCAVATION, THE CONTRACTOR SHALL UTILIZE TYPE II GEO-TEXTILE BARS CONFORMING TO TECHNICAL STANDARD 1061 TO CONTROL SUSPENDED MATERIALS.
 5. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING EROSION CONTROL PRACTICES UNTIL THE SITE IS STABILIZED, FEATURES AS SHOWN ON THE PLAN ARE SUGGESTED LOCATIONS. EXACT LOCATIONS WILL BE DETERMINED BY THE ENGINEER IN THE FIELD.
 6. ALL DISTURBED AREAS TO BE RESTORED USING SEED AND MULCH UNLESS OTHERWISE INDICATED.
 7. IN THE EVENT OF A SPLIT OF A COMPACTED MATERIAL, THE CONTRACTOR SHALL CONTACT THE WORK AREA SUPERVISOR FOR APPROVAL OF ANY REPAIRS.
 8. DETAILS OF CONSTRUCTION NOT SHOWN ON THE DRAWINGS SHALL CONFORM TO THE WISCONSIN TECHNICAL STANDARDS.
 9. EROSION CONTROL MEASURES INTERFERENCES WILL OCCUR WITHIN 24 HOURS OF A HEAVY RAIN EVENT (0.5 INCH) AND EVERY 1 WEEK.
 10. EROSION CONTROL MEASURES INTERFERENCES WILL OCCUR WITHIN 24 HOURS OF A HEAVY RAIN EVENT (0.5 INCH) AND EVERY 1 WEEK.

CONSTRUCTION SEQUENCING:

1. MOBILIZE EQUIPMENT, INSTALL TRAFFIC CONTROL.
 2. INSTALL EROSION CONTROL DEVICES.
 3. BUILDING CONSTRUCTION SHALL BEGIN WHEN DEEMED PRACTICAL BY THE CONTRACTOR.
- STAGE 1**
4. CONTRACTOR SHALL CLEAR/CURB SITE, STUMP AND STOCKPILE TOPSOIL. SMALL LOCALIZED STOCKPILES SHALL BE USED FOR EXCAVATION MATERIALS AND TOPSOIL. EXCAVATION MATERIALS SHALL BE STOCKPILED IN A DESIGNATED STOCKPILE AREA WHICH REMAINS INACTIVE GREATER THAN SEVEN (7) DAYS SHALL BE STABILIZED.
 5. EXCAVATION MATERIALS AND TOPSOIL SHALL BE STOCKPILED IN A DESIGNATED STOCKPILE AREA WHICH REMAINS INACTIVE GREATER THAN SEVEN (7) DAYS SHALL BE STABILIZED.
 6. EXCAVATION MATERIALS SHALL BE STOCKPILED IN A DESIGNATED STOCKPILE AREA WHICH REMAINS INACTIVE GREATER THAN SEVEN (7) DAYS SHALL BE STABILIZED.
 7. EXCAVATION MATERIALS SHALL BE STOCKPILED IN A DESIGNATED STOCKPILE AREA WHICH REMAINS INACTIVE GREATER THAN SEVEN (7) DAYS SHALL BE STABILIZED.
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 12. EXCAVATION MATERIALS SHALL BE STOCKPILED IN A DESIGNATED STOCKPILE AREA WHICH REMAINS INACTIVE GREATER THAN SEVEN (7) DAYS SHALL BE STABILIZED.
 13. EXCAVATION MATERIALS SHALL BE STOCKPILED IN A DESIGNATED STOCKPILE AREA WHICH REMAINS INACTIVE GREATER THAN SEVEN (7) DAYS SHALL BE STABILIZED.
 14. EXCAVATION MATERIALS SHALL BE STOCKPILED IN A DESIGNATED STOCKPILE AREA WHICH REMAINS INACTIVE GREATER THAN SEVEN (7) DAYS SHALL BE STABILIZED.
 15. EXCAVATION MATERIALS SHALL BE STOCKPILED IN A DESIGNATED STOCKPILE AREA WHICH REMAINS INACTIVE GREATER THAN SEVEN (7) DAYS SHALL BE STABILIZED.
 16. EXCAVATION MATERIALS SHALL BE STOCKPILED IN A DESIGNATED STOCKPILE AREA WHICH REMAINS INACTIVE GREATER THAN SEVEN (7) DAYS SHALL BE STABILIZED.
 17. EXCAVATION MATERIALS SHALL BE STOCKPILED IN A DESIGNATED STOCKPILE AREA WHICH REMAINS INACTIVE GREATER THAN SEVEN (7) DAYS SHALL BE STABILIZED.
 18. EXCAVATION MATERIALS SHALL BE STOCKPILED IN A DESIGNATED STOCKPILE AREA WHICH REMAINS INACTIVE GREATER THAN SEVEN (7) DAYS SHALL BE STABILIZED.
- STAGE 2**
9. INSTALL PROPOSED STORM SEWER, SANITARY SEWER SERVICE, AND WATER SERVICE.
 10. INSTALL PROPOSED GROUND ADJACENT BASE COURSE, CURB AND GUTTER, AND SIDEWALK.
 11. PROVIDE LANDSCAPING AND PLANTINGS AROUND BUILDING AND PARKING LOT.
 12. STRIPED TOPSOIL SHALL BE SHIFTED AND PLACED ON ALL DISTURBED AREAS TO MINIMUM THICKNESS OF 4-INCHES. IF REQUIRED TO PROVIDE MINIMUM THICKNESS. ADDITIONAL TOPSOIL FROM AN OFFSITE SOURCE SHALL BE PLACED.
 13. EROSION MAT, SEED, MULCH, AND FERTILIZER SHALL BE PLACED.
- STAGE 3**
14. BUILDING CONSTRUCTION SHALL BE COMPLETED.
 15. FINAL PARKING LOT GRADING AND PAVEMENT MARKINGS.
 16. CONTRACTOR TO INSTALL SIGNAGE AND PAVEMENT MARKINGS.
 17. PROVIDE LANDSCAPING AND PLANTINGS AROUND BUILDING AND PARKING LOT.
 18. REMOVE TEMPORARY EROSION CONTROL DEVICES AFTER SITE HAS STABILIZED.



7/2/2012 1:50:24 AM 2011 Footh Infrastructure & Environment, LLC - EROSION CONTROL & MATERIALS MANAGEMENT

PROJECT QUEST

PERFORMA

BROWN COUNTY

CITY OF DE PERE, WISCONSIN

Foth

Foth Infrastructure & Environment, LLC

2737 South Ridge Road, Suite 600

P.O. Box 12226

Green Bay, WI 54307-2326

Phone: 920-927-2500 Fax: 920-927-8815

THIS DOCUMENT HAS BEEN DEVELOPED FOR A SPECIFIC APPLICATION AND NOT FOR GENERAL USE. THEREFORE, IT MAY NOT BE USED WITHOUT THE WRITTEN APPROVAL OF FOTH INFRASTRUCTURE AND ENVIRONMENT, LLC. UNAPPROVED USE IS THE SOLE RESPONSIBILITY OF THE UNAUTHORIZED USER.

EROSION CONTROL & MATERIALS MANAGEMENT

C4.02

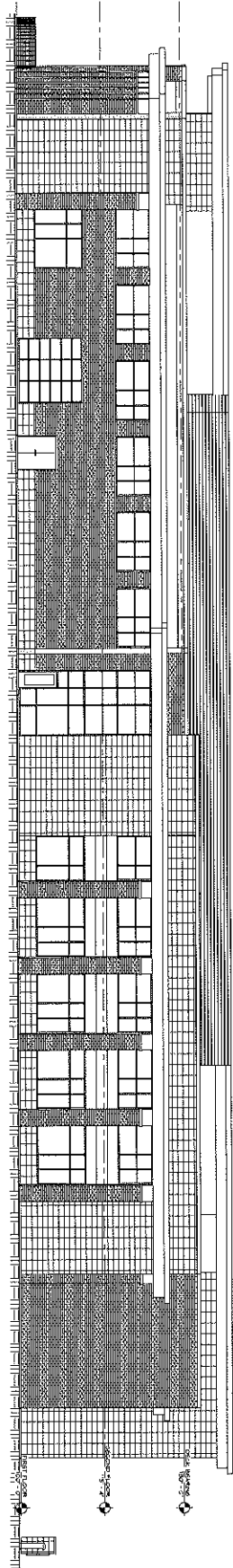
SHEET 7 OF 15

REVISION/ISSUE	
NO.	DESCRIPTION
1	RECORD DRAWING OF COMPLETED CONSTRUCTION BY:
2	RECORD DRAWING OF COMPLETED CONSTRUCTION CONFORMING TO CONTRACTOR AND/OR OWNER'S RECORDS.

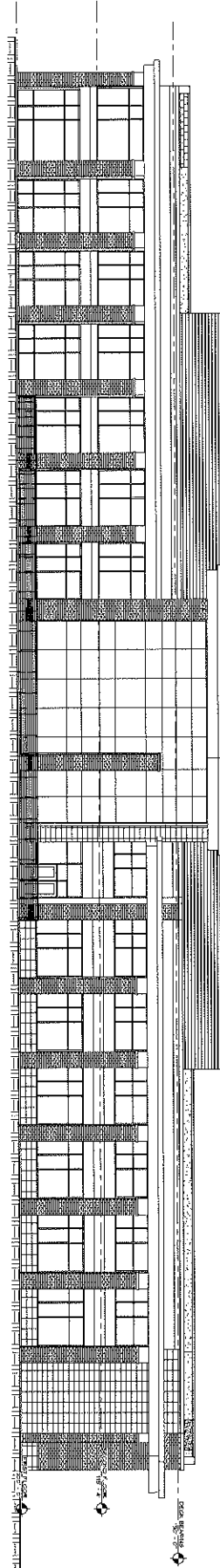
DATE OF PREPARATION	
BY	DATE
DESIGNED	6/20/2012
DRAWN	6/20/2012
CHECKED	6/20/2012
APPROVED	6/20/2012

SCALE

0 50 100

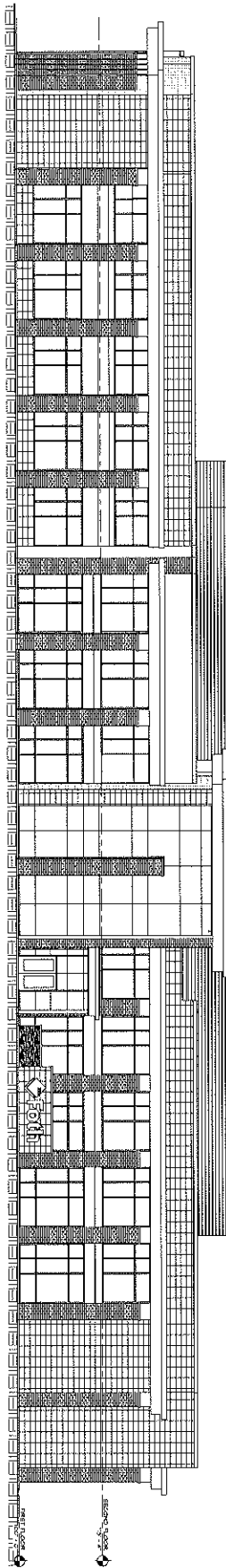


NORTH ELEVATION

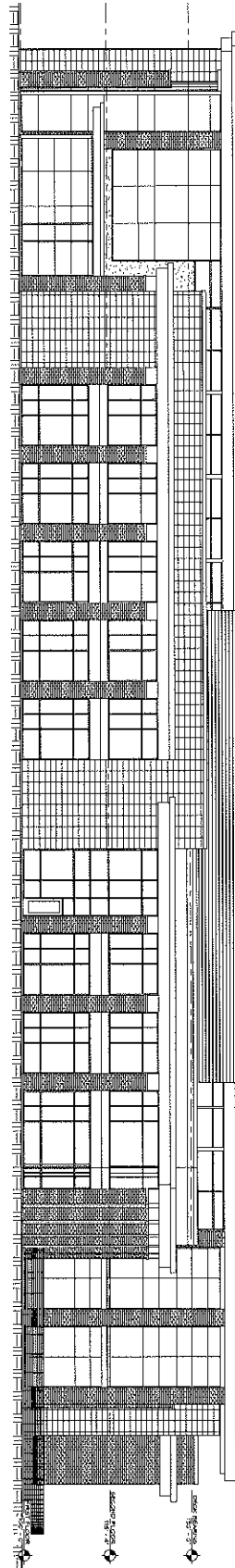


EAST ELEVATION

NOT FOR CONSTRUCTION

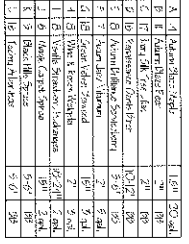


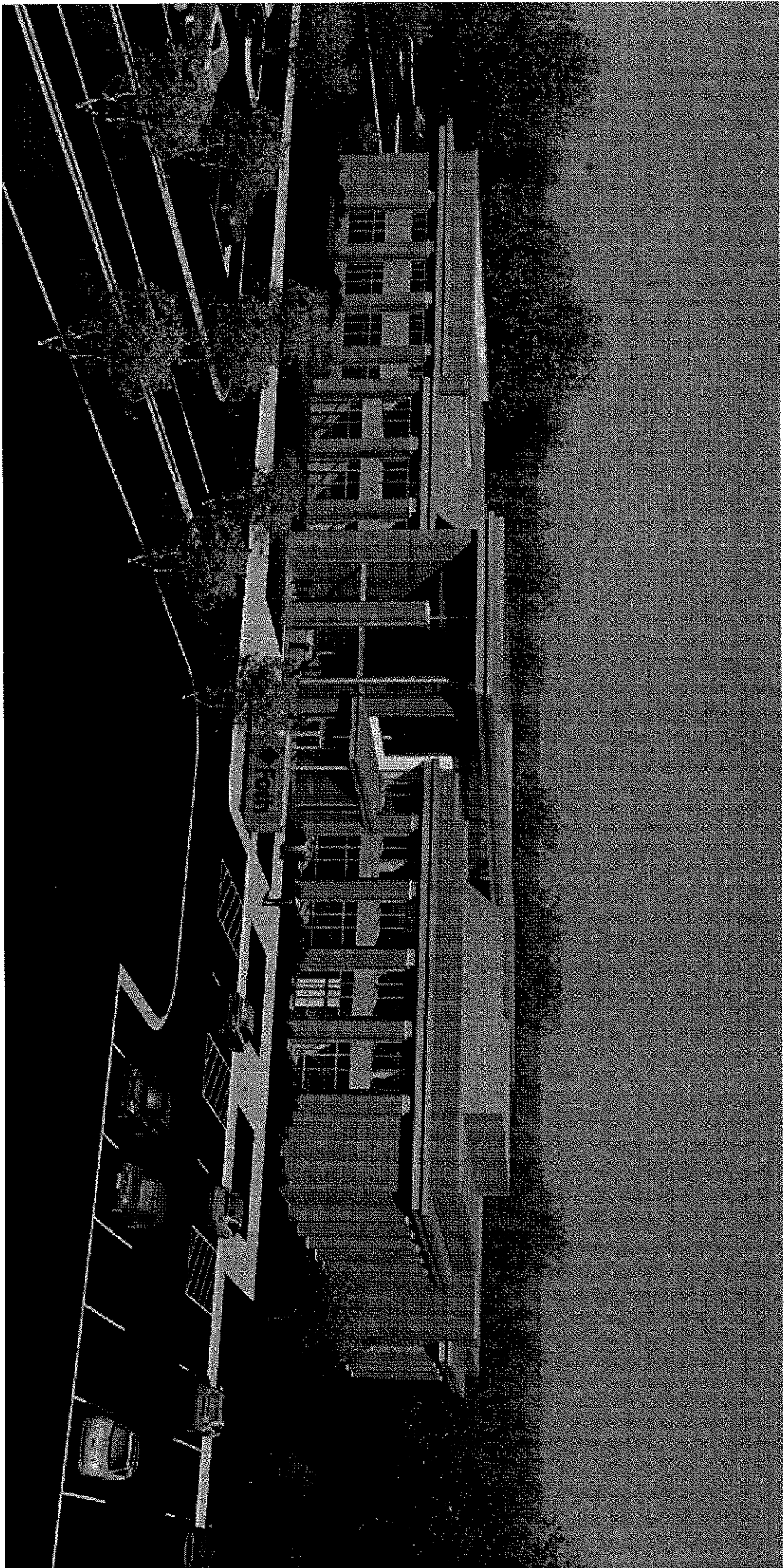
WEST ELEVATION
SCALE: 1/8" = 1'-0"

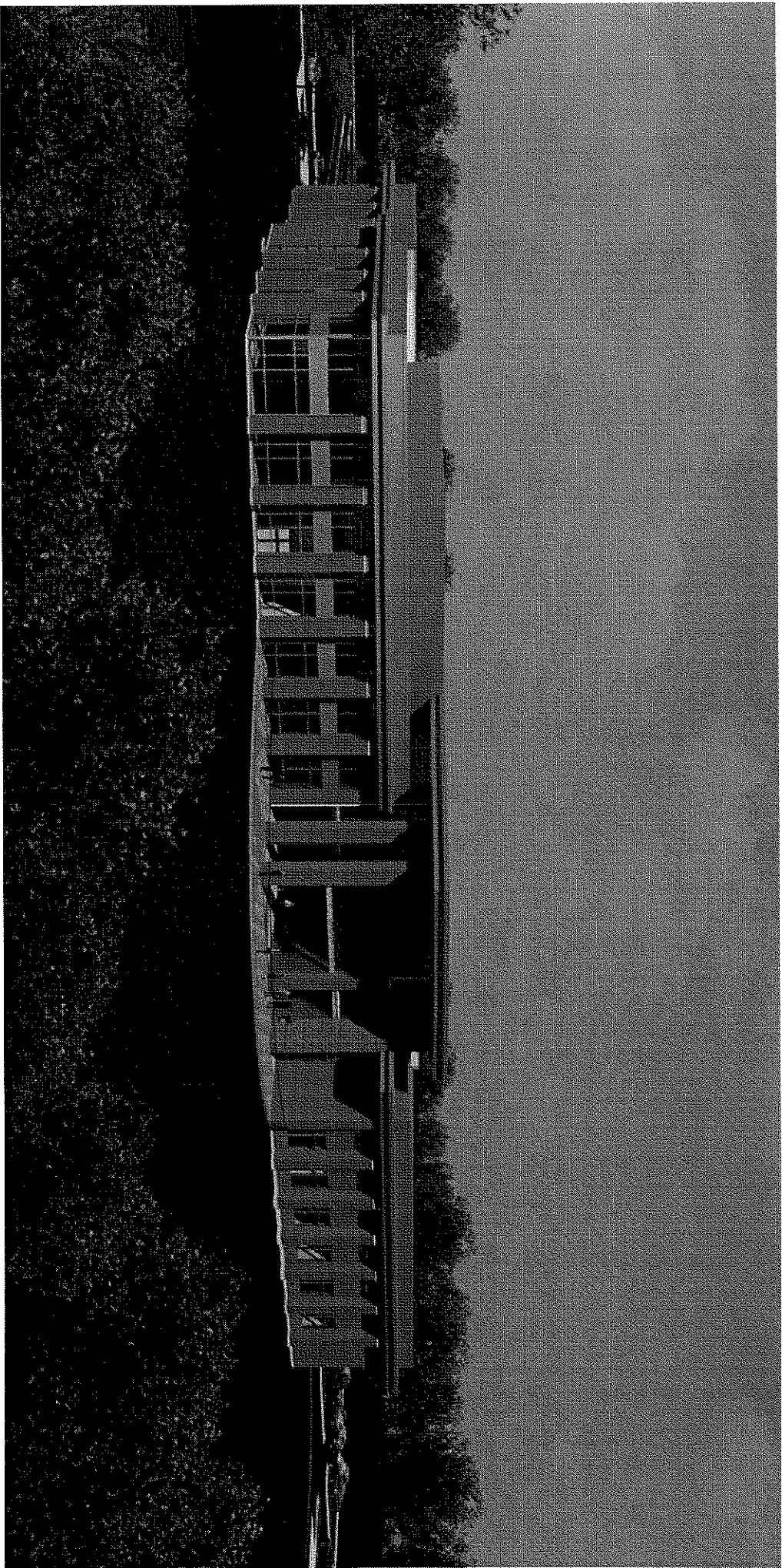


SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

NOT FOR CONSTRUCTION









2737 South Ridge Road, Suite 700
P.O. Box 11295 • Green Bay, WI 54307-1295
(920) 497-2500 • Fax: (920) 497-8516
www.foth.com

July 18, 2012

City of De Pere
Attn: Mr. Ken Pabich
Director of Planning & Economic Development
335 South Broadway Street
De Pere, WI 54115

Dear Ken:

RE: Commercial Horizons/Foth Office Development
Southbridge Business Park

On July 9, 2012 Performa, on behalf of Foth, submitted the project site plan to the City for review and approval. As of that submittal, the site plan indicated 367 total parking spaces. By way of this letter we are requesting that the City of De Pere allow Foth to provide fewer parking spaces than the quantity required by the City and the PDD.

Based on the calculation methodology prescribed by the City, Foth is required to provide 354 parking spaces. We are requesting that you allow us to provide a total of 300 spaces. Our staff projections indicate that this will satisfy our parking needs until the end of 2016. Our projection at year end 2016 is 336 staff members - a large share of which are transient and work out of the office on a full time basis. Given this circumstance, we are very comfortable with the reduced number of spaces and the parking lot's ability to serve our needs without expanding the lot or parking on Innovation Drive.

Prior to our move-in (4th quarter 2013), we will sharpen and update our staff projections and should they dictate, we would add spaces back to the parking lot during the construction phase.

In the event we reach capacity in the reduced lot, Foth (along with Commercial Horizons) will provide an expansion to the parking lot to handle the additional parking demand. It is our commitment to the City that neither Foth personnel nor Foth visitors will park on Innovation Drive.

Mr. Ken Pabich
335 South Broadway Street
July 18, 2012
Page 2

Special onetime events at Foth may necessitate parking on Innovation Drive. If this occurs, Foth will notify the De Pere police department in advance of the event.

Thank you for your consideration in this matter. We look forward to our move to De Pere.

Sincerely,

Foth & Van Dyke, LLC

A handwritten signature in black ink, appearing to read 'Howard R. Bornstein', with a stylized flourish at the end.

Howard R. Bornstein
Chief Financial Officer

cc: Jerry Sevick

RECOMMENDATION

August 14, 2012
De Pere, Wisconsin

Recommendations to the Honorable Mayor and Members of the Common Council as approved by the Board of Public Works at their duly convened meeting held on Monday, August 13, 2012:

1. Recommend Award Project E12-02, Radio System Narrow Band Upgrade for Portables, Mobile and Repeater to Nielson's Communications, Inc., 645 Potts Avenue, Green Bay, WI 54304 in the amount of \$28,900.00.

Respectfully Submitted,

BOARD OF PUBLIC WORKS

Eric Rakers, P.E.
City Engineer

City of De Pere

Public Works Department

Memo

To: Honorable Mayor Walsh
Members of the Board of Public Works
From: Al Luberda, Street Superintendent
Date: August 13, 2012
Subject: Consider Award of Project E12-02 Radio System Narrow Band Upgrade for Portables, Mobiles and Repeater

The following proposal was received for Project E12-02, Radio System Narrow Band Upgrade for Portables, Mobiles and Repeater:

NAME OF BIDDER

AMOUNT BID

Nielson Communication, Inc.

\$28,900.00

\$30,000.00 was budgeted for this project. Staff recommends approving the proposal from Nielson Communications, Inc. 645 Pott Ave, Green Bay, WI 54304 in the amount of \$28,900.00.

RECOMMENDATION

August 14, 2012
De Pere, Wisconsin

Recommendation to the Honorable Mayor and Members of the Common Council as approved by the Finance/Personnel Committee at their duly convened meeting held August 14, 2012:

Recommendation on the following to approve:

- A. \$300 donation from the De Pere Men's Club to be used toward the senior picnic.
- B. \$500 Green Bay Area Community Grant from The Shopko Foundation to be used toward a technology upgrade in the Police Department.
- C. Utilizing Ice Center Funds for maintenance and remodeling of concession stand.

Respectfully Submitted

Finance/Personnel Committee

Lawrence Delo
City Administrator



Memorandum

To: Mayor Michael J. Walsh and Members of the Common Council

From: Marty J. Kosobucki,
Director of Parks, Recreation and Forestry

Re: De Pere Men's Club Donation

Date: July 20, 2012

At the regular Board of Park Commissioners Meeting of July 20, 2012, the Board recommended approval of the following donation from De Pere Men's Club for \$300.00 for the senior picnic.

Thank you

CITY OF DE PERE
POLICE DEPARTMENT

MEMORANDUM

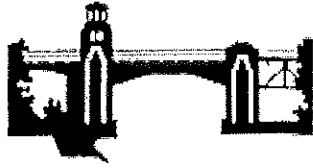
To: Finance and Personnel Committee
From: Derek A. Beiderwieden, Chief of Police
Date: August 2, 2012
Subject: Donation Acceptance

The Shopko Foundation has awarded the De Pere Police Department a \$500 Green Bay Area Community grant focusing on health and fitness awareness.

The grant will be used for the purchase of a flat screen television and mounting bracket for mounting to the wall of the department fitness room. The new TV will be used for displaying workout and fitness CD/DVD's for use by department personnel. The television currently in use is a regular TV sitting on a chair (somewhat awkward to use and in the way).

Please accept this donation/grant from the Shopko Foundation for technology upgrade.

Please contact me at 339-4075 at your convenience if you have any questions about this information.



Memorandum

To: Finance Committee

From: Marty J. Kosobucki, Director of Parks, Recreation and Forestry

Re: Request to use Ice Arena Funds

Date: August 14, 2012

The Board of Park Commissioners recommends funding up to \$15,000 in renovations and repairs to the Concession Stand at the Ice Arena. The Board of Park Commissioners is asking the Finance Committee to approve this funding from the Ice Arena Fund.

Funds are recommended to be taken from the Ice Arena Fund which currently has a balance of \$50,391. We have received estimates from Brown County Ice Management totaling \$12,820 to conduct repairs and renovations to the concession stand. We ask that you consider approving the full \$15,000 to allow for miscellaneous costs in completing the renovation of the Ice Arena Concession Stand.

LICENSE COMMITTEE RECOMMENDATIONS

August 21, 2012
De Pere, Wisconsin

Recommendations to the Honorable Mayor and Members of the Common Council as approved by the License Committee at their duly convened meeting held on August 21, 2012.

1. Request for approval of a premise description change for Nicky's Lionhead Tavern and Grill, 331 Main Ave., De Pere, WI. Submitted by Nicky's Inc., Agent: Thomas M. Nick, 5029 Edgewater Beach Rd., Green Bay, WI 54311.
2. Request for a temporary premise description change for the Drift Inn, 1535 N. Ashland Ave., De Pere, WI. Submitted by Al Chris, LLC, Agent: Gail Kozlovsky, 4900 Sportman Dr., De Pere, WI 54115.
3. Request for approval of a premise description change for The Day Spa, 600 N. 10th St., De Pere, WI. Submitted by The Day Spa, Ltd., Agent: Kathleen F. Schmaltz, 3418 Delahaut St., Green Bay, WI 54301.
4. Application for a for a Class "A" Beer Fermented Malt Beverage License for The Day Spa Ltd., 600 N. 10th St., De Pere, WI. Submitted by The Day Spa, Ltd., Agent: Kathleen F. Schmaltz, 3418 Delahaut St., Green Bay, WI 54301.
5. Application for a Class "A" Beer Fermented Malt Beverage License for CVS/Pharmacy #2214, 800 Main Ave., De Pere, WI. Submitted by Wisconsin CVS Pharmacy, LLC, Agent: Kendra Welty, 4282 Packerland Dr., De Pere, WI 54115.
6. Application for a Class "A" Beer Fermented Malt Beverage License for De Pere Minimart, 821 George St., De Pere, WI. Submitted by De Pere Minimart, LLC, Agent: Bishnu P. Adhikari, 1305 Lucerne Dr., Menasha, WI 54952.
7. Application for a Special Permit Allowing Consumption of Alcohol Beverages on Public Ways. Submitted by the De Pere Area Chamber of Commerce Foundation, Inc. for the Fall Fest De Pere 2012 on Saturday, Sept. 8th from 12 pm – 6:00 pm.
8. Application for a Temporary Class "B"/ "Class B" Retailer's License for De Pere Area Chamber of Commerce Foundation, for **Fall Fest** on September 8, 2012 at George Street Landing, De Pere, WI. (Previously tabled). Submitted by De Pere Area Chamber of Commerce Foundation, Alicia Detrick, 441 Main Avenue, De Pere, WI 54115.

Respectfully Submitted,

License Committee
Vicki L. Scray
Deputy Clerk

PREMISE DESCRIPTION CHANGE

ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning Aug 28 20 12
ending June 30 20 13

TO THE GOVERNING BODY of the: ☐ Town of ☐ Village of ☒ City of DePere

County of Brown Aldermanic Dist. No. _____ (if required by ordinance)

1. The named ☐ INDIVIDUAL ☐ PARTNERSHIP ☐ LIMITED LIABILITY COMPANY
☒ CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): Nicky's Inc.

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

Title	Name	Home Address	Post Office & Zip Code
President/Member	<u>Owner</u>	<u>Thomas Michael Nick</u>	<u>5029 Edgewood Beach Rd. Green Bay, WI 54311</u>
Vice President/Member	<u>Owner</u>	<u>John R. Nick</u>	<u>N. Broadway DePere, WI 54115</u>
Secretary/Member	<u>Owner</u>	<u>Thomas Michael Nick</u>	<u>5029 Edgewood Beach Rd. Green Bay, WI 54311</u>
Treasurer/Member	<u>Owner</u>	<u>John R. Nick</u>	<u>N. Broadway DePere, WI 54115</u>
Agent	<u>Thomas M. Nick</u>		
Directors/Managers	<u>Tam Olejniczak</u>	<u>1543 Fox Ridge Ct.</u>	<u>DePere WI 54115</u>

3. Trade Name Nicky's LionHead Tavern and Grill Business Phone Number (920) 983-2991
4. Address of Premises 331 Main Ave. Post Office & Zip Code West DePere, WI 54115

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? ☐ Yes ☒ No
6. Is the applicant an employee or agent of, or acting on behalf of anyone except the named applicant? ☐ Yes ☒ No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? ☐ Yes ☒ No
8. (a) Corporate/limited liability company applicants only: Insert state WIS and date 5-10-96 of registration.
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? ☐ Yes ☒ No
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? ☐ Yes ☒ No

(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. 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.) Front Bar Back Bar Restaurant/Merchandise Upper Apartment Closet

10. Legal description (omit if street address is given above): and Sidewalk Cafe
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? ☒ Yes ☐ No
(b) If yes, under what name was license issued? Nicky's

12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] ☒ Yes ☐ No
13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776] ☒ Yes ☐ No
14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ☒ 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.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME

this 20th day of July, 20 12

Janice Hanson
(Clerk/Notary Public)

My commission expires 8-3-14

X Thomas M. Nick
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

X Thomas M. Nick
(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>7-20-12</u>	Date reported to council/board <u>8-21-12</u>	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

Permit Fee:
\$ 25.00
Permit Valid:
July 1 thru June 30

SIDEWALK CAFE PERMIT APPLICATION

City of De Pere

Return completed application, supporting documentation, and application fee to: City of De Pere, Clerk-Treasurer, 335 S. Broadway, De Pere, WI 54115. For assistance, please call (920) 339-4050.

Applicant Information

Applicant Name: Tom Nick

Applicant Address: 5029 Edgewater Beach Rd. G.B. 54311

Applicant Phone: (920) 609-9978

Applicant Cell Phone: Same

Establishment Name: Nicky's Lion Head Tavern + Grill

Establishment Address: 331 Main Ave. W. De Pere, WI 54115

Phone: (920) 983-2991

Fax: (920) 983-2990

Required Materials



Copy of a current Certificate of Insurance, with City of De Pere named as additional insured.



A layout, drawn to scale, which accurately depicts the dimensions of the existing sidewalk area and adjacent private property, the proposed location of the sidewalk cafe, size and number of tables, chairs, steps, planters, umbrellas, location of doorways, trees, obstructions, either existing or proposed, within the pedestrian area.

If available, photographs describing the appearance and dimensions of all tables, chairs, umbrellas or other objects related to the sidewalk cafe for review.

Signatures

If this application is approved, I hereby agree to abide by all the relevant City regulations pertaining to the installation of sidewalk cafes, including but not limited to Section 22-8(C) and 122-3 of the Municipal Code of the City of De Pere.

Thomas M. Nick

Signature - Establishment Owner

This application is made with my/our knowledge and consent

Thomas M. Nick JL Nick

Signature - Property Owner(s).

Approvals

Vinny, Deputy Clerk
Signature: Clerk's Office

E. P. Rabe

Signature - Board of Public Works, Engineering Division

Receipt #

74540

Dated:

7-16-12

Issued:

Permit #:

City of De Pere

Public Works Department

Memo

To: Honorable Mayor Walsh
Members of the Board of Public Works
From: Eric P. Rakers, City Engineer
Date: August 13, 2012
Subject: Consideration for Request for Revocable Occupancy Permit – 331 Main Avenue

This request is a permit to allow outdoor seating on the sidewalk in the public right-of-way along Main Street and the alley south of the building.

The business "Nicky's Lionhead Tavern" located at 331 Main Avenue has requested permission to allow outdoor seating on the City's sidewalk for their customers. The request is for proposed seating for two (2) tables alongside the building in the alley south of the building and two (2) tables north of the building in the Main Avenue right-of-way. (See attached sketch) Staff has reviewed the request on site and met the property owner and has determined that this will not impact pedestrian traffic on the sidewalk as long as:

- 1) The tables and chairs south of the building are kept adjacent to the building. The location was reviewed with the property owner and the table and chairs cannot extend beyond the width of the existing planters. A five (5) foot "pedestrian zone" needs to be maintained from the back of curb. This area of sidewalk needs to be free from obstructions.
- 2) The tables and chairs north of the building are to be placed a minimum of 6 (six) feet off the building face. The tables and chairs are to be located in the corridor defined as the "planter/furniture zone" as shown in the attached exhibit. This area was reviewed with the property owner as the area with the existing trees, light poles, hydrants, and bike racks on Main Avenue.
- 3) Tables, chairs, and ashtrays are to be removed from the sidewalk when the business was closed.

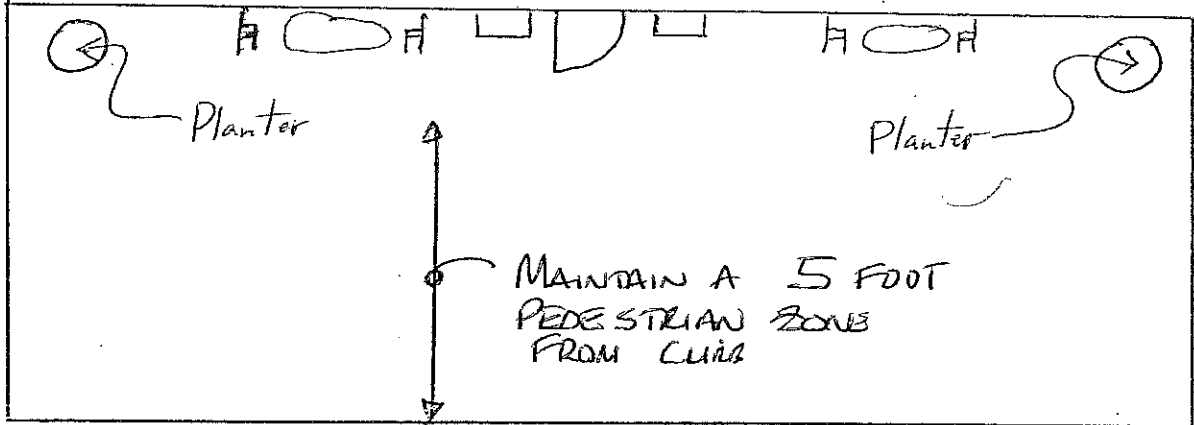
Staff recommends granting a revocable occupancy permit for the outside dining allowing only two tables with two chairs and an ash tray per table on the south side of the building and two tables with three chairs and an ash tray per table on the north side. The tables, chairs, and ashtrays will need to be removed from the sidewalk area when the business is closed.

ERH

ALLEY

South End

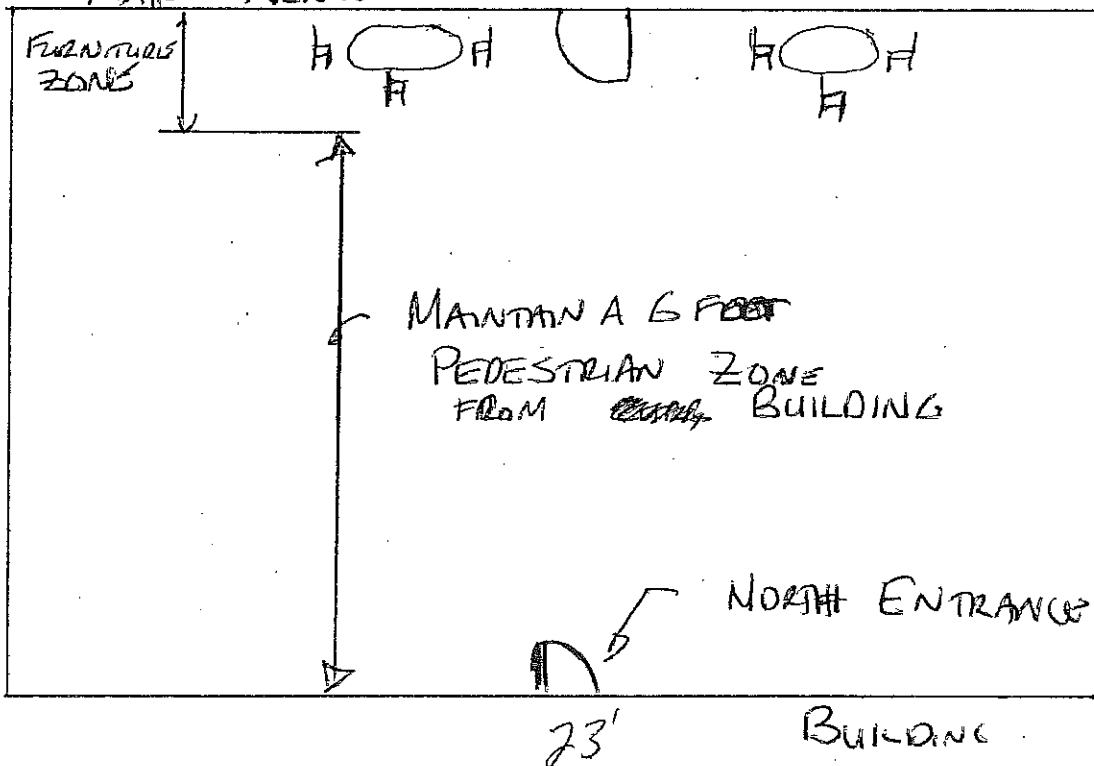
Outdoor seating area of Nicky's



CHANGES REVIEWED WITH PROPERTY OWNER
ON 8/7/12

NORTH END

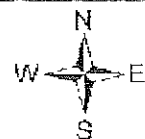
MAIN AVENUE North Entrance (Nicky's Bar)



<Title>



This map was produced utilizing a variety of sources the City of De Pere reasonably believes are reliable, including GIS data, some of which was under development at the time this map was produced. The City of De Pere makes no warranty, either expressed or implied, including no warranty as to fitness for a particular use, of the information contained in or comprising this map.



Scale 1:240

Map of De Pere, WI Provided By The De Pere Planning/GIS Department 2010

**TEMPORARY PREMISE DESCRIPTION CHANGE
JERRY PARINS COMPASSIONATE CARE**

(5)

Aug 21, 2012
mtg

ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning Sept 8 20 12 ;
ending 20 12

TO THE GOVERNING BODY of the: ☐ Town of } Du Pere
☐ Village of }
☒ City of }

County of Brown Aldermanic Dist. No. _____ (if required by ordinance)

Applicant's Wisconsin Seller's Permit Number: <u>45610672376800</u>	
Federal Employer Identification Number (FEIN): <u>03102672376800</u>	
LICENSE REQUESTED	
TYPE	FEE
☐ Class A beer	\$
☒ Class B beer	\$
☐ Class C wine	\$
☐ Class A liquor	\$
☒ Class B liquor	\$
☐ Reserve Class B liquor	\$
Publication fee	\$
TOTAL FEE	\$ <u>N/C</u>

1. The named ☐ INDIVIDUAL ☐ PARTNERSHIP ☒ LIMITED LIABILITY COMPANY
☐ CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): Al Chris LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

Title	Name	Home Address	Post Office & Zip Code
President/Member	<u>OWNER</u>	<u>Gail Kozlowsky</u>	<u>4900 SPOFFMAN DR 54115</u>
Vice President/Member		<u>Robert Kozlowsky</u>	" " "
Secretary/Member			
Treasurer/Member			
Agent	<u>Gail Kozlowsky</u>		
Directors/Managers			

3. Trade Name DRIFT INN Business Phone Number 9023365929
4. Address of Premises 1535 N. Ashland Ave, Del Pere WI Post Office & Zip Code 54115

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? ☒ Yes ☐ No
6. Is the applicant an employee or agent of, or acting on behalf of anyone except the named applicant? ☐ Yes ☐ No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? ☐ Yes ☒ No
8. (a) Corporate/limited liability company applicants only: Insert state _____ and date _____ of registration.
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? ☐ Yes ☒ No
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? ☐ Yes ☒ No

(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. 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.) Bar area. Storage. Between living area over

10. Legal description (omit if street address is given above): _____
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? ☒ Yes ☐ No
(b) If yes, under what name was license issued? Al Chris LLC

12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] ☒ Yes ☐ No
13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776] ☒ Yes ☐ No
14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ☐ Yes ☒ No

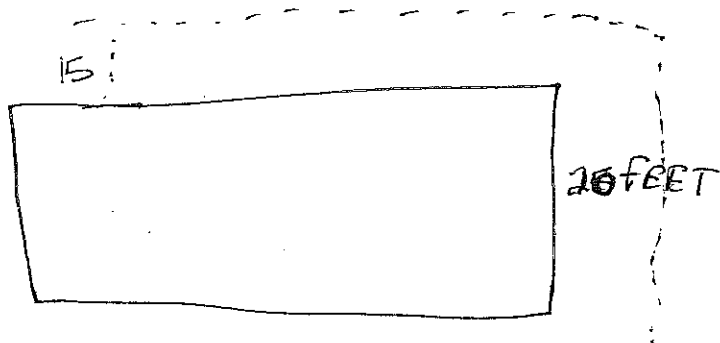
READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the 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.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME
this 9th day of August, 20 12
Janie Benson
(Clerk/Notary Public)
My commission expires 8-3-14

Gail Kozlowsky
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)
Robert Kozlowsky
(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>8-9-12</u>	Date reported to council/board <u>8-21-12</u>	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

15 FEET IN front of Building
South End of Building
20 FEET



Sept 8 2012.

PREMISE DESCRIPTION CHANGE

6

Aug 21st mty

ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning Aug 28 20 12 ;
ending June 30 20 13

TO THE GOVERNING BODY of the: ☐ Town of De Pere
☐ Village of De Pere
☒ City of De Pere

County of Brown Aldermanic Dist. No. _____ (if required by ordinance)

1. The named ☐ INDIVIDUAL ☐ PARTNERSHIP ☒ LIMITED LIABILITY COMPANY
☐ CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): The Day Spa, Ltd (S Corp) Schmalz, Kathleen F
An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

Title	Name	Home Address	Post Office & Zip Code
President/Member	<u>owner Kathleen F Schmalz</u>	<u>3418 Delahaut St.</u>	<u>Green Bay, WI 54301</u>
Vice President/Member	_____	_____	_____
Secretary/Member	_____	_____	_____
Treasurer/Member	_____	_____	_____
Agent	<u>Kathleen F. Schmalz</u>	_____	_____
Directors/Managers	_____	_____	_____

3. Trade Name The Day Spa Business Phone Number 920-339-5250
4. Address of Premises 600 N. 10th St. (see attached) Post Office & Zip Code De Pere 54115

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? ☒ Yes ☐ No
6. Is the applicant an employee or agent of, or acting on behalf of anyone except the named applicant? ☐ Yes ☒ No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? ☐ Yes ☒ No
8. (a) Corporate/limited liability company applicants only: Insert state _____ and date _____ of registration.
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? ☐ Yes ☒ No
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? ☐ Yes ☒ No
(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. 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.) _____

10. Legal description (omit if street address is given above): _____

11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? ☐ Yes ☒ No
(b) If yes, under what name was license issued? _____

12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? ☒ Yes ☐ No

13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? ☒ Yes ☐ No

14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ☐ Yes ☒ No

READ CAREFULLY BEFORE SIGNING: Under penalty of perjury, 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.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME
this 24th day of July 2012
Curtis Bourgo
(Clerk/Notary Public)

Kathleen F. Schmalz
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

My commission expires 10-18-15

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

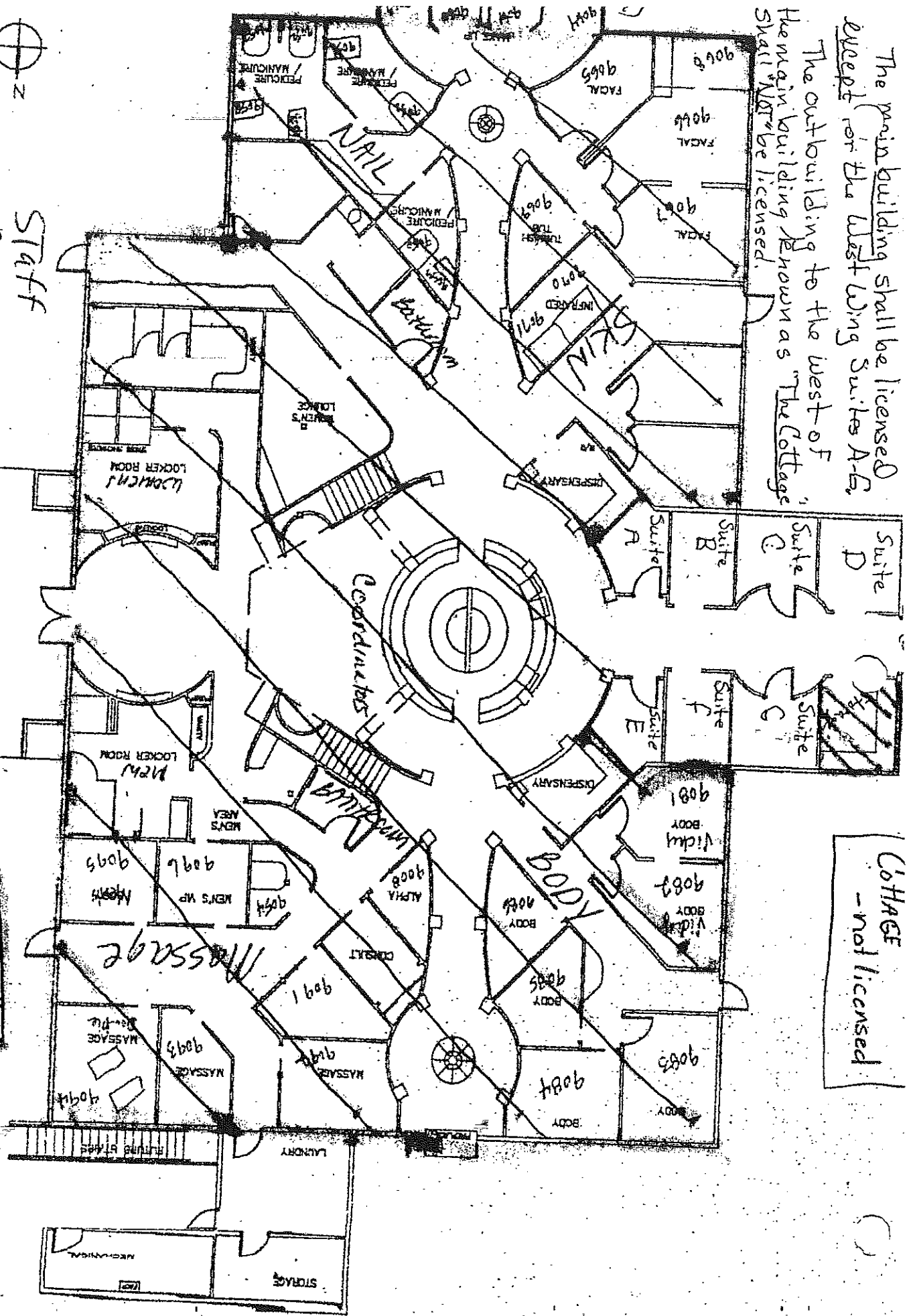
(Additional Partner(s)/Member/Manager of Limited Liability Company if any)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>7-25-12</u>	Date reported to council/board <u>8-21-12</u>	Date provisional license issued _____	Signature of Clerk / Deputy Clerk _____
Date license granted _____	Date license issued _____	License number issued _____	

The main building shall be licensed except for the West Wing Suites A-G. The outbuilding to the west of the main building known as "The Cottage" shall NOT be licensed.

Cottage - not licensed



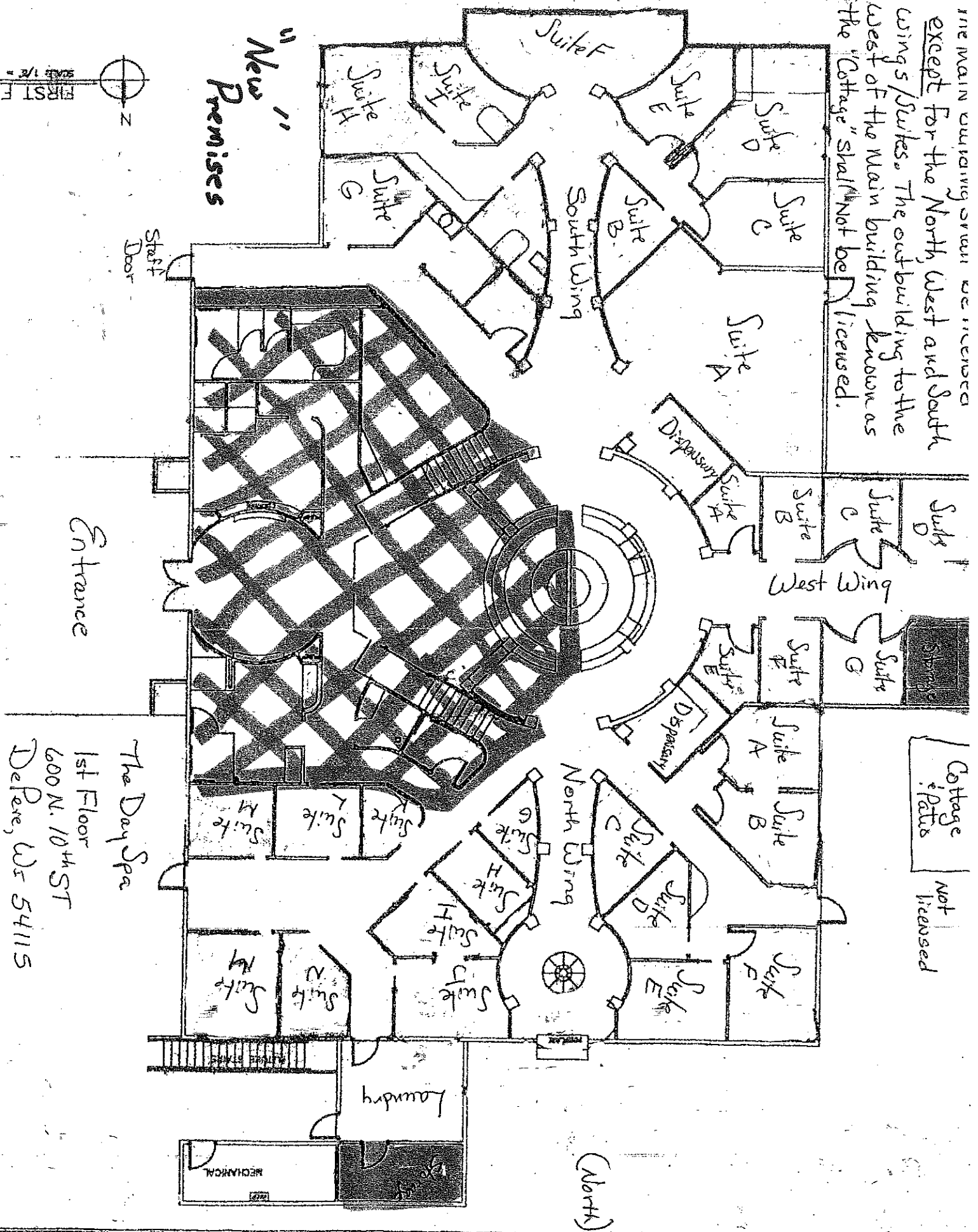
SCALE 1/8" = 1'
FIRST F
N
Staff
Bar
"Old"
Premises

Entry

Licensed

(North)

THE MAIN BUILDING SHALL BE LICENSED
EXCEPT FOR THE NORTH, WEST AND SOUTH
WINGS/SUITES. The outbuilding to the
west of the main building known as
the "Cottage" shall not be licensed.



"New
Premises"

Staff
Door

Entrance

The Day Spa

1st Floor
600 N. 10th ST
De Pere, WI 54115

Cottage
& Patio
not
licensed

(North)

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

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.

To the governing body of: ☐ Town ☐ Village ☒ City of De Pere County of Brown

The undersigned duly authorized officer(s)/members/managers of The Day Spa, LTD
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as

The Day Spa (see attached)
(trade name)

located at 600 N. 10th Str. De Pere, WI 54115

appoints Kathleen F. Schmaltz
(name of appointed agent)

3418 Delahaut St., Green Bay, WI 54115
(home address of appointed agent)

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?

☐ Yes ☒ 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? ☐ Yes ☒ No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 22 years

Place of residence last year 3418 Delahaut St., Green Bay, WI 54301

For: The Day Spa, Ltd
(name of corporation/organization/limited liability company)

By: Kathleen F. Schmaltz
(signature of Officer/Member/Manager)

And: _____
(signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

Kathleen F Schmaltz
(print/type agent's name), 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.

Kathleen F. Schmaltz 7/25/10 Agent's age 49
(signature of agent) (date)
3418 Delahaut St. Green Bay WI 54301 Date of birth 5/27/63
(home address of agent)

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 8/1/12 by [Signature] Title POLICE CHIEF
(date) (signature of proper local official) (town chair, village president, police chief)

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name) Schmaltz		(first name) Kathleen		(middle name) F	
Home Address (street/route) 3418 Delahaut St.		Post Office De Pere	City Green Bay	State WI	Zip Code 54301
Home Phone Number 920-819-5753		Age 49	Date of Birth 5/27/63	Place of Birth Bismarck, N.D.	

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.

☒ **Kathleen F. Schmaltz (owner)** of **The Day Spa Ltd**
(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:

1. How long have you continuously resided in Wisconsin prior to this date? **21**
2. 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.)

3. 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.

4. 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)

5. Do you hold and/or are you an officer, director, stockholder, agent or employee 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 Licensee or Permittee)

(Address By City and County)

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

Employer's Name The Day Spa	Employer's Address 600 N. 10th St. De Pere, WI	Employed From 1992	To Present
Employer's Name Beneficial International	Employer's Address Salt Lake City, Utah	Employed From 1989	To 1994

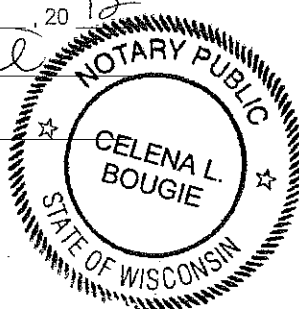
The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that 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 **24th** day of **July**, 20 **12**

Celena Bougie
(Clerk/Notary Public)

My commission expires **10/18/15**



Kathleen F. Schmaltz
(Signature of Named Individual)



Printed on
Recycled Paper

ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning July 22 20 12 ;
ending June 30 20 13

TO THE GOVERNING BODY of the: ☐ Town of } DePere
☐ Village of }
☒ City of }

County of Brown Aldermanic Dist. No. _____ (if required by ordinance)

1. The named ☐ INDIVIDUAL ☐ PARTNERSHIP ☒ LIMITED LIABILITY COMPANY
☐ CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): The Day Spa Ltd (S Corp) Schmaltz, Kathleen F

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

Title Name Home Address Post Office & Zip Code
President/Member owner Kathleen F. Schmaltz 3418 Delahaut St. Green Bay, WI 54301
Vice President/Member _____
Secretary/Member _____
Treasurer/Member _____
Agent Kathleen Schmaltz
Directors/Managers _____

3. Trade Name The Day Spa Business Phone Number 920-339-925

4. Address of Premises 600 N. 10th St. (see attached diagram) Post Office & Zip Code De Pere. 54115

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? ☒ Yes ☐ No

6. Is the applicant an employee or agent of, or acting on behalf of anyone except the named applicant? ☐ Yes ☒ No

7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? ☐ Yes ☒ No

8. (a) Corporate/limited liability company applicants only: Insert state _____ and date _____ of registration.

- (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? ☐ Yes ☒ No

- (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? ☐ Yes ☒ No

(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. 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.) _____

10. Legal description (omit if street address is given above): _____

11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? partial year ☒ Yes ☒ No

- (b) If yes, under what name was license issued? The Day Spa

12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] ☒ Yes ☐ No

13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776] ☒ Yes ☐ No

14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ☐ 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.) Any lack of access to any portion of licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBERS SWORN TO BEFORE ME

this 24th day of July, 20 12

Celena Fournier
(Clerk/Notary Public)

Kathleen F. Schmaltz
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)
The Day Spa, Ltd
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

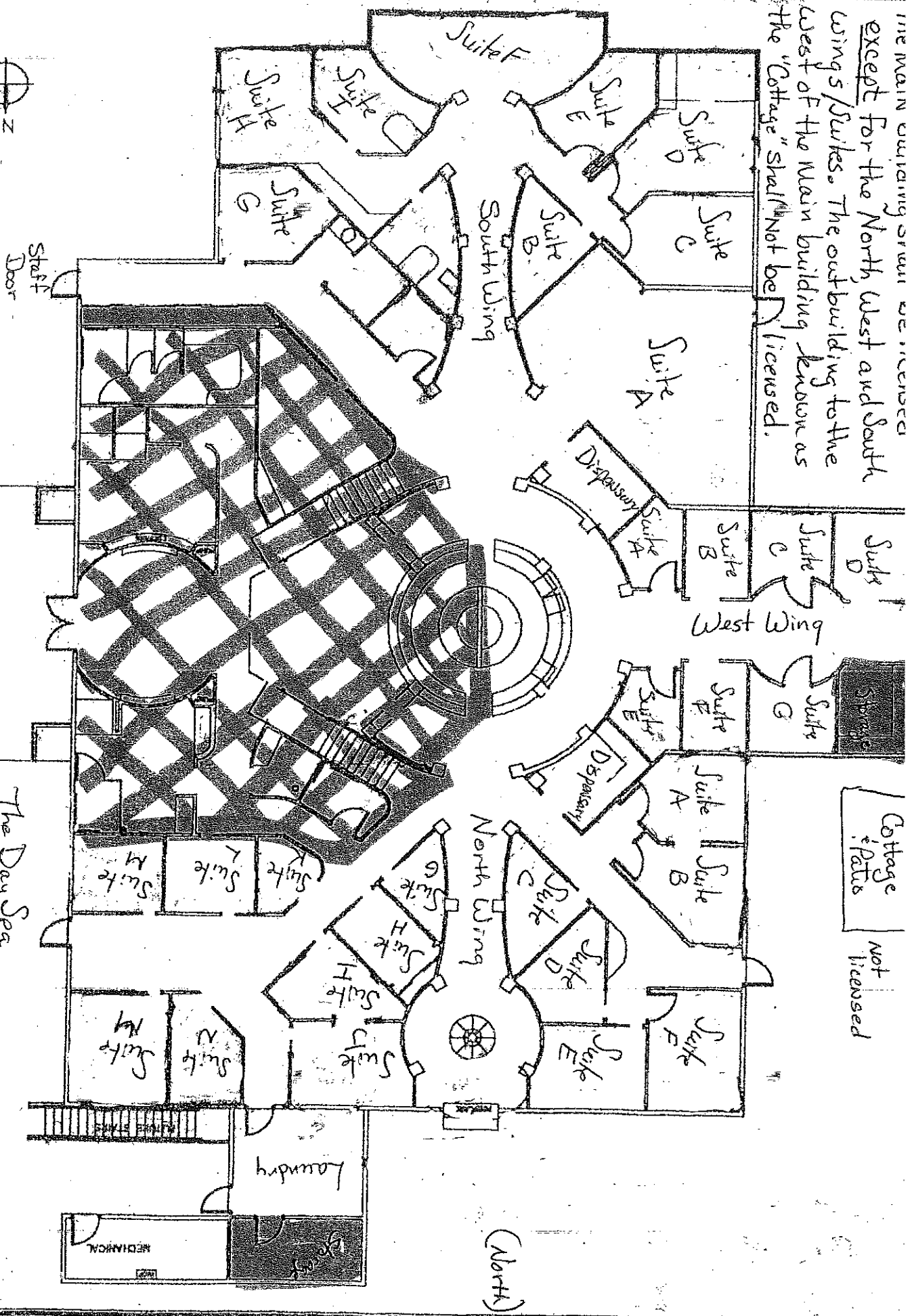
My commission expires 10-18-13

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

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>7-25-12</u>	Date reported to council/board <u>8-2-12</u>	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

the main building shall be licensed except for the North, West and South wings/Suites. The outbuilding to the west of the main building known as the "Cottage" shall not be licensed.



Cottage
+ Patis
Not
licensed

(North)

Entrance

The Day Spa
1st Floor
600 N. 10th ST
DeFere, WI 54115

Scale 1/8" = 1'
FIRST F

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name) (first name) (middle name)	
Schmaltz Kathleen F	
Home Address (street/route)	Post Office City State Zip Code
3418 Delahaut St.	De Pere Green Bay WI 54301
Home Phone Number	Age Date of Birth Place of Birth
920-819-5753	49 5/27/63 Bismarck, N.D.

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.

☒ Kathleen F. Schmaltz (owner) of The Day Spa, Ltd.
(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? 22 years
- 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.)
- 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 employee 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 Licensee or Permittee) (Address By City and County)

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

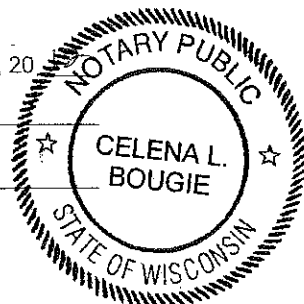
Employer's Name	Employer's Address	Employed From	To
The Day Spa	600 N. 10th St. De Pere, WI	1992	Present
Beneficial International	Salt Lake City, Utah	1989	1994

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 24th day of July, 2004
Celena L. Bougie
(Clerk/Notary Public)

My commission expires 10-18-15



Kathleen F. Schmaltz
(Signature of Named Individual)

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

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.

To the governing body of: ☐ Town ☐ Village ☒ City of De Pere County of Brown

The undersigned duly authorized officer(s)/members/managers of The Day Spa, LTD
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as

The Day Spa (see attached)
(trade name)

located at 600 N. 10th Str. De Pere, WI 54115

appoints Kathleen F. Schmaltz
(name of appointed agent)

3418 Delahant St. Green Bay, WI 54115
(home address of appointed agent)

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?

☐ Yes ☒ 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? ☐ Yes ☒ No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 22 years

Place of residence last year 3418 Delahant St., Green Bay, WI 54301

For: The Day Spa, Ltd
(name of corporation/organization/limited liability company)

By: Kathleen F. Schmaltz
(signature of Officer/Member/Manager)

And: _____
(signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, Kathleen F Schmaltz, hereby accept this appointment as agent for the
(print/type agent's name)

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.

Kathleen F. Schmaltz 7/25/12
(signature of agent) (date)

Agent's age 49

3418 Delahant St. Green Bay WI 54301
(home address of agent)

Date of birth 5/27/63

**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 8/1/12 by [Signature] Title POLICE CHIEF
(date) (signature of proper local official) (town chair, village president, police chief)

ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning 2009 Aug 22 20 12 ;
ending June 30 20 2013

TO THE GOVERNING BODY of the: ☐ Town of
☐ Village of } Depere
☒ City of

County of Brown Aldermanic Dist. No. _____ (if required by ordinance)

1. The named ☐ INDIVIDUAL ☐ PARTNERSHIP ☒ LIMITED LIABILITY COMPANY
☐ CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): Wisconsin CVS Pharmacy, L.L.C

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

Title	Name	Home Address	Post Office & Zip Code
President/Member	Thomas Moffatt	29 Homestead Circle, Kingston, RI 02881	401-765-1500
Vice President/Member	Carol DeNale	75 Poplar Street, Watertown, MA 02472	401-765-1500
Secretary/Member	Melanie Lucker	45 Susan Drive, Cranston, RI 02920	401-765-1500
Treasurer/Member	Terence Corrigan	10 Pheasant Tr Road, Hudson, MA 01749	401-765-1500
Agent	Kendra Welty	4282 Packerland Dr, Depere, WI 54115	434-3757 401-765-1500
Directors/Managers	Thomas Moffatt	29 Homestead Circle, Kingston, RI 02881	

3. Trade Name CVS/pharmacy # 2214 Business Phone Number 401-765-1500
4. Address of Premises 800 Main Avenue, Depere, WI Post Office & Zip Code 54115

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? ☒ Yes ☐ No
6. Is the applicant an employee or agent of, or acting on behalf of anyone except the named applicant? ☐ Yes ☒ No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? ☐ Yes ☒ No
8. (a) Corporate/limited liability company applicants only: Insert state WI and date 02/07/00 of registration.
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? ☒ Yes ☐ No
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? ☒ Yes ☐ No
(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. 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.)

10. Legal description (omit if street address is given above):

11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? ☐ Yes ☒ No
(b) If yes, under what name was license issued?

12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] ☒ Yes ☐ No

13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776] ☒ Yes ☐ No

14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ☒ 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.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME

this 20th day of July, 20 12

Isabel B. Amado Isabel B. Amado Notary Public State of Rhode Island My commission expires 07/31/2016

Linda M. Cimbron Member
(Officer of Corporation/Partnership/Company/Partner/Individual)

Linda M. Cimbron Assistant Secretary
(Officer of Corporation/Partnership/Company/Partner)

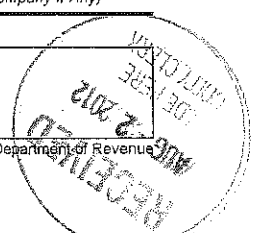
(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>8-2-12</u>	Date reported to council/board <u>8-2-12</u>	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

8
Aug 21, 2012
456-1020039383-04
Type

Applicant's Wisconsin Seller's Permit Number	
Federal Employer Identification Number (FEIN) <u>20-4281269</u>	
LICENSE REQUESTED	
TYPE	FEE
☒ Class A beer	\$ <u>625</u>
☐ Class B beer	\$ <u>100</u>
☐ Class C wine	\$
☐ Class A liquor	\$
☐ Class B liquor	\$
☐ Reserve Class B liquor	\$
Publication fee	\$ <u>30.00</u>
TOTAL FEE	\$



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

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.

To the governing body of: ☐ Town ☐ Village of DePere County of Brown
☒ City

The undersigned duly authorized officer(s)/members/managers of Wisconsin CVS Pharmacy, L.L.C.
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as
CVS/pharmacy # 2214
(trade name)

located at 800 Main Ave, DePere, WI 54115

appoints Kendra Welty
(name of appointed agent)
4282 Packerland Dr. DePere WI 54115
(home address of appointed agent)

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?

☐ Yes ☒ 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? ☒ Yes ☐ No

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

Place of residence last year _____

For: Wisconsin CVS Pharmacy, L.L.C.
(name of corporation/organization/limited liability company)

By: [Signature]
(signature of Officer/Member/Manager)

And: _____
(signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, Kendra Welty, hereby accept this appointment as agent for the
(print/type agent's name)

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.

Kendra Welty 7-27-12 Agent's age 34
(signature of agent) (date)
4282 Packerland Dr DePere, WI 54115 Date of birth 10-14-77
(home address of agent)

**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 7-27-12 by [Signature] Title Clerk-Treasurer
(date) (signature of proper local official) (town chair, village president, police chief)

9

Aug 21, 2012

456-1027 815452-02

ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning Aug. 22 20 12 ;
ending June 30 20 13

TO THE GOVERNING BODY of the: ☐ Town of ☐ Village of ☒ City of DE PERE

County of Brown Aldermanic Dist. No. _____ (if required by ordinance)

Applicant's Wisconsin Seller's Permit Number:	
Federal Employer Identification Number (FEIN): <u>46-0627537</u>	
LICENSE REQUESTED ▶	
TYPE	FEE
☒ Class A beer	\$
☐ Class B beer	\$
☐ Class C wine	\$
☐ Class A liquor	\$
☐ Class B liquor	\$
☐ Reserve Class B liquor	\$
Publication fee	\$ <u>30.00</u>
TOTAL FEE	\$

1. The named ☐ INDIVIDUAL ☐ PARTNERSHIP ☒ LIMITED LIABILITY COMPANY
☐ CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): DE PERE MINIMART, LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

Title	Name	Home Address	Post Office & Zip Code
President/Member	<u>member</u>	<u>BISHNU ADHIKARI</u>	<u>1305 LUCERNE DR. MENASHA 54952</u>
Vice President/Member	<u>member</u>	<u>Dharani D. Paudel</u>	<u>1305 Lucerne Dr. Menasha 54951</u>
Secretary/Member			
Treasurer/Member			
Agent	<u>BISHNU P. ADHIKARI</u>		
Directors/Managers			

3. Trade Name DE PERE Minimart Business Phone Number 920-809-2600

4. Address of Premises 821 George St. De Pere WI Post Office & Zip Code 54115

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? ☒ Yes ☐ No

6. Is the applicant an employee or agent of, or acting on behalf of anyone except the named applicant? ☒ Yes ☐ No

7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? ☐ Yes ☒ No

8. (a) Corporate/limited liability company applicants only: Insert state Wisconsin and date 7-23-12 of registration.

(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? ☒ Yes ☐ No

(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? ☒ Yes ☐ No

(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. 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.)

10. Legal description (omit if street address is given above):

11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? ☒ Yes ☐ No

(b) If yes, under what name was license issued? Fastop

12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] ☒ Yes ☐ No

13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776] ☒ Yes ☐ No

14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ☒ 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.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME

this 30th day of July, 20 12

[Signature]
(Clerk/Notary Public)

My commission expires May 31, 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>Aug 30, 2012</u>	Date reported to council/board <u>9-21-12</u>	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

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

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.

To the governing body of: ☐ Town ☐ Village ☒ City of DE PERE County of BROWN

The undersigned duly authorized officer(s)/members/managers of DE PERE MINIMART
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as

DE PERE MINIMART
(trade name)

located at 821 GEORGE ST. DE PERE WI 54115

appoints BISHNU ADHIKARI
(name of appointed agent)

1305 LUCERNE DR. #1 MENASHA WI 54952
(home address of appointed agent)

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?

☐ Yes ☐ 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? ☐ Yes ☐ No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 5 years

Place of residence last year 219^W CALUMET ST. #3 APPLETON WI 54915

For: DE PERE MINIMART LLC
(name of corporation/organization/limited liability company)

By: [Signature]
(signature of Officer/Member/Manager)

And: [Signature]
(signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, BISHNU ADHIKARI, hereby accept this appointment as agent for the
(print/type agent's name)

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] 7-30-12 Agent's age 46
(signature of agent) (date)
1305 LUCERNE DR. #1 MENASHA 54952 Date of birth 7/11/1966
(home address of agent)

**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 8/1/12 by [Signature] Title POLICE CHIEF
(date) (signature of proper local official) (town chair, village president, police chief)



441 Main Avenue
PO Box 5142
De Pere WI 54115
p 920.338.0000
f 920.338.1833

July 20, 2012

Alderperson Kevin Bauer, Chair, License Committee, City of De Pere
Mayor Mike Walsh & Members of the Common Council, City of De Pere
335 South Broadway
De Pere, WI 54115

Dear Mayor Walsh, Committee members and Alderpersons:

The De Pere Area Chamber of Commerce Foundation's mission is to further strengthen the business climate, provide opportunities for volunteers through committee involvement, foster our hometown environment and promote an awareness of the uniqueness of the De Pere area! To serve that aim, as you know, we manage a number of activities including the Farmers Markets in Seroogy's Parking lot on the east side. This year, on September 8th, we return for the 5th time, Fall Fest De Pere 2012, on Saturday, September 8th, from 12pm-6pm on Front Street, from Broadway to James Streets and the George Street Landing.

We are working with the police and public works departments to get the necessary permits.

We will have music, entertainment, food, drink, craft and community booths, and kids area.

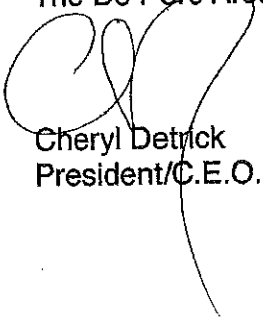
Our continued vision is that the event will bring new visitors to De Pere and welcome residents downtown in De Pere to enjoy the Fall day and their community.

To accomplish this, we ask you to

- Grant us a Special Use Permit for the event as part of the street closure;
- Grant us a Public Street License for street consumption of alcohol at our event

We look forward to the success of this event and our partnership with the City of De Pere!

Sincerely,
The De Pere Area Chamber of Commerce Foundation, Inc.


Cheryl Detrick
President/C.E.O.

11

Fall Fest

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

City of De Pere

Wis.,

7-19 2012

To the governing body of the

☐ Town of

☐ Village of

☒ City of De Pere

County of Brown

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. Stat.

at the premises described below during a special event beginning Saturday, Sept 8, 2012, 12 noon and ending Saturday, September 8, 6 p.m. and agrees to comply with all law, resolution, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

1. ORGANIZATION (Bona fide club, church, lodge or society, veteran's organization or fair association):

(a) Name De Pere Area Chamber of Commerce Foundation

(b) Address 411 Main Avenue, De Pere, WI 54115

Street

☐ Town

☐ Village

☒ City

(c) Date organized _____

(d) If corporation, give date of incorporation _____

(e) Names and addresses of all officers:

President DeB Barabrant 8417 Hazel Court, Green Bay, WI 54308

Vice President Christopher Little, 2050 Riverside Dr, Green Bay, WI 54301

Secretary Brad Holl, Greater Green Bay Convention & Visitors Bureau, 901 S. Omaha

Treasurer Steve Harnden, Harnden's Hardware & Co., 400 Road Street, De Pere, WI

(f) Name and address of manager or person in charge of affair:

Alicia Detrick, 411 Main Avenue, De Pere, WI 54115 Ph. #: 920-838-0000

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

(a) Street number _____

(b) Lot Georg. Street Landing

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: _____

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.

Name of organization

Officer

Chris Butler

(Signature)

Officer

Alicia Detrick

(Signature)

Date Filed

7-19-12 R# 74727

Date Reported to Council or Board

8-21-12

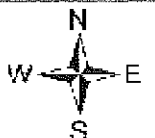
Date Approved _____

License No. _____

<Title>



This map was produced utilizing a variety of sources the City of De Pere reasonably believes are reliable, including GIS data, some of which was under development at the time this map was produced. The City of De Pere makes no warranty, either expressed or implied, including no warranty as to fitness for a particular use, of the information contained in or comprising this map.



Map of De Pere, WI Provided By The De Pere Planning/GIS Department 2010

Scale 1:1200

ROAD or LANE CLOSURE PERMIT APPLICATION

Please complete the following information and return to the Police Department at 325 S. Broadway St. De Pere
Once the information is received, the permit will be reviewed. If approved you will be sent a copy of the permit.

De Pere Area Chamber of Commerce Foundation

Applicant's Name

7/18/2012

Date

441 Main Ave.

Address

De Pere, WI

920-338-0000

City/State

Phone

☒ Lane ☐ Road ☐ Parking Lane

Description of closure: Front Street from Broadway to James Street and De Pere Landing parking lot

On the following date/s September 8, 2012

Between the hours of 6:00am and 10:30pm or ☐ for 24 hours a day.



De Pere Area Chamber of Commerce Foundation President

Applicant's Signature

Applicant's Company and Title – please print
(If appropriate)

Pursuant to your request you are hereby granted lane closure at the above-mentioned location.
Permission is subject to the following provisions:

1. The lane/road closure takes place on the following date/s 9/8/12 and between the hours of 6 AM and 10:30 AM or ☐ for 24 hours a day.
2. You notify the De Pere Police and Fire Departments when the work begins and ends (Phone Number is 920-339-4078).
3. You notify all adjacent property owners affected by the closure.
4. The street and sidewalk will be cleared of all debris resulting from your project.
5. The City is held harmless from any claims arising from injuries or damages caused by the permitted work.
6. Traffic control is conducted in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) to mark the closure. **City to provide barricades/codes in conjunction with Broadway street closure previously approved.

This permit must be signed and approved for acceptance.

Sincerely,

DEPERE POLICE DEPARTMENT



Derek Beiderwieden
Chief of Police

☒ Approved ☐ Denied

cc: Applicant
Director of Public Works/Street Superintendent

PROPER PRIOR NOTIFICATION TO RESIDENTS USING
PARKING LOT MUST BE GIVEN.

Shana Defnet

From: Shana Defnet
Sent: Wednesday, August 08, 2012 10:29 AM
To: 'cdetrick@deperechamber.org'
Cc: Vicki Scray
Subject: Fall Fest
Attachments: 20120808100233543.pdf

Good morning Cheryl,

Your application for a Temporary Class "B"/ "Class B" Retailer's License was tabled at the License Committee meeting last night. The License Committee must receive a letter from your organization requesting a Special Use Permit for the event as part of the street closure (see attached letter from last year).

The City Clerk's office must receive this letter from you no later than noon on Wednesday, August 15th to be included on the August 21st Agenda for the License Committee Meeting.

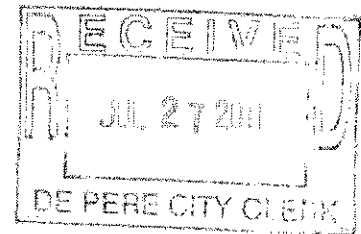
Please let me know that you've received this email and don't hesitate to call if you have any questions.

Thank you,

Shana Defnet
City of De Pere Clerk-Treasurer
335 S. Broadway Street
De Pere WI 54115
Phone: 920-339-4050



441 Main Avenue
PO Box 5142
De Pere WI 54115
p 920.338.0000
f 920.338.1833
www.dperechamber.org



July 26, 2011

Aldersperson Robert Wilmet, Chair, License Committee, City of De Pere
Mayor Mike Walsh & Members of the Common Council, City of De Pere
335 South Broadway
De Pere, WI 54115

Dear Mayor Walsh, Committee members and Alderspersons:

Main Street De Pere's mission is to further strengthen the business climate, provide opportunities for volunteers through committee involvement, foster our hometown environment and promote an awareness of historic preservation in the community. To serve that aim, as you know, we manage a number of activities in the downtown including the Farmers Market in Seroogy's Parking lot on the east side. This year, on September 17th, we return for the 5th time, Fall Fest De Pere 2011, presented by Associated Bank on Saturday, September 17th, from 12p-8pm.

The event area is located on Front Street from beneath the Claude Allouez Bridge to James Street. We are working with the health, police, fire & public works departments to get the necessary permits.

We will have music, entertainment, food, drink, kids area, and the Best of the Midwest Rib Cook-Off.

Our continued vision is that the event will bring new visitors to De Pere and welcome residents downtown in De Pere to enjoy the Fall day and their community. We've been awarded a Joint Event Marketing (JEM) grant from the Wisconsin Department of Tourism to market the event to bring new visitors in to our city by doing statewide advertising and marketing.

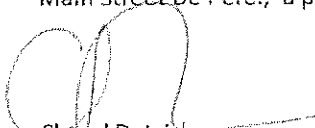
To accomplish this, we ask you to

- * Grant us a Special Use Permit for the event as part of the street closure;
- * Grant us a Public Street License for street consumption of alcohol at our event
- * Grant us a Temporary Class "B" / "Class B" Retailer's License

We look forward to the success of this event and our partnership with the City of De Pere!

Sincerely,

Main Street De Pere., a program of the DPACC Foundation, Inc.


Cheryl Detrick
President/C.E.O.

Sec. 7-9. - Consumption or possession of intoxicants on streets.

(a)

No person shall consume any intoxicating liquor or fermented malt beverage while in or upon any street, alley, sidewalk, thoroughfare, parking lot or other public way.

(b)

All purchases of intoxicating liquor or fermented malt beverages by the glass or in open containers shall be consumed upon the licensed premises where served and shall not be removed to the public areas set forth in subsection (a) of this section.

(c)

No person shall possess any glass or open container containing intoxicating liquor or fermented malt beverages in or on any public area set forth in subsection (a) of this section.

(d)

The license committee of the common council may, in special circumstances where it is satisfied that adequate supervision and police protection exist and upon application therefor by any person, recommend that the common council issue a special permit allowing the consumption or possession of intoxicating liquor or fermented malt beverage contrary to subsections (a) and (c) of this section; such permit to restrict such activity to a specified time and location.

(e)

Any person who shall violate the provisions of this section or any part of this section shall be punished by a forfeiture of not less than \$10.00 nor more than \$100.00 for each offense, together with costs. Any person in default of payment shall be imprisoned in the county jail for a period of time not to exceed 30 days.

(Code 1974, § 35.09; Ord. No. 09-30, § 1, 12-15-2009)

COMMON COUNCIL
OF THE
CITY OF DE PERE, WISCONSIN

August 21, 2012

Resolution No. 12-94

**A Resolution Authorizing and Providing for the Sale and Issuance of
\$2,980,000 General Obligation Corporate Purpose Bonds, Series 2012A,
and All Related Details**

RECITALS

The Common Council (the “**Governing Body**”) of the City of De Pere, Wisconsin (the “**Issuer**”) makes the following findings and determinations:

1. The Issuer needs funds for the following purposes (collectively, the “**Project**”):

Maximum Amount Authorized	Amount Borrowed	Purpose
\$1,425,000	\$1,300,000	street lighting, street improvements, and street improvement funding;
1,175,000	1,140,000	parks and public grounds, including, but not limited to, construction of and improvements to public trails;
470,000	430,000	sewerage improvements, including, but not limited to, storm sewer and sanitary sewer improvements; and
135,000	110,000	water systems, including, but not limited to, construction of and improvements to the Issuer’s water system.

2. On July 3, 2012, the Governing Body adopted four initial resolutions authorizing the issuance of general obligation bonds of the Issuer in the maximum principal amounts and for the purposes described above (the “**Initial Resolutions**”).

3. On July 3, 2012, the Governing Body also adopted a resolution authorizing and directing the publication of notice of the adoption of the Initial Resolutions (the “**Publication Resolution**”).

4. On July 3, 2012, the Governing Body also adopted a resolution authorizing the amounts and purposes specified in the Initial Resolutions to be combined into a single bond issue designated as “corporate purpose bonds” (the “**Authorizing Resolution**”).

10. The Issuer has taken all actions required by law and has the power to sell and issue the Obligations.

11. The Governing Body is adopting this resolution to sell the Obligations and provide for their issuance upon the terms and conditions set forth in this resolution.

RESOLUTIONS

The Governing Body resolves as follows:

Section 1. Definitions.

In this resolution, the following terms have the meanings given in this section, unless the context clearly requires another meaning.

"Book-Entry System" means a system in which no physical distribution of certificates representing ownership of the Obligations is made to the owners of the Obligations but instead all outstanding Obligations are registered in the name of a securities depository appointed by the Issuer, or in the name of such a depository's nominee, and the depository and its participants record beneficial ownership and effect transfers of the Obligations electronically.

"Code" means the Internal Revenue Code of 1986, as amended.

"Continuing Disclosure Agreement" means the Continuing Disclosure Agreement, dated as of the Original Issue Date, to be executed by the Issuer and delivered on the closing date of the Obligations.

"Debt Service Fund" means the fund created by the Issuer pursuant to Section 67.11 of the Wisconsin Statutes to provide for the payment of debt service on its general obligations.

"Depository" means DTC or any successor appointed by the Issuer and acting as securities depository for the Obligations.

"DTC" means The Depository Trust Company.

"Financial Officer" means the Issuer's Treasurer.

"Fiscal Agent" means Associated Trust Company, National Association, or any successor fiscal agent appointed by the Issuer to act as paying agent and registrar for the Obligations pursuant to Section 67.10 (2) of the Wisconsin Statutes.

"Governing Body" means the Issuer's Common Council.

"Initial Resolutions" has the meaning set forth in the recitals to this resolution.

"Issuer" means the City of De Pere, Wisconsin.

Section 4. Purposes of Borrowing; Issuance of Obligations.

The Governing Body authorizes the Obligations and orders that they be prepared, executed, and issued. The Obligations will be fully registered, negotiable, general obligation corporate purpose bonds of the Issuer in the principal amount of \$2,980,000. The Obligations will be issued pursuant to the provisions of Chapter 67 of the Wisconsin Statutes and the authority granted by the adoption of the Initial Resolutions to pay the costs of the Project and to pay certain expenses of issuing the Obligations (including printing costs, fees for financial consultants, bond counsel, rating agencies, insurance, and registration, as applicable).

Section 5. Terms of Obligations.

The Obligations will be named "City of De Pere, Wisconsin General Obligation Corporate Purpose Bonds, Series 2012A." The Obligations will be dated the Original Issue Date, even if they are actually issued or executed on another date. Each Obligation will also be dated the date on which it is authenticated by the Fiscal Agent. That date is its registration date.

The face amount of each Obligation will be \$5,000 or any multiple thereof up to the principal amount authorized for that maturity.

The Obligations will bear interest from the Original Issue Date. Interest will be payable semiannually on each June 1 and December 1, beginning on June 1, 2013, until the principal of the Obligations has been paid. Interest on each Obligation will be (i) computed on the basis of a 360-day year of twelve 30-day months and (ii) payable to the person in whose name the Obligation is registered on the Register at the end of the day on the applicable Record Date. The Obligations will be numbered consecutively as may be required to comply with any applicable rules or customs or as determined by the Municipal Officers executing the Obligations. The following table shows when the Obligations will mature and the rate of interest each maturity will bear:

<u>Maturity Date</u> <u>(December 1)</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2013	\$400,000	_____ %
2014	365,000	_____
2015	265,000	_____
2016	150,000	_____
2017	150,000	_____
2018	155,000	_____
2019	155,000	_____
2020	155,000	_____
2021	160,000	_____
2022	165,000	_____
2023	165,000	_____
2024	170,000	_____
2025	175,000	_____
2026	175,000	_____
2027	175,000	_____

redeemed, then the Obligations will be redeemed in \$5,000 multiples in accordance with Sections 10 and 11 hereof [and, if a portion, but not all, of a maturity that is subject to mandatory partial redemptions by operation of a sinking fund (as described below) is being redeemed, then the Issuer will select the amounts to be redeemed on future Sinking Fund Redemption Dates (as defined below) that are reduced as a result of the partial redemption].

[The Obligations maturing on December 1 in the years 20__ and 20__ (the “**Term Bonds**”) are also subject to mandatory partial redemptions prior to their stated maturity by operation of a sinking fund. On the following redemption dates (each a “**Sinking Fund Redemption Date**”), the Issuer will redeem the following principal amounts of the Term Bonds:

Term Bonds Maturing December 1, 20__

<u>Sinking Fund Redemption Date</u>	<u>Principal Amount to be Redeemed</u>
December 1, 20__	\$ _____
December 1, 20__ (Stated Maturity)	_____

Term Bonds Maturing December 1, 20__

<u>Sinking Fund Redemption Date</u>	<u>Principal Amount to be Redeemed</u>
December 1, 20__	\$ _____
December 1, 20__ (Stated Maturity)	_____

The redemption price will be 100% of the principal amount redeemed, plus accrued interest to the Sinking Fund Redemption Date, and no premium will be paid. The particular Term Bonds to be redeemed will be selected in accordance with Sections 10 and 11 hereof, and the Issuer will give notice of the redemption in the manner stated in this resolution.]

Section 10. Payment of Obligations/Transfers/Redemption Notices Under Book-Entry System.

So long as the Issuer maintains the Obligations in a Book-Entry System, the following provisions apply:

Payment. The Fiscal Agent is directed to pay the principal of, and interest on, the Obligations by wire transfer to the Depository or its nominee in accordance with the Depository’s rules that are then in effect.

Transfers. The Obligations are transferable, only upon the Register and only if the Depository ceases to act as securities depository for the Obligations and the Issuer appoints a successor securities depository. If that happens, then upon the surrender of the Obligations to the Fiscal Agent, and the payment of a charge sufficient to reimburse the Fiscal Agent for any tax, fee, or other governmental charge required to be made with respect to such registration, the Issuer will issue new fully registered Obligations in the same aggregate principal amounts to the

transferee or transferees, as applicable, in exchange for the surrendered Obligations and upon the payment of a charge sufficient to reimburse the Issuer or the Fiscal Agent for any tax, fee, or other governmental charge required to be paid with respect to such registration.

The Fiscal Agent will not be required to make any transfer of the Obligations (i) during the 15 calendar day period before the date of the sending of notice of any proposed redemption of the Obligations, or (ii) with respect to any particular Obligation, after the Obligation has been called for redemption.

Partial Redemptions. If less than all the Obligations of a particular maturity are to be redeemed, then the Issuer will randomly select the Obligations to be redeemed. If less than all of a particular Obligation has been called for redemption, then upon surrender of the Obligation to be redeemed, the Issuer will issue one or more new Obligations in the principal amount outstanding after the redemption.

Notice of Redemption. Notice of the redemption of any of the Obligations must be sent by first class mail, not less than 30, and not more than 60, days before the redemption date to the registered owners of the Obligations to be redeemed. A notice of redemption may be revoked by sending a notice, by first class mail, not less than 15 days prior to the proposed redemption date to the registered owners of the Obligations which have been called for redemption.

Accrual of Interest. If payment of an Obligation called for redemption has been made or provided for, then interest on the Obligation stops accruing on the stated redemption date.

Register. The Issuer, the Fiscal Agent, and any alternate fiscal agent may treat the entity or person in whose name any Obligation is registered on the Register as the absolute owner of the Obligation for all purposes whatsoever under this resolution.

Section 12. Form of Obligations.

The Obligations must be in substantially the form shown in Exhibit A. Omissions, insertions, or variations are permitted if they are deemed necessary or desirable and are consistent with this resolution or any supplemental resolution.

Section 13. Execution of Obligations.

The Obligations must be signed by the persons who are the Municipal Officers on the date on which the Obligations are signed. The Obligations must be sealed with the Issuer's corporate seal (or a facsimile), if the Issuer has one, and they must also be authenticated by the manual signature of an authorized representative of the Fiscal Agent.

The Obligations will be valid and binding even if before they are delivered any person whose signature appears on the Obligations is no longer living or is no longer the person authorized to sign the Obligations. In that event, the Obligations will have the same effect as if the person were living or were still the person authorized to sign the Obligations.

This tax must be carried from year to year into the Issuer's tax roll. It must be collected in addition to all other taxes and in the same manner and at the same time as all other taxes. The amount of this tax that is carried into the Issuer's tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund available to pay debt service on the Obligations for such year. This tax will be in the following amounts:

<u>Levy Year</u>	<u>Debt Service Amount Due in Following Year</u>	<u>Levy Year</u>	<u>Debt Service Amount Due in Following Year</u>
2012	\$ _____	2020	\$ _____
2013	_____	2021	_____
2014	_____	2022	_____
2015	_____	2023	_____
2016	_____	2024	_____
2017	_____	2025	_____
2018	_____	2026	_____
2019	_____		

Section 17. Debt Service Fund.

The Treasurer is directed to keep the proceeds of the taxes levied under this resolution, when they are collected, in the Debt Service Fund. The Debt Service Fund must be maintained and administered as provided in Section 67.11 of the Wisconsin Statutes. The Issuer must create a separate account within the Debt Service Fund solely for the Obligations. Any accrued interest received at the time of delivery of the Obligations and the premium, if any, paid to the Issuer by the Purchaser in excess of the stated principal amount of the Obligations must be deposited into the Debt Service Fund and used to pay interest on the Obligations. If the money in the Debt Service Fund is insufficient to make a payment of principal of or interest on the Obligations on a date on which such a payment is due, then the Issuer will promptly provide the necessary funds to make the payment from other available sources.

Section 18. Borrowed Money Fund.

The sale proceeds of the Obligations (not including any accrued interest or premium received) must be deposited in and kept by the Treasurer in a separate fund. The fund must be designated with both the name of the Obligations and the name Borrowed Money Fund (herein referred to as the "**Borrowed Money Fund**"). Money in the Borrowed Money Fund, including any earnings, must be (a) used to pay the costs of (i) the Project and (ii) issuing the Obligations, or (b) transferred to the Debt Service Fund as provided by law.

Section 19. Official Statement.

The Issuer ratifies and approves the preliminary offering document prepared and distributed in connection with the sale of the Obligations, and the Issuer authorizes and directs the final version of such document (the "**Official Statement**") to be prepared prior to the

Section 25. Conflict with Prior Acts.

In case any part of a prior action of the Governing Body conflicts with this resolution, the Issuer rescinds that part of the prior action.

Section 26. Severability of Invalid Provisions.

If a court holds any provision of this resolution to be illegal or invalid, then the illegality or invalidity shall not affect any other provision of this resolution.

Section 27. Effective Date.

This resolution takes effect upon its adoption and approval in the manner provided by law.

* * * * *

Adopted: August 21, 2012

Approved: August __, 2012

Mayor

Clerk

Maximum Amount Authorized	Amount Borrowed	Purpose
\$1,425,000	\$1,300,000	street lighting, street improvements, and street improvement funding;
1,175,000	1,140,000	parks and public grounds, including, but not limited to, construction of and improvements to public trails;
470,000	430,000	sewerage improvements, including, but not limited to, storm sewer and sanitary sewer improvements; and
135,000	110,000	water systems, including, but not limited to, construction of and improvements to the Issuer's water system.

and (2) the resolution duly adopted by the governing body of the Issuer on August 21, 2012, entitled: "A Resolution Authorizing and Providing for the Sale and Issuance of \$2,980,000 General Obligation Corporate Purpose Bonds, Series 2012A, and All Related Details" (the "**Resolution**"). The Obligations are issuable only in the form of fully registered obligations.

On the date of their initial delivery, the Obligations will be maintained in a system in which no physical distribution of certificates representing ownership of the Obligations is made to the owners of the Obligations but instead all outstanding Obligations are registered in the name of a securities depository appointed by the Issuer (a "**Depository**"), or in the name of the Depository's nominee, and the Depository and its participants record beneficial ownership and effect transfers of the Obligations electronically (a "**Book-Entry System**"). So long as the Obligations are maintained in a Book-Entry System, then the principal of, and interest on, this Obligation will be paid by wire transfer to the Depository or its nominee in accordance with the Depository's rules that are then in effect by Associated Trust Company, National Association, or any successor fiscal agent appointed by the Issuer under Section 67.10 (2) of the Wisconsin Statutes (the "**Fiscal Agent**"), who will act as paying agent and registrar for the Obligations.

If at any time the Issuer decides *not* to maintain the Obligations in a Book-Entry System, then (i) the principal of this Obligation will be paid by the Fiscal Agent upon its presentation and surrender on or after its maturity date or prior redemption date at the principal office of the Fiscal Agent, and (ii) the interest on this Obligation will be paid, on each interest payment date, by wire or other electronic transfer or by check of the Fiscal Agent sent by first class mail to the person in whose name this Obligation is registered on the register (the "**Register**") maintained by the Fiscal Agent at the end of the day on the 15th day (whether or not a business day) of the calendar month just before each regularly scheduled interest payment date (the "**Record Date**").

The principal of, and interest on, this Obligation is payable in lawful money of the United States of America. For the prompt payment of the principal of, and interest on, this Obligation, the Issuer has irrevocably pledged its full faith, credit, and resources. The Issuer has

So long as the Issuer maintains the Obligations in a Book-Entry System, then the following provisions apply:

Transfers. The Obligations are transferable, only upon the Register and only if the Depository ceases to act as securities depository for the Obligations and the Issuer appoints a successor securities depository. If that happens, then upon the surrender of the Obligations to the Fiscal Agent and in exchange and upon the payment of a charge sufficient to reimburse the Fiscal Agent for any tax, fee, or other governmental charge required to be made with respect to such registration, the Issuer will issue new fully registered Obligations in the same aggregate principal amounts to the successor securities depository and the Obligations will be recorded as transferred to the successor securities depository in the Register.

The Fiscal Agent will not be required to make any transfer of the Obligations (i) during the 15 calendar days before the date of the sending of notice of any proposed redemption of the Obligations, or (ii) with respect to any particular Obligation, after such Obligation has been called for redemption. If an Obligation has been called for redemption but less than all of the principal amount of a specific maturity is redeemed, then on the redemption date and upon surrender of the Obligation, the Issuer will issue one or more new Obligations in the principal amount outstanding after the redemption.

Partial Redemption. If less than all the Obligations of a particular maturity are to be redeemed, then the Depository and its direct and indirect participants will select the beneficial owners of the Obligations to be redeemed.

Notice of Redemption. Notice of the redemption of any of the Obligations will be sent to the Depository, in the manner required by the Depository, not less than 30, and not more than 60, days prior to the proposed redemption date. A notice of redemption may be revoked by sending notice to the Depository, in the manner required by the Depository, not less than 15 days prior to the proposed redemption date.

Accrual of Interest. If payment of an Obligation called for redemption has been made or provided for, then interest on the Obligation stops accruing on the stated redemption date.

Register. The Issuer, the Fiscal Agent, and any alternate fiscal agent may treat the entity or person in whose name this Obligation is registered on the Register as the absolute owner of this Obligation for all purposes.

If at any time the Issuer decides *not* to maintain the Obligations in a Book-Entry System, then the following provisions apply:

Transfers. Each Obligation is transferable, only upon the Register, for a like aggregate principal amount of the same maturity and interest rate in denominations of \$5,000. A transfer may be requested by the registered owner in person or by a person with a written power of attorney. The Obligation must be

IN WITNESS WHEREOF, the Issuer, by its governing body, has caused this
Obligation to be executed in its name and on its behalf by the manual or facsimile signatures of
its Mayor and Clerk and to be sealed with its corporate seal (or a facsimile thereof), if any, all as
of September 20, 2012.

CITY OF DE PERE, WISCONSIN

By: _____
Mayor

[SEAL]

And: _____
Clerk

Certificate of Authentication

Dated: September __, 2012

This Obligation is one of the Obligations
described in the Resolution.

ASSOCIATED TRUST COMPANY, NATIONAL ASSOCIATION,
as Fiscal Agent

By: _____
Authorized Signatory

September __, 2012

City of De Pere
335 South Broadway Street
De Pere, Wisconsin 54115

Subject: \$2,980,000
City of De Pere, Wisconsin
General Obligation Corporate Purpose Bonds, Series 2012A

We have acted as bond counsel to the City of De Pere, Wisconsin (the “**Issuer**”) in connection with the issuance of its \$2,980,000 General Obligation Corporate Purpose Bonds, Series 2012A, dated September 20, 2012 (the “**Obligations**”).

We examined the law, a certified copy of the proceedings relating to the issuance of the Obligations, and certifications of public officials and others. As to questions of fact material to our opinion, we relied upon the certified proceedings and certifications without independently undertaking to verify them.

Based upon this examination, it is our opinion that, under existing law:

1. The Obligations are valid and binding general obligations of the Issuer.
2. All taxable property in the Issuer’s territory is subject to *ad valorem* taxation without any limit as to rate or amount to pay the principal and interest coming due on the Obligations. The Issuer is required by law to include in its annual tax levy the principal and interest coming due on the Obligations except to the extent that the Issuer has deposited other funds, or there is otherwise surplus money, in the account within the debt service fund created for the Obligations under Wisconsin law.
3. Interest on the Obligations is excluded from gross income for federal income tax purposes and is not a specific item of tax preference for purposes of the federal alternative minimum tax imposed on all taxpayers; however, interest on the Obligations is taken into account in determining adjusted current earnings for purposes of computing the alternative minimum tax imposed on certain corporations. The Issuer must comply with all requirements of the Internal Revenue Code of 1986, as amended (the “**Code**”), that must be satisfied after the Obligations are issued for interest on the Obligations to be, or continue to be, excluded from gross income for federal income tax purposes. The Issuer has agreed to comply with those requirements. Its failure to do so may cause interest on the Obligations to be included in gross income for federal income tax purposes, in some cases retroactively to the date the Obligations

EXHIBIT B

NOTICE TO THE ELECTORS OF THE
CITY OF DE PERE, WISCONSIN
RELATING TO BOND SALE

On August 21, 2012, pursuant to Chapter 67 of the Wisconsin Statutes, a resolution was offered, read, approved, and adopted whereby the City of De Pere, Wisconsin authorized the borrowing of money and entered into a contract to sell general obligation corporate purpose bonds in the principal amount of \$2,980,000. It is anticipated that the closing of this bond financing will be held on or about September 20, 2012. A copy of all proceedings had to date with respect to the authorization and sale of said bonds is on file and may be examined in the office of the City Clerk, at 335 South Broadway Street, De Pere, Wisconsin between the hours of 9:00 a.m. and 4:30 p.m. on weekdays.

This notice is given pursuant to Section 893.77 of the Wisconsin Statutes, which provides that an action or proceeding to contest the validity of such financing, for other than constitutional reasons, must be commenced within 30 days after the date of publication of this notice.

Publication Date: August __, 2012

/s/ Shana L. Defnet

City Clerk

Body had received a copy of the Resolution. All rules of the Governing Body that interfered with the consideration of the Resolution, if any, were suspended by a two-thirds vote of the Governing Body. The Resolution was then introduced, moved, and seconded, and after due consideration, upon roll call, ___ of the Governing Body members voted Aye, ___ voted Nay, and ___ Abstained.

7. **Adoption of Resolution.** The Resolution was supported by the affirmative vote of a majority of a quorum of the members of the Governing Body in attendance. The Presiding Officer then declared that the Resolution was adopted, and I recorded the adoption of the Resolution.

8. **Approval of Presiding Officer.** The Resolution was approved by the Presiding Officer on August __, 2012, and I have recorded the approval. The approval is evidenced by the signature of the Presiding Officer on the copy of the Resolution to which this certificate is attached.

9. **Publication of Exhibit B to Resolution.** I have caused Exhibit B to the Resolution to be published in the form and place specified in the Resolution.

IN WITNESS WHEREOF, I have signed my name and affixed the seal of the Municipality, if any, on this certificate on August __, 2012.

Clerk

[Seal]

**COMMON COUNCIL
OF THE
CITY OF DE PERE, WISCONSIN**

August 21, 2012

Resolution No. 12-95

**A Resolution Authorizing and Providing for the Sale and Issuance of
\$2,850,000 Taxable General Obligation Community Development Bonds, Series 2012B,
and All Related Details**

RECITALS

The Common Council (the “**Governing Body**”) of the City of De Pere, Wisconsin (the “**Issuer**”) makes the following findings and determinations:

1. The Issuer needs funds for the following purpose (the “**Project**”):

Maximum Amount Authorized	Amount Borrowed	Purpose
\$3,775,000	\$2,850,000	providing financial assistance to blight elimination, slum clearance, community development, redevelopment, and urban renewal programs and projects under Sections 66.1105, 66.1301 to 66.1329, and 66.1331 to 66.1337 of the Wisconsin Statutes, including, but not limited to, financing development grants for projects within the City’s Tax Incremental Districts Numbers 8, 9, and 10.

2. On July 3, 2012, the Governing Body adopted an initial resolution authorizing the issuance of general obligation bonds of the Issuer in the maximum principal amount and for the purpose described above (the “**Initial Resolution**”).

3. On July 3, 2012, the Governing Body also adopted a resolution authorizing and directing the publication of notice of the adoption of the Initial Resolution (the “**Publication Resolution**”).

4. On July 3, 2012, the Governing Body also adopted a resolution authorizing, among other things, the notification and sale of the bonds described in the Initial Resolution (the “**Authorizing Resolution**”).

5. The Clerk of the Issuer caused notice of the following actions:

- (i) *Notice of the adoption of the Initial Resolution.* Notice of the adoption of the Initial Resolution (the “**Legal Notice**”) was given by publication of a notice in the Issuer’s official newspaper on

11. The Governing Body is adopting this resolution to sell the Obligations and provide for their issuance upon the terms and conditions set forth in this resolution.

RESOLUTIONS

The Governing Body resolves as follows:

Section 1. Definitions.

In this resolution, the following terms have the meanings given in this section, unless the context clearly requires another meaning.

“Book-Entry System” means a system in which no physical distribution of certificates representing ownership of the Obligations is made to the owners of the Obligations but instead all outstanding Obligations are registered in the name of a securities depository appointed by the Issuer, or in the name of such a depository’s nominee, and the depository and its participants record beneficial ownership and effect transfers of the Obligations electronically.

“Code” means the Internal Revenue Code of 1986, as amended.

“Continuing Disclosure Agreement” means the Continuing Disclosure Agreement, dated as of the Original Issue Date, to be executed by the Issuer and delivered on the closing date of the Obligations.

“Debt Service Fund” means the fund created by the Issuer pursuant to Section 67.11 of the Wisconsin Statutes to provide for the payment of debt service on its general obligations.

“Depository” means DTC or any successor appointed by the Issuer and acting as securities depository for the Obligations.

“DTC” means The Depository Trust Company.

“Financial Officer” means the Issuer’s Treasurer.

“Fiscal Agent” means Associated Trust Company, National Association, or any successor fiscal agent appointed by the Issuer to act as paying agent and registrar for the Obligations pursuant to Section 67.10 (2) of the Wisconsin Statutes.

“Governing Body” means the Issuer’s Common Council.

“Initial Resolution” has the meaning set forth in the recitals to this resolution.

“Issuer” means the City of De Pere, Wisconsin.

“Legal Notice” means the notice of the adoption of, among other resolutions, the Initial Resolution. The Legal Notice was published in the Issuer’s official newspaper on July 12, 2012.

Section 4. Terms of Obligations.

The Obligations will be named "City of De Pere, Wisconsin Taxable General Obligation Community Development Bonds, Series 2012B." The Obligations will be dated the Original Issue Date, even if they are actually issued or executed on another date. Each Obligation will also be dated the date on which it is authenticated by the Fiscal Agent. That date is its registration date.

The face amount of each Obligation will be \$5,000 or any multiple thereof up to the principal amount authorized for that maturity.

The Obligations will bear interest from the Original Issue Date. Interest will be payable semiannually on each June 1 and December 1, beginning on June 1, 2013, until the principal of the Obligations has been paid. Interest on each Obligation will be (i) computed on the basis of a 360-day year of twelve 30-day months and (ii) payable to the person in whose name the Obligation is registered on the Register at the end of the day on the applicable Record Date. The Obligations will be numbered consecutively as may be required to comply with any applicable rules or customs or as determined by the Municipal Officers executing the Obligations. The following table shows when the Obligations will mature and the rate of interest each maturity will bear:

<u>Maturity Date</u> <u>(December 1)</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2015	\$140,000	_____ %
2016	145,000	_____
2017	145,000	_____
2018	155,000	_____
2019	160,000	_____
2020	165,000	_____
2021	170,000	_____
2022	175,000	_____
2023	185,000	_____
2024	190,000	_____
2025	195,000	_____
2026	210,000	_____
2027	215,000	_____
2028	230,000	_____
2029	235,000	_____
2030	85,000	_____
2031	50,000	_____

The principal of, and interest on, the Obligations will be payable in lawful money of the United States of America.

Section 5. Fiscal Agent.

The Issuer appoints the Fiscal Agent to act as paying agent and registrar for the Obligations. The appropriate officers of the Issuer are directed to enter into a fiscal agency

[The Obligations maturing on December 1 in the years 20__ and 20__ (the “**Term Bonds**”) are also subject to mandatory partial redemptions prior to their stated maturity by operation of a sinking fund. On the following redemption dates (each a “**Sinking Fund Redemption Date**”), the Issuer will redeem the following principal amounts of the Term Bonds:

Term Bonds Maturing December 1, 20__

<u>Sinking Fund Redemption Date</u>	<u>Principal Amount to be Redeemed</u>
December 1, 20__	\$ _____
December 1, 20__ (Stated Maturity)	_____

Term Bonds Maturing December 1, 20__

<u>Sinking Fund Redemption Date</u>	<u>Principal Amount to be Redeemed</u>
December 1, 20__	\$ _____
December 1, 20__ (Stated Maturity)	_____

The redemption price will be 100% of the principal amount redeemed, plus accrued interest to the Sinking Fund Redemption Date, and no premium will be paid. The particular Term Bonds to be redeemed will be selected in accordance with Sections 10 and 11 hereof, and the Issuer will give notice of the redemption in the manner stated in this resolution.]

Section 9. Payment of Obligations/Transfers/Redemption Notices Under Book-Entry System.

So long as the Issuer maintains the Obligations in a Book-Entry System, the following provisions apply:

Payment. The Fiscal Agent is directed to pay the principal of, and interest on, the Obligations by wire transfer to the Depository or its nominee in accordance with the Depository’s rules that are then in effect.

Transfers. The Obligations are transferable, only upon the Register and only if the Depository ceases to act as securities depository for the Obligations and the Issuer appoints a successor securities depository. If that happens, then upon the surrender of the Obligations to the Fiscal Agent, and the payment of a charge sufficient to reimburse the Fiscal Agent for any tax, fee, or other governmental charge required to be made with respect to such registration, the Issuer will issue new fully registered Obligations in the same aggregate principal amounts to the successor securities depository, and the Obligations will be recorded as transferred to the successor securities depository in the Register.

The Fiscal Agent will not be required to make any transfer of the Obligations (i) during the 15 calendar days before the date of the sending of notice of any proposed redemption of the Obligations, or (ii) with respect to any particular Obligation, after such

redemption of the Obligations, or (ii) with respect to any particular Obligation, after the Obligation has been called for redemption.

Partial Redemptions. If less than all the Obligations of a particular maturity are to be redeemed, then the Issuer will randomly select the Obligations to be redeemed. If less than all of a particular Obligation has been called for redemption, then upon surrender of the Obligation to be redeemed, the Issuer will issue one or more new Obligations in the principal amount outstanding after the redemption.

Notice of Redemption. Notice of the redemption of any of the Obligations must be sent by first class mail, not less than 30, and not more than 60, days before the redemption date to the registered owners of the Obligations to be redeemed. A notice of redemption may be revoked by sending a notice, by first class mail, not less than 15 days prior to the proposed redemption date to the registered owners of the Obligations which have been called for redemption.

Accrual of Interest. If payment of an Obligation called for redemption has been made or provided for, then interest on the Obligation stops accruing on the stated redemption date.

Register. The Issuer, the Fiscal Agent, and any alternate fiscal agent may treat the entity or person in whose name any Obligation is registered on the Register as the absolute owner of the Obligation for all purposes whatsoever under this resolution.

Section 11. Form of Obligations.

The Obligations must be in substantially the form shown in Exhibit A. Omissions, insertions, or variations are permitted if they are deemed necessary or desirable and are consistent with this resolution or any supplemental resolution.

Section 12. Execution of Obligations.

The Obligations must be signed by the persons who are the Municipal Officers on the date on which the Obligations are signed. The Obligations must be sealed with the Issuer's corporate seal (or a facsimile), if the Issuer has one, and they must also be authenticated by the manual signature of an authorized representative of the Fiscal Agent.

The Obligations will be valid and binding even if before they are delivered any person whose signature appears on the Obligations is no longer living or is no longer the person authorized to sign the Obligations. In that event, the Obligations will have the same effect as if the person were living or were still the person authorized to sign the Obligations.

A facsimile signature may be used as long as at least one signature of a Municipal Officer is a manual signature or the Fiscal Agent's certificate of authentication has a manual signature. If a facsimile signature is used, then it will be treated as the officer's own signature.

by the amount of any surplus money in the Debt Service Fund available to pay debt service on the Obligations for such year. This tax will be in the following amounts:

<u>Levy Year</u>	<u>Debt Service Amount Due in Following Year</u>	<u>Levy Year</u>	<u>Debt Service Amount Due in Following Year</u>
2012	\$ _____	2022	\$ _____
2013	_____	2023	_____
2014	_____	2024	_____
2015	_____	2025	_____
2016	_____	2026	_____
2017	_____	2027	_____
2018	_____	2028	_____
2019	_____	2029	_____
2020	_____	2030	_____
2021	_____		

The Issuer appropriates an amount of proceeds of the Obligations equal to \$ _____ to pay interest on the Obligations through and including December 1, 2014. The amount shall be applied as provided in Section 17 hereof. As a result of the appropriation, the taxes levied for the interest payments due in the years 2013 and 2014 will be abated.

Section 16. Debt Service Fund.

The Treasurer is directed to keep the proceeds of the taxes levied under this resolution, when they are collected, in the Debt Service Fund. The Debt Service Fund must be maintained and administered as provided in Section 67.11 of the Wisconsin Statutes. The Issuer must create a separate account within the Debt Service Fund solely for the Obligations. Any accrued interest received at the time of delivery of the Obligations and the premium, if any, paid to the Issuer by the Purchaser in excess of the stated principal amount of the Obligations must be deposited into the Debt Service Fund and used to pay interest on the Obligations. If the money in the Debt Service Fund is insufficient to make a payment of principal of or interest on the Obligations on a date on which such a payment is due, then the Issuer will promptly provide the necessary funds to make the payment from other available sources.

Section 17. Borrowed Money Fund.

The sale proceeds of the Obligations (not including any accrued interest or premium received) must be deposited in and kept by the Treasurer in a separate fund. The fund must be designated with both the name of the Obligations and the name Borrowed Money Fund (herein referred to as the "**Borrowed Money Fund**"). Money in the Borrowed Money Fund, including any earnings, must be (a) used to pay the costs of (i) the Project, (ii) issuing the Obligations, and (iii) the capitalized interest, or (b) transferred to the Debt Service Fund as provided by law. The portion of the proceeds of the Obligations that has been appropriated to

Section 23. Severability of Invalid Provisions.

If a court holds any provision of this resolution to be illegal or invalid, then the illegality or invalidity shall not affect any other provision of this resolution.

Section 24. Effective Date.

This resolution takes effect upon its adoption and approval in the manner provided by law.

* * * * *

Adopted: August 21, 2012

Approved: August __, 2012

Mayor

Clerk

Maximum Amount Authorized	Amount Borrowed	Purpose
\$3,775,000	\$2,850,000	providing financial assistance to blight elimination, slum clearance, community development, redevelopment, and urban renewal programs and projects under Sections 66.1105, 66.1301 to 66.1329, and 66.1331 to 66.1337 of the Wisconsin Statutes, including, but not limited to, financing development grants for projects within the City's Tax Incremental Districts Numbers 8, 9, and 10.

and (2) the resolution duly adopted by the governing body of the Issuer on August 21, 2012, entitled: "A Resolution Authorizing and Providing for the Sale and Issuance of \$2,850,000 Taxable General Obligation Community Development Bonds, Series 2012B, and All Related Details" (the "**Resolution**"). The Obligations are issuable only in the form of fully registered obligations.

On the date of their initial delivery, the Obligations will be maintained in a system in which no physical distribution of certificates representing ownership of the Obligations is made to the owners of the Obligations but instead all outstanding Obligations are registered in the name of a securities depository appointed by the Issuer (a "**Depository**"), or in the name of the Depository's nominee, and the Depository and its participants record beneficial ownership and effect transfers of the Obligations electronically (a "**Book-Entry System**"). So long as the Obligations are maintained in a Book-Entry System, then the principal of, and interest on, this Obligation will be paid by wire transfer to the Depository or its nominee in accordance with the Depository's rules that are then in effect by Associated Trust Company, National Association, or any successor fiscal agent appointed by the Issuer under Section 67.10 (2) of the Wisconsin Statutes (the "**Fiscal Agent**"), who will act as paying agent and registrar for the Obligations.

If at any time the Issuer decides *not* to maintain the Obligations in a Book-Entry System, then (i) the principal of this Obligation will be paid by the Fiscal Agent upon its presentation and surrender on or after its maturity date or prior redemption date at the principal office of the Fiscal Agent, and (ii) the interest on this Obligation will be paid, on each interest payment date, by wire or other electronic transfer or by check of the Fiscal Agent sent by first class mail to the person in whose name this Obligation is registered on the register (the "**Register**") maintained by the Fiscal Agent at the end of the day on the 15th day (whether or not a business day) of the calendar month just before each regularly scheduled interest payment date (the "**Record Date**").

The principal of, and interest on, this Obligation is payable in lawful money of the United States of America. For the prompt payment of the principal of, and interest on, this Obligation, the Issuer has irrevocably pledged its full faith, credit, and resources. The Issuer has levied upon all taxable property in its territory a direct, annual, and irrevocable tax sufficient in amount to pay, and for the express purpose of paying, the interest on this Obligation as it falls due and the principal of this Obligation on the Maturity Date.

other governmental charge required to be made with respect to such registration, the Issuer will issue new fully registered Obligations in the same aggregate principal amounts to the successor securities depository and the Obligations will be recorded as transferred to the successor securities depository in the Register.

The Fiscal Agent will not be required to make any transfer of the Obligations (i) during the 15 calendar days before the date of the sending of notice of any proposed redemption of the Obligations, or (ii) with respect to any particular Obligation, after such Obligation has been called for redemption. If an Obligation has been called for redemption but less than all of the principal amount of a specific maturity is redeemed, then on the redemption date and upon surrender of the Obligation, the Issuer will issue one or more new Obligations in the principal amount outstanding after the redemption.

Partial Redemption. If less than all the Obligations of a particular maturity are to be redeemed, then the Depository and its direct and indirect participants will select the beneficial owners of the Obligations to be redeemed.

Notice of Redemption. Notice of the redemption of any of the Obligations will be sent to the Depository, in the manner required by the Depository, not less than 30, and not more than 60, days prior to the proposed redemption date. A notice of redemption may be revoked by sending notice to the Depository, in the manner required by the Depository, not less than 15 days prior to the proposed redemption date.

Accrual of Interest. If payment of an Obligation called for redemption has been made or provided for, then interest on the Obligation stops accruing on the stated redemption date.

Register. The Issuer, the Fiscal Agent, and any alternate fiscal agent may treat the entity or person in whose name this Obligation is registered on the Register as the absolute owner of this Obligation for all purposes.

If at any time the Issuer decides *not* to maintain the Obligations in a Book-Entry System, then the following provisions apply:

Transfers. Each Obligation is transferable, only upon the Register, for a like aggregate principal amount of the same maturity and interest rate in denominations of \$5,000. A transfer may be requested by the registered owner in person or by a person with a written power of attorney. The Obligation must be surrendered to the Fiscal Agent, together with a written instrument of transfer satisfactory to the Fiscal Agent signed by the registered owner or by the person with the written power of attorney. The Fiscal Agent will issue one or more new fully registered Obligations, in the same aggregate principal amount to the transferee or transferees, as applicable, in exchange for the surrendered Obligations and upon the payment of a charge sufficient to reimburse the Issuer or

IN WITNESS WHEREOF, the Issuer, by its governing body, has caused this
Obligation to be executed in its name and on its behalf by the manual or facsimile signatures of
its Mayor and Clerk and to be sealed with its corporate seal (or a facsimile thereof), if any, all as
of September 20, 2012.

CITY OF DE PERE, WISCONSIN

By: _____
Mayor

[SEAL]

And: _____
Clerk

Certificate of Authentication

Dated: September __, 2012

This Obligation is one of the Obligations
described in the Resolution.

ASSOCIATED TRUST COMPANY, NATIONAL ASSOCIATION,
as Fiscal Agent

By: _____
Authorized Signatory

September __, 2012

City of De Pere
335 South Broadway Street
De Pere, Wisconsin 54115

Subject: \$2,850,000
City of De Pere, Wisconsin
Taxable General Obligation Community Development Bonds, Series 2012B

We have acted as bond counsel to the City of De Pere, Wisconsin (the “**Issuer**”) in connection with the issuance of its \$2,850,000 Taxable General Obligation Community Development Bonds, Series 2012B, dated September 20, 2012 (the “**Obligations**”).

We examined the law, a certified copy of the proceedings relating to the issuance of the Obligations, and certifications of public officials and others. As to questions of fact material to our opinion, we relied upon the certified proceedings and certifications without independently undertaking to verify them.

Based upon this examination, it is our opinion that, under existing law:

1. The Obligations are valid and binding general obligations of the Issuer.
2. All taxable property in the Issuer’s territory is subject to *ad valorem* taxation without any limit as to rate or amount to pay the principal and interest coming due on the Obligations. The Issuer is required by law to include in its annual tax levy the principal and interest coming due on the Obligations except to the extent that the Issuer has deposited other funds, or there is otherwise surplus money, in the account within the debt service fund created for the Obligations under Wisconsin law.

The rights of the owners of the Obligations and the enforceability of the Obligations may be limited by bankruptcy, insolvency, reorganization, moratorium, and other similar laws affecting creditors’ rights and by equitable principles (which may be applied in either a legal or an equitable proceeding).

We express no opinion as to the truth or completeness of any official statement or other disclosure document used in connection with the offer and sale of the Obligations.

EXHIBIT B

NOTICE TO THE ELECTORS OF THE
CITY OF DE PERE, WISCONSIN
RELATING TO TAXABLE BOND SALE

On August 21, 2012, pursuant to Chapter 67 of the Wisconsin Statutes, a resolution was offered, read, approved, and adopted whereby the City of De Pere, Wisconsin authorized the borrowing of money and entered into a contract to sell taxable general obligation community development bonds in the principal amount of \$2,850,000. It is anticipated that the closing of this bond financing will be held on or about September 20, 2012. A copy of all proceedings had to date with respect to the authorization and sale of said bonds is on file and may be examined in the office of the City Clerk, at 335 South Broadway Street, De Pere, Wisconsin between the hours of 9:00 a.m. and 4:30 p.m. on weekdays.

This notice is given pursuant to Section 893.77 of the Wisconsin Statutes, which provides that an action or proceeding to contest the validity of such financing, for other than constitutional reasons, must be commenced within 30 days after the date of publication of this notice.

Publication Date: August __, 2012

/s/ Shana L. Defnet
City Clerk

Body had received a copy of the Resolution. All rules of the Governing Body that interfered with the consideration of the Resolution, if any, were suspended by a two-thirds vote of the Governing Body. The Resolution was then introduced, moved, and seconded, and after due consideration, upon roll call, ___ of the Governing Body members voted Aye, ___ voted Nay, and ___ Abstained.

7. **Adoption of Resolution.** The Resolution was supported by the affirmative vote of a majority of a quorum of the members of the Governing Body in attendance. The Presiding Officer then declared that the Resolution was adopted, and I recorded the adoption of the Resolution.

8. **Approval of Presiding Officer.** The Resolution was approved by the Presiding Officer on August __, 2012, and I have recorded the approval. The approval is evidenced by the signature of the Presiding Officer on the copy of the Resolution to which this certificate is attached.

9. **Publication of Exhibit B to Resolution.** I have caused Exhibit B to the Resolution to be published in the form and place specified in the Resolution.

IN WITNESS WHEREOF, I have signed my name and affixed the seal of the Municipality, if any, on this certificate on August __, 2012.

Clerk

[Seal]

RESOLUTION #12-96

AUTHORIZING AGREEMENT WAIVING NOTICE AND
AGREEING TO PAYMENT OF STORMWATER IMPROVEMENT COSTS
(Parcels ED-F0094-3, ED-F0094, D-29-1 and part of ED-F0096)

WHEREAS, Flex, LLC is the owner of Parcels ED-F0094-3, ED-F0094, D-29-1 and part of ED-F0096, located on Heritage Road east of Hwy 57; and

WHEREAS, Flex, LLC has requested that the City construct stormwater pond improvements ("Pond Improvements") to the City's stormwater management property (Parcels ED-D-6-1-4 and ED-F0094-5) northerly of Flex LLC's parcels to accommodate stormwater management requirements arising from Flex, LLC's business expansions on the aforementioned parcels; and

WHEREAS, the aforementioned parcels will be specially benefitted from the Pond Improvements; and

WHEREAS, the Board of Public Works has reviewed this matter and recommends its approval thereof.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

The Mayor and Clerk-Treasurer are authorized and directed to enter into the Agreement Waiving Notice and Agreeing to Payment of Stormwater Improvement Costs as is attached as Exhibit 1.

BE IT FURTHER RESOLVED THAT:

All City officials, officers and employees are further authorized and directed to take such steps as are lawful and necessary in furtherance thereof.

Adopted by the Common Council of the City of De Pere, Wisconsin, this 21st day of August, 2012.

APPROVED:

Michael J. Walsh, Mayor

ATTEST:

Shana L. Defnet, Clerk-Treasurer

Ayes: _____

Nays: _____

**AGREEMENT WAIVING NOTICE AND AGREEING TO
PAYMENT OF STORMWATER IMPROVEMENT COSTS
(Parcels ED-F0094-3, ED-F0094, D-29-1 and part of ED-F0096)**

THIS AGREEMENT, made and entered into this _____ day of _____, 2012,
by and between the City of De Pere, a Wisconsin municipal corporation ("City") and Flex, LLC,
a Wisconsin Limited Liability Company ("Developer").

RECITALS

WHEREAS, Developer is the owner of Parcels ED-F0094-3, ED-F0094, D-29-1 and part
of ED-F0096, located on Heritage Road east of Hwy 57 as shown on the map attached hereto as
Exhibit A; and

WHEREAS, Developer has requested that the City construct stormwater pond
improvements ("Pond Improvements") to the City's stormwater management property (Parcels
ED-D-6-1-4 and ED-F0094-5) northerly of Developer's parcels to accommodate stormwater
management requirements arising from Developer's business expansions on the aforementioned
parcels; and

WHEREAS, the aforementioned Developer parcels will be specially benefitted from the
Pond Improvements (the "Benefitting Properties"); and

WHEREAS, the parties recognize that the City could utilize its assessment authority
pursuant to Wis. Stats. §66.0703, to recover the Developer's proportional share of costs
associated with the Pond Improvements; and

WHEREAS, Developer, having requested the public improvements and being anxious to
ensure their timely installation is intent upon executing this Agreement regarding payment of any
costs of the Pond Improvements; and

WHEREAS, the City has agreed to or has entered into contracts and to take all other actions necessary to construct and install the Pond Improvements within the 2012 construction season; and

WHEREAS, Developer hereby, on its own behalf and on behalf of its heirs, successors, and assigns, agrees to the reasonableness of the cost of the proposed Pond Improvements.

NOW, THEREFORE, the parties hereto agree as follows:

I. Construction and Installation of Pond Improvements.

- A. At the Developer's request and to the benefit of property under the ownership and control of Developer, the City hereby agrees to construct an additional stormwater detention pond which will accommodate Developer's stormwater management needs for the Benefitting Properties. Such construction improvements, noted on Exhibit B, attached and incorporated herein, are estimated to cost \$130,718.
- B. The parties acknowledge that Developer has provided assistance to City in this constructions project, including providing a fill site for soil excavation so that the City avoids trucking costs, and silt fence installation, all of which have monetary value as shown on Exhibit B.
- C. The proportional cost share for the Pond Improvements between the Benefitting Properties and the City is set forth on Exhibit B. Developer's proportional share of the costs of the improvements is 62.86% and the City's proportional share is 37.14%. Developer's share of the improvement costs shall be reduced by \$44,530, the value of its contribution to the project noted above.
- D. It is expressly understood and agreed that the costs of the Pond Improvements as described herein include an administrative/engineering fee. Further, it is expressly understood and agreed that the above costs are estimates only and that the final total construction costs will not be known until the construction project is completed.

II. Payment for Improvements.

- A. City shall invoice Developer for its share of the construction costs at the conclusion of the project. Developer shall pay to City the amount of such invoice within 10 days of Developer's receipt of the same.

- B. Should Developer dispute any portion of such invoice, Developer shall pay to City the amount not in dispute and deposit into an escrow account established at Associated Bank, NA, the disputed amount. The parties shall subject the disputed monies so escrowed to arbitration if agreement cannot be reached regarding the disputed charges.

III. Construction of Pond Improvements.

- A. Unless otherwise provided herein, City shall construct all Pond Improvements within the 2012 construction season.
- B. City shall be relieved of its responsibility to construct the Pond Improvements within the time specified hereunder in the event of war, sabotage, labor unrest, other force majeure, or upon written agreement between the parties.

IV. Reasonableness of Costs and Manner of Imposing Costs.

- A. Developer, on its own behalf and on behalf of its heirs, successors, and assigns, hereby acknowledges that the costs estimated for the Pond Improvements as delineated in Section I, above, are reasonable, that they are being imposed in a reasonable manner by the City, and that they benefit Developer's property.
- B. Developer acknowledges that the City could utilize its police powers to use special assessment procedures under Wis. Stats. §66.0703, to ensure repayment of the costs of the Pond Improvements. However, in lieu of such procedures, Developer hereby enters into this Agreement, on behalf of itself, its heirs or assigns, regarding payment of the costs of the improvements.
- C. Developer acknowledges and agrees that, upon failure to pay as outlined above, City shall place such costs as a special charge against Parcel ED-F0094-3 for current services rendered pursuant to Wis. Stats. §66.0627(2).

V. Miscellaneous. This Agreement is to be interpreted in accordance with the laws of the State of Wisconsin.

VI. Severability. If any clause or provision of this Agreement is struck down by a court of competent jurisdiction, the remaining provisions of this clause shall be unaffected thereby.

VII. Authority to Enter into Agreement. The parties hereto, having read and agreed to the foregoing, hereby authorize the undersigned to execute this document and agree to be bound by the terms and conditions hereof as of the day and date above first written.

FLEX, LLC
By:

CITY OF DE PERE
By:

Print Name:
Title:

Michael J. Walsh, Mayor

Print Name:
Title:

Shana L. Defnet, Clerk-Treasurer

H:\jdupont\Agreements\2012\Agreement Waiving Notice (Flex)-8-12-166-001-12.docx



ENGINEERING DIVISION
925 S. SIXTH ST
DE PERE, WI 54115
OFFICE 920-339-4061
FAX 920-339-4071

EXHIBIT A

TITLE: AGREEMENT
WAIVING NOTICE AND
AGREEING TO
INSTALLATION OF
STORMWATER POND
IMPROVEMENT COSTS.

DATE: 8-13-2012
BY: BK
CHECKED: ER

N. T. S.

CITY OF DE PERE
PROJECT 12-09 - POND CONSTRUCTION (POND FE-270A)
EXHIBIT B
COST OF IMPROVEMENTS AND COST ALLOCATION

POND CONSTRUCTION COST

No.	Item	Total Quantity	Unit Cost	Total Cost
STORM SEWER				
ST-01	Provide 36" RCP CL III Storm Sewer	62	\$60.00 LF	\$3,720
ST-05	Provide 5' Diameter Storm Manhole	8	\$275.00 VF	\$2,200
ST-09	Provide Concrete Discharge Structure (Pond FE270A)	1	\$5,900.00 EA	\$5,900
STREET DRAINAGE				
SD-03	Unclassified Excavation (FE270B)	12200	\$7.00 CY	\$85,400
SD-08	Provide Landscaping - Topsoil, Mulch, and Upland Seeding Meadow Seeding	8400	\$1.35 SY	\$11,340
SD-09	Provide Landscaping - Topsoil, Mulch, and Wet Meadow Seeding	220	\$4.00 SY	\$880
SD-10	Provide Landscaping - Emergent Plantings	700	\$6.50 SY	\$4,550
SD-12	Provide Topsoil Stripping for Fill Site	1	\$650.00 LS	\$650
SPECIAL CONSTRUCTION				
SC-01	Provide Silt Fence	1450	\$1.50 LF	\$2,175
SC-02	Provide Inlet Protection	1	\$40.00 EA	\$40
SC-04	Provide Erosion Control Revegetation Mat, Class I, Type A	7150	\$1.25 SY	\$8,938
SC-06	Provide Rip Rap (Heavy) with Geotextile Fabric Type HR	175	\$26.00 SY	\$4,550
SC-09	Provide Tracking Pad	0.5	\$750.00 EA	\$375
Total Estimated Cost				\$130,718

POND SAVINGS - ADJUSTMENT FOR BELMARK

No.	Item	Total Quantity	Unit Cost	Total Cost
STREET DRAINAGE				
SD-03	Unclassified Excavation (FE270B) (1)	12200	-\$3.65 CY	-\$44,530
Total Estimated Cost				-\$44,530

Notes:

(1) Belmark provided a fill site so that no trucking is required which is a large cost savings to the project. The estimated cost for offsite hauling is \$7/CY, which results in a cost savings of \$3.65/CY.

POND COST ALLOCATION BASED ON CONTRIBUTORY DRAINAGE AREA

Improvement	Unit Type	Number of Units (1)	Total Cost (Assessable)	Additional Services	Final Assessment
City of De Pere	Acres	8.68	\$48,551	0	\$48,551
Belmark	Acres	14.69	\$82,167	-\$44,530	\$37,637
Total	Acres	23.37	\$130,718		\$86,188

Note: (1) The assessment rate calculation is based on the contributory acreage for runoff to the site.

RESOLUTION #12-97

ACCEPTING SANITARY SEWER LINE EASEMENT FROM THE
STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES
(Parcel ED-80-3)

WHEREAS, the City has requested that the State of Wisconsin Department of Natural Resources (DNR) convey a sanitary sewer line easement to the City for purposes of reconstruction and enlargement of the City's sanitary sewer facilities crossing the Fox River State Trail at Parcel ED-80-3; and

WHEREAS, the Sanitary Sewer Line Easement to the City attached and incorporated as Exhibit 1 accomplishes such easement conveyance.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

The City of De Pere gratefully accepts the Sanitary Sewer Line Easement from the DNR (Exhibit 1) and thanks them for their support of city sewer system management activities.

BE IT FURTHER RESOLVED THAT:

All City officials, officers and employees are authorized and directed to take such steps as are lawful and necessary in furtherance thereof.

Adopted by the Common Council of the City of De Pere, Wisconsin, this 21st day of August, 2012.

APPROVED:

Michael J. Walsh, Mayor

ATTEST:

Shana L. Defnet, Clerk-Treasurer

Ayes: _____

Nays: _____



8 0 1 0 4 1 6 7

Tx:40072797

State of Wisconsin
Department of Natural Resources
Box 7921
Madison, WI 53707

**SANITARY SEWER LINE
EASEMENT**

Section 23.09(10), Wis. Stats.
Form 2200-15 Modified 9/2011 (KAH)

2581749
CATHY WILLIQUETTE LINDSAY
BROWN COUNTY RECORDER
GREEN BAY, WI
RECORDED ON
07/10/2012 11:37 AM
REC FEE: 30.00
EXEMPT #
PAGES: 6

THIS EASEMENT made by and between the State of Wisconsin Department of Natural Resources (hereinafter referred to as "Grantor"), and the City of De Pere, a Wisconsin municipality (hereinafter referred to as "Grantee").

RECITALS

WHEREAS, Grantee desires to remove an existing buried sanitary sewer line and rebury a new eighteen (18) inch diameter sanitary sewer line by open trench within and across the former railroad corridor, now known as the Fox River State Trail, located on the following described lands in Brown County, Wisconsin:

Recording Area

Return:
Wisconsin Department of Natural Resources
ATTN: Facilities and Lands
2984 Shawano Avenue
Green Bay, Wisconsin 54313

Township 23 North, Range 20 East, City of De Pere

Private Claim 28: A strip of land being thirty (30) feet wide crossing over and under the Fox River State Trail corridor specifically located and further defined by the attached Exhibits, AND including a temporary construction easement extending and expanding the above described strip of land an additional twenty (20') on both the north and south side of said easement area;.

NOW THEREFORE, in consideration of the sum of Thirty Dollars (\$30.00), the Grantor hereby conveys to the Grantee, its successor and assigns, a non-exclusive easement to remove an existing sanitary sewer line, construct, maintain, inspect, operate, repair, remove and replace under the described premises a single eighteen (18) inch sanitary sewer line; all extending underneath and across the corridor as further identified above and Exhibits attached hereto and made a part hereof and including a temporary construction easement as described above.

It is understood that:

1. Brown County is the owner and holder of a Trail Management Easement for the construction, development, maintenance and operation of the Fox River State Trail by the County Park Department, hereinafter referred to as the Trail Manager, all by virtue of an Easement between the State of Wisconsin Department of Natural Resources and Brown County as recorded on August 28, 2000 as Document No. 1769733 and as recorded on December 21, 2001 as Document No. 1863067 and as recorded on March 4, 2004 as Document No. 2100224 all in Brown County Records against said Premises.
2. The Trail Manager shall be notified and consulted prior to any construction or maintenance of the sanitary sewer line and has final authority over issues relating to the management of the trail corridor.
3. The intent of this easement is to allow for installation of a replacement single eighteen (18) inch sanitary sewer line by open trench construction method. Any additional sanitary sewer lines or future upgrades will require Grantee to re-apply for a separate and new easement.
4. The temporary construction easement shall automatically expire once the sanitary sewer line has been installed.
5. The Grantee may cut, trim and remove any brush, trees, logs, stumps or branches which by reason of their proximity may endanger or interfere with the said sanitary sewer line or the operation thereof. Any such undertakings shall be approved by the Trail Manager.

6. The title to the eased premises shall automatically revert to and revest in the Grantor subject to the above referenced Trail Management Easement, without reentry upon the abandonment of the use of the same for sanitary sewer line purposes or upon non-use of the same for a period of two (2) years.
7. The Grantee shall hold the Grantor and the Trail Manager, its employees and agents harmless in the event the Grantor or the Trail Manager, its employees or agents cause any damage to said sanitary sewer line.
8. The Grantee assumes and agrees to protect, defend, indemnify and hold harmless the Grantor, Trail Manager, their agents, officers and employees from and against any and all claims, demands, suits, liability and expense by reason of loss or damage to any property or bodily injury including death, arising directly or indirectly:
 - a. Out of the construction, installation, maintenance, operation, repair, replacement and removal of the line;
 - b. Out of any defect in the line or failure thereof;
 - c. Out of any act or omission of the Grantor, Trail Manager, their agents or employees, except to the extent of the negligence of the Grantor, its officers, employees or agents.
9. This easement shall be non-exclusive and the Grantor may use the above described premises and shall have the right to lease or convey other easements to one or more other person(s), company(ies) or other entity(ies), provided that any such subsequent use, lease, easement or conveyance shall not interfere with the Grantee's, as well as the Trail Managers, rights.
10. The Grantee shall contact the Trail Manager prior to commencing any construction or maintenance work.
11. The Grantee is responsible for determining the location of any existing utility lines located within the easement area and for any and all damages, costs or liabilities that result from any damages to these lines caused by the Grantee.
12. All buried underground lines will be placed at a depth of 36" below top of trail grade or more and a plastic "warning" tape or signage be placed above the lines to prevent accidental cutting.
13. The Grantee shall obtain all necessary permits, approvals, and licenses and comply with all applicable federal, state, and local statutes, regulations and ordinances in exercising any and all rights granted by this easement. If required by law, the Grantee shall apply for any and all Chapter 30 and 31, Wis. Stats., licenses, permits or approvals necessary for implementing the rights granted to the Grantee pursuant to this easement.
14. The Grantee shall maintain the area of this easement in a decent, sanitary and safe condition during construction, repair and maintenance, and at no time shall the Grantee allow its installation to cause a hazard or unsafe condition. Grantee shall make all efforts to accommodate trail users and protect them from any hazards during any construction process.
15. The Grantee shall allow continued public use and users shall have unrestricted right of way at all times of the Fox River State Trail across this location unless otherwise approved by the Trail Manager.
16. Relating to the trail portion:
 - a. The travel portion of the trail shall be restored to pre-construction/maintenance or better condition, using the same type and quality materials that meet the Grantor's Trail Design Standards and guidelines and as approved by the Trail Manager.
 - b. Warning signs and lights shall be placed informing trail users of any construction work or as otherwise directed by the Trail Manager. If needed, as determined by the Trail Manager, Grantee shall place passable barricades at entry points for trail users that require trail users to substantially reduce their speed and proceed single file. Barricade points must include signs stating that construction activities are taking place along the trail, listing a reduced speed limit, and indicating 2-way, single-file traffic.
 - c. Any excavations on or near the trail shall be covered nightly and in no case shall construction obstruct or interfere with trail use over a weekend period.
 - d. Any trail closure must be done only with written permission of the Trail Manager.

- e. Any and all ground settling or trail surface damage caused by the exercise of the Grantee's easement rights within a five (5) year period from the date of construction is the sole responsibility of the Grantee and must be restored or repaired to pre-construction or better conditions using the same type and quality materials as approved by the Trail Manager. Upon failure to perform by the Grantee within twenty (20) days of notification by the Trail Manager of needed repairs or restoration, repairs or restoration may be contracted by the Trail Manager and the Grantee shall be liable for all costs associated with such repairs and restoration, including all costs and attorney's fees incurred in recovering the same.
- f. Grantee shall not park or store any vehicles or equipment on the trail right-of-way at any time.
- g. Grantee shall not use the trail right-of-way for backing of any equipment unless a flag person is available.

17. Conveyance of this easement is subject to future restoration and reconstruction of the Right of Way for rail purposes consistent with Section 208 of the National Trails System Act Amendment of 1983, Publ. L. No. 98-11 (16 U.S.C. 1247(d)) and subject to reservations, exceptions and leases, agreements and permits authorized by the former railroad company or the Grantor prior to the execution of this easement including the Trail Management Easement referenced in paragraph number 1 herein.

IN WITNESS WHEREOF the Grantor has caused this instrument to be executed on its behalf this 11th day of May, 2012.

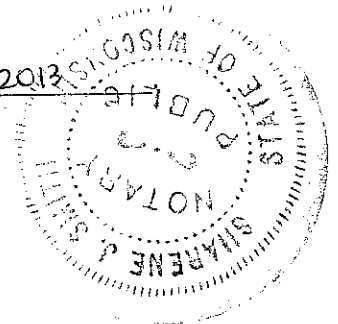
State of Wisconsin
Department of Natural Resources
For the Secretary

By Richard E. Steffes (SEAL)
Richard E. Steffes, Natural Resources Real Estate Director

STATE OF WISCONSIN)
) ss.
COUNTY OF DANE)

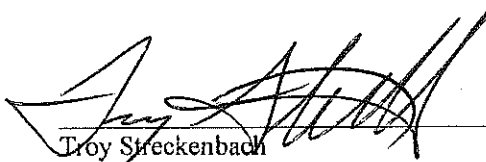
Personally came before me this 11th day of May, 2012, the above named Richard E. Steffes, State of Wisconsin Department of Natural Resources, to me known to be the person who executed the foregoing instrument and acknowledged that he executed and delivered the same as for the act and deed of said Department of Natural Resources.

Sharon J. Smith
* SHARON J. SMITH
Notary Public, State of Wisconsin
My Commission (expires)(is) 9/22/2013



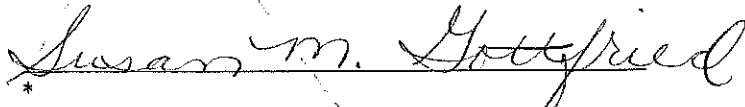
CONSENT TO EASEMENT

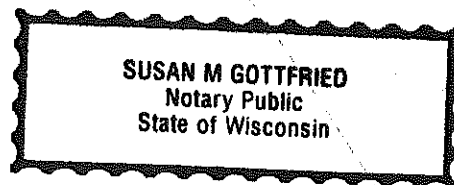
IN WITNESS WHEREOF, BROWN COUNTY, c/o Troy Streckenbach, County Executive, Northern Building, 305 E. Walnut St., Room 120, Green Bay, WI 54301, being the holder of an easement interest which is for the construction, operation and management of the Fox River State Trail by virtue of said Easement between the State of Wisconsin Department of Natural Resources and Brown County as recorded on August 28, 2000 as Document No. 1769733 and as recorded on December 21, 2001 as Document No. 1863067 and as recorded on March 4, 2004 as Document No. 2100224 all in Brown County Records against said Premises, does hereby acknowledge, join in and consent to this sanitary sewer line easement, subject to the same terms and conditions as set forth herein, in the name of City of De Pere on this 26th day of June, 2012.

 (SEAL)
Troy Streckenbach
Brown County Executive

STATE OF WISCONSIN)
) ss.
BROWN COUNTY)

Personally appeared before me this 26th day of June 2012, the above named Troy Streckenbach, County Executive to me known to be the person who executed the foregoing instrument and acknowledged the same in the capacity therein stated and for the purpose therein contained.


*
Notary Public, State of Wisconsin
My commission (expires) (~~is~~) 7-19-2015



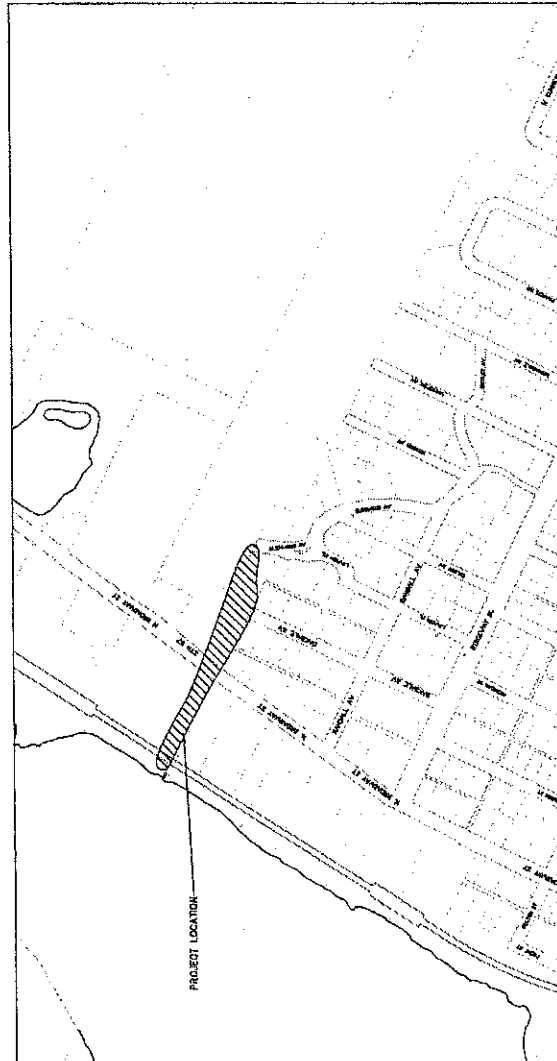
EXHIBITS

PROJECT# 12-01B GLENWOOD AVENUE EASEMENT SANITARY SEWER RECONSTRUCTION

CITY OF DE PERE

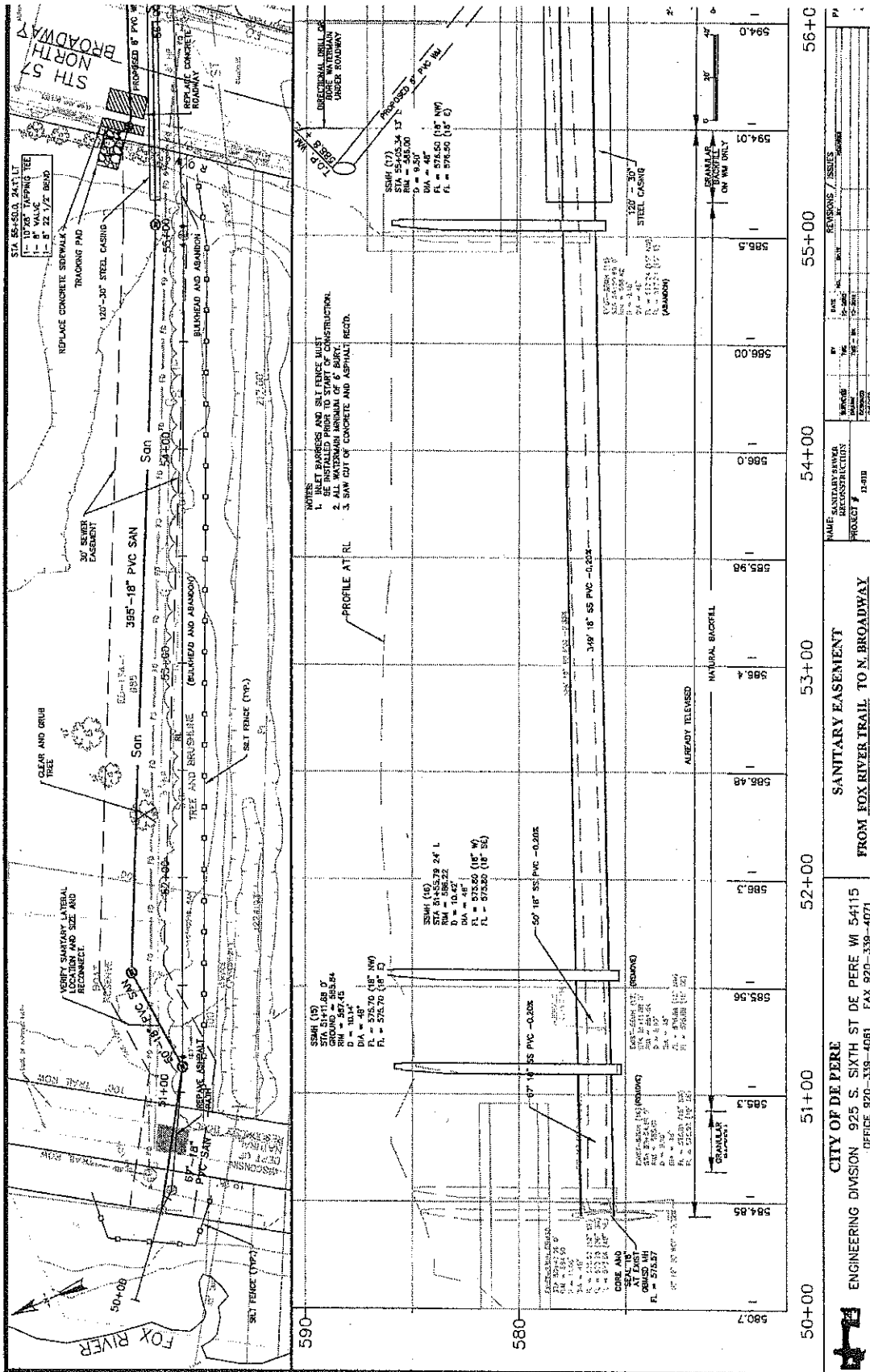


ENGINEER DIVISION
925 S. SIXTH ST
DE PERE, WI, 54115



SITE LOCATION MAP
N.T.S.

SHEET NO.	DESCRIPTION
1	TITLE SHEET
2	STANDARD SPECIFICATION & SYMBOLS
3-5	PLAN AND PROFILE
6	SECTION CONTROL DETAILS
CITY OF DE PERE	
BOARD OF PUBLIC WORKS	
DATE	CITY ENGINEER
DATE	CITY ADMINISTRATOR
DATE	WAYON
STAMPS	
SHEET NO. 1	



	CITY OF DE PERE	ENGINEERING DIVISION 925 S. SIXTH ST DE PERE WI 54115 OFFICE 920-339-4061 FAX 920-339-4071	SANITARY EASEMENT		REVISIONS / ISSUES		
			NAME PROJECT #	DATE BY	DATE BY	DATE BY	
			FROM FOX RIVER TRAIL TO N. BROADWAY	12-010			

RESOLUTION #12-98

REVISING SEWER SERVICE RATES

(August 2012)

WHEREAS, pursuant to §70-8 De Pere Municipal Code, the Common Council is charged with establishing sewer service rates; and

WHEREAS, the City is in need of revising its sewer rates to ensure revenues to cover the operation and maintenance of the City's sewerage system in a fair and proportional manner; and

WHEREAS, the rates as set forth in Exhibit A accomplish such rate structure.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

The rate structure attached as Exhibit A is hereby approved and adopted by the Common Council for:

- (1) general sewer billings due on and after January 20, 2013; and
- (2) industrial sewer billings for service effective October 1, 2012.

BE IT FURTHER RESOLVED THAT:

All City officials, officers, and employees are authorized and directed to take such steps as are lawful and necessary in furtherance thereof.

Adopted by the Common Council of the City of De Pere, Wisconsin, this 21st day of

August, 2012.

APPROVED:

Michael J. Walsh, Mayor

ATTEST:

Shana L. Defnet, Clerk-Treasurer

Ayes: _____

Nays: _____

To: Honorable Mayor and Members of Public Works Committee
From: Joe Zegers, Finance Director
Date: August 10, 2012
Subject: 2012-2013 Sewer Rate Study

The 2011 audit management letter identified the need for the City to increase sewer rates to make them sufficient to cover operating and capital replacement costs. The audit report indicates the deficiencies have been occurring back to 2009. In response to this I have attached for your consideration comparative 2011-2013 income statements which reflect the need for a 9% City sewer rate increase targeting the 4th quarter billing mailed to general customers in the billing received in late December 2012. The statements reflect the rate increase for billings to the paper mill customers beginning with their October 2012 invoice since they are billed monthly. The analysis indicates that we would still have a \$101,377 deficit for 2012 but would rebound to a \$454,331 fund balance at December 31, 2013 which would represent an increase in cash reserves available for projects and operations in 2014. The 2013 estimated figures also assume that the GBMSD will increase their treatment rates by 9% which we will pass on to our general and paper mill customers beginning January 1st, 2013.

The model with the increased 2012 City rate increase shows the need to increase our general customer rate for an **average** quarterly residential bill by \$7.63 from \$84.99 to \$92.62 for the 4th quarter of 2012 which is shown on page 2 of the report. The report also shows on page 3 that the **average** paper mill industrial rate should increase by \$9,300.98 from \$104,921.52 to \$114,222.51 per month. This represents an increase of 8.98 % for our **average** residential customers and an increase of 8.86% for an **average** paper mill industrial customer. Estimated average bills for 2013-2017 are also included in the analysis and assume an annual increase from the GBMSD of 9%.

We are recommending the City adopt the revised sewer rates at the August 21st Council meeting to be effective for the late August to late November billing cycle sent to customers in late December.

We anticipate the GBMSD will increase our treatment rates by 9% effective January 1st, 2013 which will require the Council to authorize a 9% increase in rates by no later than the second Council meeting in November 2012 to pass on these costs to our customers for the 2013 billings.

Feel free to contact me should you have any questions on this and I will also be at the Board of Public Works meeting on August 13th to explain the report.

UPDATE AS OF AUGUST 14

The Public Works Committee approved a **4.5%** increase at the August 13th, 2012 meeting. The revised comparative income statements as well the proposed rate increase comparative worksheets have been **revised** for this and are included as the exhibit for the resolution revising sewer service rates for the 4th quarter of 2012. The Public Works also approved hiring an outside consultant to review the equality of the current billing methodology for general and paper mill customers and if it should be revised since the last review in 2008. The review would then be used to help determine rates for 2013.

WASTEWATER STUDY 2011-13
COMPARATIVE CONDENSED INCOME STATEMENTS
City of De Pere

				4th Quarter City 4.5% Increase 2012	1st Quarter GBMSD 9% Increase 3rd Quarter City 4.5% Increase 2013
	2011 Actual	2012 Six Months	2012 Year Estimated	Year Estimated	Year Estimated
REVENUES					
Paper Mills-Treatment	\$ 3,202,173	\$ 1,752,406	\$ 3,504,812	\$ 3,544,241	\$ 4,081,980
Paper Mills-Monitoring	74,467	37,000	74,000	74,000	76,220
Paper Mills-Collection	73,687	70,615	93,215	96,393	109,796
Total Paper Mills	\$ 3,350,327	\$ 1,860,021	\$ 3,672,027	\$ 3,714,634	\$ 4,267,996
General Customers	2,740,979	1,487,211	2,974,422	3,007,885	3,464,246
Forfeited Discounts	32,483	24,071	42,000	42,000	42,000
TOTAL REVENUES	\$ 6,123,789	\$ 3,371,303	\$ 6,688,449	\$ 6,764,519	\$ 7,774,242
EXPENSES					
Green Bay Metropolitan Sewerage District	\$5,043,833	\$2,659,641	\$5,319,282	\$5,319,282	\$5,798,017
Green Bay Metropolitan Sewerage District-Monitoring	74,467	37,000	74,000	74,000	76,220
All Other	1,051,828	541,691	1,083,382	1,083,382	1,115,883
	6,170,128	3,238,332	6,476,664	6,476,664	6,990,120
Replacement Fund	419,430	232,650	465,300	465,300	480,000
TOTAL EXPENSES AND OTHER USES	\$ 6,589,558	\$ 3,470,982	\$ 6,941,964	\$ 6,941,964	\$ 7,470,120
NET INCOME (LOSS)	\$ (465,769)	\$ (99,679)	\$ (253,515)	\$ (177,445)	\$ 304,122

Notes to the above figures:

* The Revenue for Paper Mills and General Customers include a City 4.5% increase implemented the 4th quarter of 2012, a GBMSD 9% increase effective with the first quarter of 2013 and a City increase of 4.5% implemented for the 3rd quarter of 2013.

*All Other Expenses of \$1,051,828 represents the actual 2011 amount times a factor of 1.03% per year to arrive at the 2012 & 2013 estimates.

*The Replacement Fund represents an annual amount set aside to assist in funding capital replacement.

WASTE WATER STUDY 2012

City of De Pere Wastewater Collection and Treatment Utility
Proposed 4.5% Rate Increase - General Customers Summary

Current Rates - 2012	Proposed Rates With 4.5% Increase
----------------------	-----------------------------------

Volume charge - treatment	Volume charge - treatment
Treatment	\$3.72/thousand gallons

Volume charge - collection - quarterly	Volume charge - collection - quarterly
First 54,000 gallons	\$0.717/thousand gallons
Next 486,000 gallons	\$0.683/thousand gallons
Over 540,000 gallons	\$0.418/thousand gallons

Collection Fixed charge - quarterly	Collection Fixed charge - quarterly
3/4"	\$22.25
1"	56.50
1 1/2"	112.30
2"	180.05
3"	337.35
4"	1,010.95

WASTEWATER RATES

AVERAGE RESIDENTIAL BILL	In thousand gallons
Per Year	Per Quarter
60	15

Current Rates - 2012	Current Rates - 2012
Per Year	Per Quarter
\$339.96	\$84.99

Proposed Rates With 4.5% Increase	Proposed Rates With 4.5% Increase
Per Year	Per Quarter
\$355.24	\$88.81
	Quarterly Increase
	\$3.82

Projected Average Future Quarterly Bills

2013	\$ 98.98
2014	\$ 107.89
2015	\$ 117.60
2016	\$ 128.18
2017	\$ 139.72

This assumes an annual 9% increase from the GBMSD at 1/1/2013 and a 4.5% City increase on 7/01/13.

WASTE WATER STUDY 2012
City of De Pere Wastewater Collection and Treatment Utility
Proposed 4.5% Rate Increase - Paper Mill Summary

Current Rates - 2012	Proposed Rates With 4.5% Increase
----------------------	-----------------------------------

Volume charge - collection - monthly	
First 54,000 gallons	\$0.686/thousand gallons
Next 486,000 gallons	\$0.748/thousand gallons
Over 540,000 gallons	\$0.713/thousand gallons
Up to a maximum of 10% of Collection System Expenses allocated to the Flow Rate - for 2012: \$59,315	\$0.436/thousand gallons
GBMSD Daily Monitoring Fixed Charge - monthly	
\$2,364.92	

TREATMENT RATES	
GBMSD unit charges	
Flow	\$ 84274/thousand gallons
BOD	\$0.26511/pound
TSS	\$0.29365/pound
Phosphorus	\$0.48596/pound
TKN	\$0.76674/pound

AVERAGE PAPER MILL INDUSTRIAL INVOICE

	PER YEAR	PER MONTH
Average units		
Flow (in thousand gallons)	240,000	20,000
BOD (in pounds)	3,029,640	252,470
TSS (in pounds)	426,840	35,570
Phosphorus (in pounds)	1,980	165
TKN (in pounds)	30,192	2,516

	Current Rates - 2012		Monthly Increase
	Per Year	Per Month	
Treatment	\$1,171,364.29	\$97,613.69	
Collection	59,315.00	4,942.92	
GBMSD daily monitoring charge	28,379.00	2,364.92	
Total	\$1,259,058.29	\$104,921.52	

Projected Average Future Monthly Bills

2013	\$ 122,160.31
2014	\$ 133,154.74
2015	\$ 145,138.66
2016	\$ 158,201.14
2017	\$ 172,439.25

This assumes an annual 9% increase from the GBMSD at 1/1/2013 and a 4.5% City increase on 7/01/13.

RESOLUTION #12-99

AUTHORIZING A SIDEWALK CAFÉ PERMIT FOR NICKY'S, INC.

WHEREAS, Nicky's, Inc. has requested a Sidewalk Café Permit from the City to place bistro tables and chairs to accommodate outside customer seating within City right-of-way in front of their business at 331 Main Avenue, De Pere; and

WHEREAS, the Board of Public Works has reviewed such request and recommends its approval.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

The Sidewalk Café Permit, attached hereto and incorporated by reference as Exhibit A, is hereby authorized and approved, and the Mayor and Clerk-Treasurer are directed to execute the same.

BE IT FURTHER RESOLVED THAT:

All City officials, officers, and employees are authorized and directed to take such steps as are lawful and necessary in furtherance thereof.

Adopted by the Common Council of the City of De Pere, Wisconsin, this 21st day of August, 2012.

APPROVED:

Michael J. Walsh, Mayor

ATTEST:

Shana L. Defnet, Clerk-Treasurer

Ayes: _____

Nays: _____

SIDEWALK CAFE PERMIT

Name and Address of Permittee: Nicky's, Inc.
d/b/a Nicky's Lionhead Tavern & Grill
c/o Thomas Nick
5029 Edgewater Beach Road
Green Bay, WI 54311

Grantor: City of De Pere

Location of Encroachment: 331 Main Avenue
See attached Exhibit 1

Purpose of Encroachment: Outdoor Seating/Food Service (tables and chairs)

The purpose and occupancy of the public right-of-way referenced above as allowed by this permit is conditioned upon Nicky's, Inc. compliance with Wis. Stats. §66.0425, and the following provisions:

1. Permit. City hereby authorizes and grants to Nicky's, Inc. ("Permittee") a Sidewalk Cafe Permit for that specific area described in the sketch attached hereto and incorporated as Exhibit 1. Such Sidewalk Café Permit is subject to the following terms and conditions:
 - a) The Sidewalk Café Permit granted hereunder shall be valid from July 1 through June 30 of each year this permit is valid. Renewals of this permit may be accomplished administratively through the City Administrator.
 - b) The permit granted under this Agreement authorizes tables and chairs (outdoor seating) for food service within the area illustrated in Exhibit 1.
 - c) It is specifically understood and agreed by the parties that the City shall undertake no responsibility for the maintenance of the permit area or the tables and chairs. Permittee shall maintain the permit area and all personal property thereon in a neat and orderly manner, keeping it clean, free of noxious weeds, trash, and debris. All personal property placed on the permit area by Permittee shall remain the property of Permittee and the City shall not be held liable for any damage to such personal property regardless of the cause of such damage.
 - d) All tables, chairs and other materials and equipment placed out on the sidewalk for operation of the sidewalk cafe shall be removed from the site before the close of business and not returned to the sidewalk area until the usual and customary opening of the sidewalk cafe each day.

e) Sale of Alcohol Beverages:

☐ Not Allowed

- (i) No alcohol beverages may be sold or consumed in the Sidewalk Café area.

☐ Allowed

- (i) No alcohol beverages may be sold or consumed in the Sidewalk Café area unless the City Council has made that area part of the liquor licensed area.

- (ii) If the City Council has approved the Sidewalk Café area as part of the liquor licensed area, Permittee agrees as follows:

- (1) Violations of the requirements of this chapter or Wis. Stats. ch. 125 may result in the café permit issued hereunder and the Class B premise permit expansion being repealed by the Common Council in addition to other penalties provided under those regulations.
- (2) Alcohol beverages shall only be served to patrons of the establishment by a server in the sidewalk café area. No carryout or carry-in of alcohol beverages by a patron to and from the area of the sidewalk café shall be permitted.
- (3) Each sidewalk café serving alcohol beverages shall be responsible for monitoring the area of the sidewalk café to ensure that customers are of legal drinking age and that alcohol beverages are not removed from the premises.
- (4) The sale of alcohol beverages in sidewalk café areas shall be limited to the hours of 11:00 a.m. to 11:00 p.m. All alcohol shall be removed from the sidewalk café area no later than 11:30 p.m.

- e) Adequate egress and ingress as determined by ADA standards along the sidewalk area subject to this permit is maintained at all times. The number of chairs per bistro table shall not exceed three (3) and no chair may be placed along the north side of the tables shown on Exhibit 1.

2. Insurance. Permittee shall supply to the City a certificate of general liability insurance, naming the City as an additional insured for purposes of this Permit in an amount not less than \$1,000,000 per occurrence. Permittee shall save and hold City harmless from any and all injury that may occur or be said to have occurred as a result of Permittee's utilization of the Sidewalk Cafe Permit issued under this Agreement. Such hold harmless agreement shall extend to any injury to person or property involving any officers or agents of the parties hereto or any third parties. A copy of the required certificate of insurance is attached and incorporated as Exhibit 2.

3. Revocation. The Permit granted hereunder may be revoked upon written or oral notice of the Director of Public Works at any time with or without notice. The parties

acknowledge that the privileges granted by the permit hereunder constitute encroachments upon public trust properties and may be let only under the condition that the use of such public space does not interfere with public safety, access, aesthetics, or any other public purpose

4. Permit Not a Conveyance. It is specifically understood and agreed that in granting the permit hereunder, no right or interest is granted in the ownership or continued use of the property subject thereto.

IN WITNESS WHEREOF, the parties hereto execute this agreement on this _____ day of _____, 2012.

NICKY'S, INC.

CITY OF DE PERE

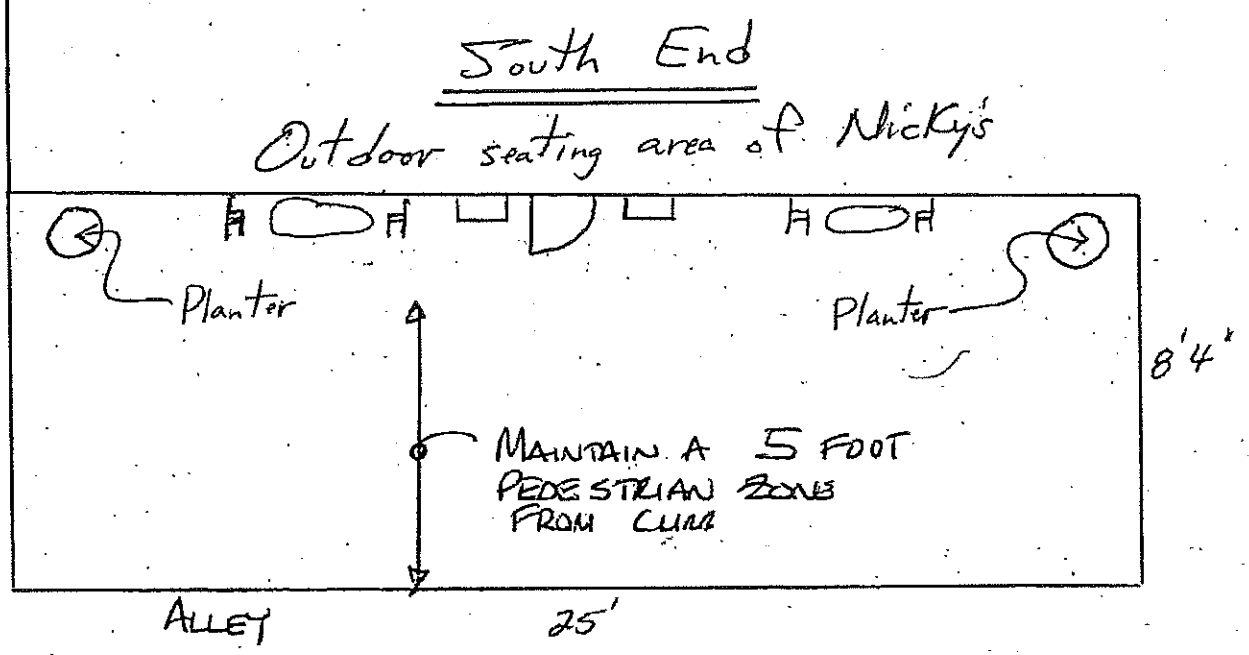
Thomas M. Nick, Owner

Michael J. Walsh, Mayor

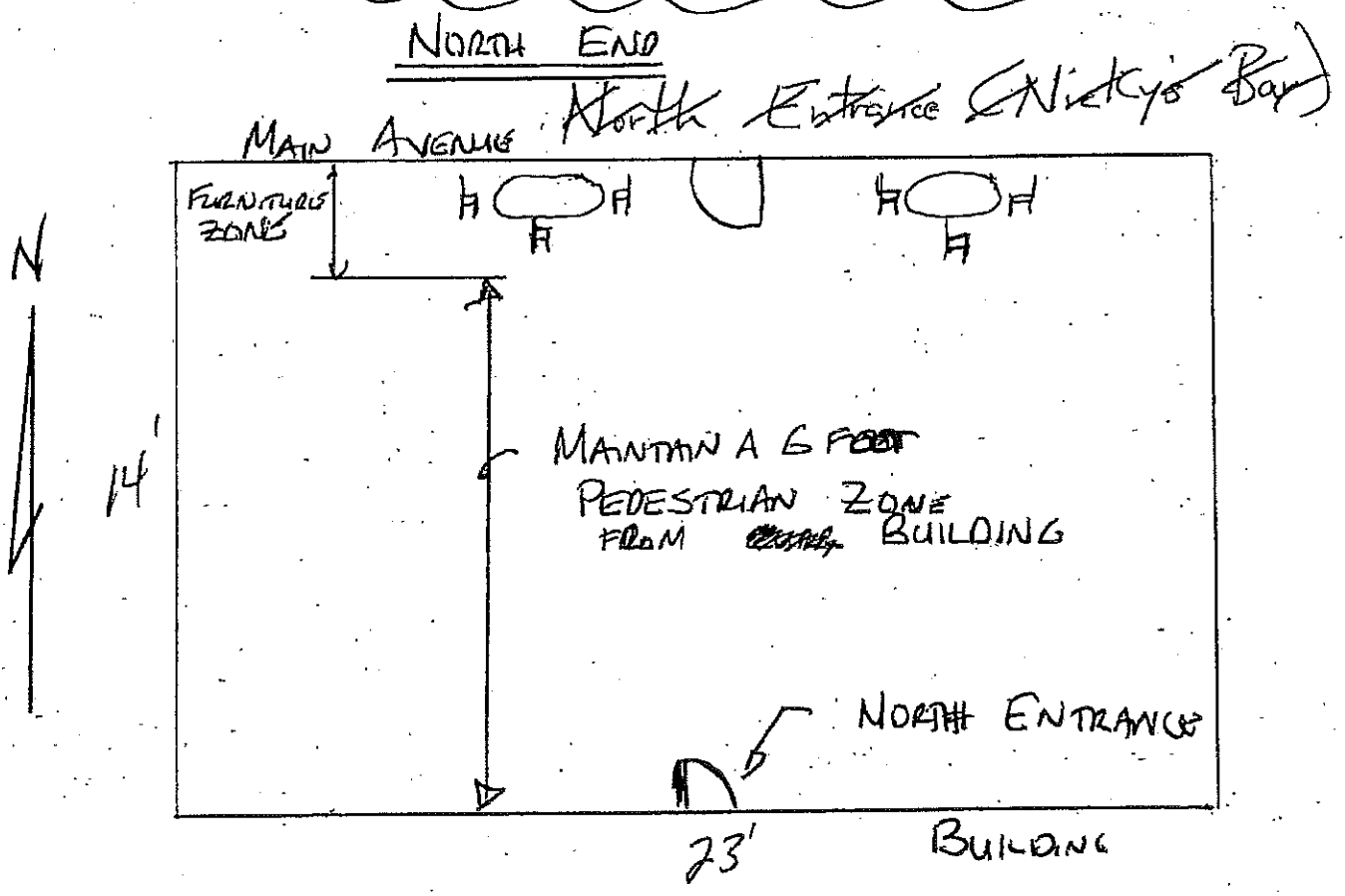
Shana L. Defnet, Clerk-Treasurer

H:\jdupont\ROP\Sidewalk Café\Nicky's-8-12-164-006-12.docx

ALLEY
N



CHANGES REVIEWED WITH PROPERTY OWNER
ON 8/7/12



ACORD™

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

04/16/2012

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Van Drie Insurance Agency, Inc. P. O. Box 100 Luxemburg, WI 54217	CONTACT NAME:	
	PHONE (A/C, No, Ext): 920.845.5318	FAX (A/C, No): 920.845.2367
INSURED Nicky's Inc. DBA:Nicky's Bar 331 Main St. De Pere, WI 54115	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A: Society Insurance	NAIC #: 15261
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
INSURER F:		

COVERAGES

CERTIFICATE NUMBER: 2012

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY		ROP374095	03/18/2012	03/18/2013	EACH OCCURRENCE \$ 1,000,000
	☒ COMMERCIAL GENERAL LIABILITY					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
	☐ CLAIMS-MADE ☒ OCCUR					MED EXP (Any one person) \$ 5,000
						PERSONAL & ADV INJURY \$ 1,000,000
						GENERAL AGGREGATE \$ 2,000,000
						PRODUCTS - COMP/OP AGG \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:					
	☐ POLICY ☐ PRO-JECT ☐ LOC					
	AUTOMOBILE LIABILITY					COMBINED SINGLE LIMIT (Ea accident) \$
	☐ ANY AUTO					BODILY INJURY (Per person) \$
	☐ ALL OWNED AUTOS	☐ SCHEDULED AUTOS				BODILY INJURY (Per accident) \$
	☐ HIRED AUTOS	☐ NON-OWNED AUTOS				PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB	☐ OCCUR				EACH OCCURRENCE \$
	EXCESS LIAB	☐ CLAIMS-MADE				AGGREGATE \$
	DED	RETENTION \$				
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY		WC9223900	11/15/2011	11/15/2012	☒ WC STATU-TORY LIMITS ☐ OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N ☐	N/A			E.L. EACH ACCIDENT \$ 100,000
	If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. DISEASE - EA EMPLOYEE \$ 100,000
						E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

See attached policy forms for additional insured form.

CERTIFICATE HOLDER

CANCELLATION

City of DePere Clerk - Treasurer 335 S. Broadway DePere, WI 54115	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE Jean Brown

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SOCIETY INSURANCE, a mutual company

ADDITIONAL INSURED - LIABILITY

POLICY # ROP 374095
NICKY'S INC DBA
NICKY'S BAR
331 MAIN AVE
DE PERE WI 54115

AGENT VAN DRISSE INSURANCE AGENCY INC
00107

JOHN NICK & TOM NICK PARTNERSHIP
331 MAIN ST
DE PERE, WI 54115

SAI42 - WI - Loc #1

CITY OF DE PERE
CLERK - TREASURER
335 S BROADWAY
DE PERE, WI 54115

SAI41 - WI - Loc #1
NO CHARGE

NOTE TO ADDITIONAL INSURED: YOUR RIGHT TO COVERAGE UNDER THIS
POLICY IS LIMITED. READ SPECIFIC TERMS AND CONDITIONS RELATING
TO YOUR INTEREST FOR DETAILS.

City of De Pere

Public Works Department

Memo

To: Honorable Mayor Walsh
Members of the Board of Public Works
From: Eric P. Rakers, City Engineer
Date: August 13, 2012
Subject: Consideration for Request for Revocable Occupancy Permit – 331 Main Avenue

This request is a permit to allow outdoor seating on the sidewalk in the public right-of-way along Main Street and the alley south of the building.

The business "Nicky's Lionhead Tavern" located at 331 Main Avenue has requested permission to allow outdoor seating on the City's sidewalk for their customers. The request is for proposed seating for two (2) tables alongside the building in the alley south of the building and two (2) tables north of the building in the Main Avenue right-of-way. (See attached sketch) Staff has reviewed the request on site and met the property owner and has determined that this will not impact pedestrian traffic on the sidewalk as long as:

- 1) The tables and chairs south of the building are kept adjacent to the building. The location was reviewed with the property owner and the table and chairs cannot extend beyond the width of the existing planters. A five (5) foot "pedestrian zone" needs to be maintained from the back of curb. This area of sidewalk needs to be free from obstructions.
- 2) The tables and chairs north of the building are to be placed a minimum of 6 (six) feet off the building face. The tables and chairs are to be located in the corridor defined as the "planter/furniture zone" as shown in the attached exhibit. This area was reviewed with the property owner as the area with the existing trees, light poles, hydrants, and bike racks on Main Avenue.
- 3) Tables, chairs, and ashtrays are to be removed from the sidewalk when the business was closed.

Staff recommends granting a revocable occupancy permit for the outside dining allowing only two tables with two chairs and an ash tray per table on the south side of the building and two tables with three chairs and an ash tray per table on the north side. The tables, chairs, and ashtrays will need to be removed from the sidewalk area when the business is closed.

Permit Fee:

\$ 25.00

Permit Valid:

July 1 thru June 30

SIDEWALK CAFE PERMIT APPLICATION

City of De Pere

Return completed application, supporting documentation, and application fee to: City of De Pere, Clerk-Treasurer, 335 S. Broadway, De Pere, WI 54115. For assistance, please call (920) 339-4050.

Applicant Information

Applicant Name: Tom Nick

Applicant Address: 5029 Edgewater Beach Rd. G.B. 54311

Applicant Phone: (920) 609-9978

Applicant Cell Phone: Same

Establishment Name: Nick's Lion Head Tavern + Grill

Establishment Address: 331 Main Ave. W. De Pere, WI 54115

Phone: (920) 983-2991

Fax: (920) 983-2990

Required Materials

☐

Copy of a current Certificate of Insurance, with City of De Pere named as additional insured.

☐

A layout, drawn to scale, which accurately depicts the dimensions of the existing sidewalk area and adjacent private property, the proposed location of the sidewalk cafe, size and number of tables, chairs, steps, planters, umbrellas, location of doorways, trees, obstructions, either existing or proposed, within the pedestrian area.

If available, photographs describing the appearance and dimensions of all tables, chairs, umbrellas or other objects related to the sidewalk cafe for review.

Signatures

If this application is approved, I hereby agree to abide by all the relevant City regulations pertaining to the installation of sidewalk cafes, including but not limited to Section 22-8(C) and 122-3 of the Municipal Code of the City of De Pere.

Thomas M. Nick

Signature - Establishment Owner

This application is made with my/our knowledge and consent

Thomas M. Nick JH Nick

Signature - Property Owner(s).

Approvals

Signature: Clerk's Office

Signature - Board of Public Works, Engineering Division

Receipt #

Dated:

Issued:

Permit #:

RESOLUTION #12-100

AUTHORIZING RENEWAL OF SCADA MAINTENANCE AGREEMENT WITH
P.J. KORTENS AND COMPANY, INC.

WHEREAS, the City of De Pere Water Department utilizes P.J. Kortens and Company,
Inc. for a service contract covering SCADA maintenance services; and

WHEREAS, a renewal for such contract is needed for continued services; and

WHEREAS, the Service Agreement attached and incorporated as Exhibit A will renew
such services; and

WHEREAS, this matter has been reviewed by the Board of Public Works which
recommends approval thereof.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

The Mayor and Clerk-Treasurer are hereby authorized and directed to execute
such Service Agreement (Exhibit A) together with subsequent renewals thereof
provided the terms and conditions are substantively similar.

BE IT FURTHER RESOLVED THAT:

All City officials, officers, employees, and agents are authorized and
directed to take such steps as are lawful and necessary in furtherance thereof.

Adopted by the Common Council of the City of De Pere, Wisconsin, this 21st day of
August, 2012.

APPROVED:

Michael J. Walsh, Mayor

ATTEST:

Shana L. Defnet, Clerk-Treasurer

Ayes: _____

Nays: _____

P. J. KORTENS and COMPANY, INC.

Service Agreement

TO: City of DePere Water Utility
DePere, WI

NEW {} Revise {X}
Quotation: S08 - 1101

1. We propose to furnish instrumentation and controls maintenance and support services according to the terms and conditions subsequently set forth.
2. It is hereby understood and agreed that this service agreement can be cancelled by either party upon thirty days written notice, prior to the anniversary date.
3. We agree to furnish the instrumentation and controls support services, as described within the Service Agreement Scope of Work and Activities Schedule of this agreement, at intervals to be scheduled for our mutual convenience, for an initial period of 2 years and from year to year thereafter until terminated. Service activities will be scheduled at 120 day intervals, beginning on or about September 1, 2012
4. If the amount of work necessary during any scheduled activity period requires more than 8 hours, including travel, our service representative will advise you so that you may choose to authorize his/her remaining for an additional period at a normal working hours rate of \$85 per hour, plus any additional travel or living expenses incurred.
5. Unscheduled and Emergency service will be furnished by this agreement, when requested at \$85 per hour, normal working hours, and at \$95 per hour, Overtime working hours, plus any additional travel or living expenses incurred, normally with same day or next response.
6. The customer authorized replacement or repair of worn or defective parts with new or reconditioned parts or components, under this agreement, will be invoiced at cost plus fifteen percent (15%). It is understood that this coverage will also applies to pre-approved sub-contractor charges as may be required to implement repairs outside of our scope of services should they be required.
7. This service agreement will furnish services as described within the Scope of Work and Activities Schedule, and will cover equipment as described within the equipment schedule.
8. Our responsibility for injury that may be caused or arise through this service or use of equipment serviced shall be limited to injury or damage caused directly by our negligence in performing our obligations under this agreement. It further agreed that in no event will we be liable for consequential or speculative damage, whether direct or indirect, that may be caused by conditions beyond our direct control. Our liability on any claim shall not exceed the annual agreement price as set forth herein.
9. As the agreement price, you agree to pay \$ \$730.00 per call invoiced in advance, and agree that the amount of any tax or other governmental charge with respect to service or materials supplied hereunder will be added to this agreement price. It is further agreed that this price may be adjusted annually as necessary to reflect current costs. Notice of such adjustment for a succeeding year shall be sent to you prior to the anniversary date after which it will become effective.
10. This agreement, when accepted below, represents the entire agreement between us.

The parties acknowledge that company's records regarding the matters covered under this Service Agreement constitute contractor records under Section 19.36 Wis. Stats and Company agrees to comply with and cooperate with the City in public records requirements pertaining to those records.

This agreement is hereby ACCEPTED:

FOR: CITY OF DE PERE

By: _____

TITLE: Mayor

DATE: _____

By: _____

TITLE: Clerk-Treasurer

This agreement is hereby APPROVED:

FOR: P. J. KORTENS and COMPANY, Inc.

By: Mark J. Kortens

TITLE: Sales Representative

DATE: 7-25-2012

Service Agreement Scope of Work and Activities Schedule

For

City of DePere Water Utility

It is the intent of this service agreement scope of work and activities schedule to outline a program of planned services. It is also our intention to involve a minimum of two of our staff to your account to assure continuity during periods of vacation, illness, etc. and in order to effectively deal with periods of escalated activities.

Hardware & Software Maintenance Program Development

Develop and implement a program of planned services to include routine preventive maintenance, scheduled predictive maintenance, on-going risk assessment, and prompt corrective service as necessary to assure the accuracy and reliability of the process automation, operator interfaces and systems software. An equipment PM schedule will be developed within the first 30 days of this program and will be continuously updated as required.

Software/Program-ware Maintenance

Maintain the degree of in-depth familiarity necessary to furnish on-going support and documentation of the program-ware databases installed and running within all of the programmable logic controllers and dedicated microprocessor devices applied within this facility and listed within our equipment schedule.

The implementation of "minor database modifications"* within the installed base of programmable controllers, operator interface devices, and dedicated microprocessors is part of this agreement at no additional cost.

* "Minor" database modifications are defined as those which do not significantly alter or modify the system design / I/O count or that do not require application engineering beyond the scope of work by this agreement. "Major" data base modifications can be implemented under separate cover.

Data Management

We will optimize the data collection critical to the generation of desired production reports and required to make informed production and business decisions within the physical constraints of the applied system hardware and software.

Operator and Maintenance Training

Maintain on-going training of plant operations and maintenance personnel to familiarize them with the functionality of the system operator interfaces, control strategies and associated instrumentation.

Database Management

Routine and scheduled activities as may be required to make available the data necessary to generate the reporting structure desired by management, while managing a reasonable database size and database continuity. These activities may include, but are not be limited, to the following:

- ☐ Confer with management to identify the data necessary to generate the desired reports, and modify system data collection to manage database size and continuity
- ☐ Install, modify, verify and enforce database security
- ☐ Generate and/or modify reports using system utilities, sequel server, third party reporting utilities and custom scripting
- ☐ Generate and/or modify custom recipe structures or systems
- ☐ Set up, support and analysis of SPC and SQC utilities
- ☐ Network diagnostics [hardware testing and validation]
- ☐ Systems and network administration

P. J. KORTENS and COMPANY, INC.

Service Agreement

Hardware Preventive Maintenance

Routine scheduled calibration and verification of the operation of all analog process instrumentation, digital field I/O hardware, and control auxiliaries associated with the logic controllers, operator interfaces, and Supervisory Control and Data Acquisition (SCADA) systems.

Schedule eight (8) man hours per call of process instrumentation preventive maintenance and calibration activities.

Corrective Maintenance

Furnish prompt corrective maintenance normally with 1 to 2 hour phone response to a request, and on-site service with same day or next response, depending upon the degree of urgency. Overtime corrective maintenance labor hours will be deducted from the annual agreement man-hour allotment, per paragraph 4, at the OT man-hours used times one and one-half (1½).

* "Prompt" is defined as responding normally within 2 hours of being notified, 24 hours per day, 7 days per week. An answering system is utilized to contact evening, weekend, and holiday stand-by support.

Service Replacement Parts Program

Service replacement parts program whereby customer authorized replacement or repair of worn or defective parts with new or reconditioned parts or components, under this agreement, will be invoiced at cost plus fifteen percent (15%).

Support Documentation

Documentation of all calibration work with the format to be agreed upon.

Software

Routine verification and systems archiving as necessary to effect systems restoration, in the event of hardware or viral software failure. These activities may include, but are not be limited to, the following:

- ☐ System set-up settings and memory locations
- ☐ Configuration software paths
- ☐ Backup utility software and their set up configurations
- ☐ Back up driver software and their set-up configurations
- ☐ Back up of tag databases
- ☐ Back up of system set up files, their order and sequencing
- ☐ Back up of system passwords, and authorizations
- ☐ Back up of system, node, and network address
- ☐ Back up of "image dumps" of all system software and databases

Hardware

Verify and record, for safe-keeping, hardware composition and configuration

- ☐ Dedicated microprocessors
- ☐ Transmitter ranging and scaling

City of De Pere Public Works Department

Memo

To: Honorable Mayor Walsh
Members of the Board of Public Works
From: Eric P. Rakers, P.E., City Engineer
Date: August 13, 2012
Subject: Consideration of Service Agreement with PJ Kortens and Company Inc.

The City Water Utility has an extensive Supervisory Control and Data Acquisition (SCADA) system to operate the water system. The SCADA system is used to monitor and remotely control pumps and pressures within the water system. The SCADA system provides automatic notification if the parameters of the water system change outside of acceptable ranges.

The maintenance and upgrades to the SCADA system is completed by others. Over the last several years, PJ Kortens and Company Inc. has been assisting the City in maintaining the system. PJ Kortens has extensive knowledge of the City's system and has been responsive to meet the City's needs. The current agreement with PJ Kortens ends on September 1st, 2012. Included with this memo is a cover letter and a new two (2) year service agreement.

Staff recommends approval of the agreement with PJ Kortens, contingent on the City attorney drafting up the final agreement for both parties approval. Each SCADA system is different and customized to meet a client's needs. The advantage to utilizing PJ Kortens is that they have significant background and knowledge of our system.

RESOLUTION #12-101

AMENDING MUNICIPAL COURT BOND SCHEDULE

WHEREAS, the City has, pursuant to Resolution 06-157, adopted a cash deposit bond scheduled for Municipal Court forfeitures to be imposed by the De Pere Municipal Court; and

WHEREAS, subsequent to such adoption, additional offenses subject to forfeiture have been adopted by the Common Council, for which a deposit bond schedule is necessary.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

The schedule of cash deposits established by the judge of the Joint Municipal Court is hereby amended by including the cash deposits as set forth below.

<u>Chapter</u>	<u>Title</u>	<u>First Offense</u>	<u>Second Offense</u>	<u>Third Offense</u>	<u>Subsequent Offenses</u>
8-23	Social Host Alcohol Regulations	\$800.00 (plus costs)	\$1,000.00 (plus costs)	\$1,500 (plus costs)	\$2,000.00 (plus costs)

- (a) The cash deposits above shall have added thereto all court costs, penalties, and jail assessments applicable under the Wisconsin Statutes or by ordinance.
- (b) The cash deposits above for second and subsequent offenses represent an average bond schedule subject to adjustment as provided herein. In all such charges, the cash deposit shall be not less than the indicated amount and not more than \$1,000.00. Such exact amount of the cash deposit shall be determined considering the following factors:
 - 1. Severity of defendant's conduct.
 - 2. Amount of time spent by the police officer in solving the problem.
 - 3. Amount of any damage done to property.
 - 4. Amount of injury to the officer or other person.
 - 5. Degree to danger Defendant's conduct put officer or other persons or property in.
 - 6. Degree to disturbance caused by such conduct.
- (c) The municipal judge may include such amounts as restitution for victims as allowed by law.
- (d) The Municipal Judge shall collect all forfeitures and taxable costs in any action or proceeding and shall cause such moneys to be paid to the Clerk-Treasurer not

later than two weeks succeeding the receipt thereof or shall account for moneys collected and paid to other governmental agencies as required by law.

- (e) Municipal Court costs are \$28.00, and the Municipal Judge shall include said amount as and for taxable costs to be collected.

BE IT FURTHER RESOLVED THAT:

The following provisions shall apply for violations of ordinance:

- (a) All actions before the Municipal Court for alleged violation of provisions of this Code shall be forfeiture actions. Upon failure to pay any forfeiture duly imposed, after affording a reasonable time to pay such forfeiture considering the amount thereof and ability of the defendant to pay, the Court may impose imprisonment of not more than ninety (90) days for each violation, may suspend the defendant's motor vehicle driving privileges for up to two (2) years or until paid, or may fashion any other appropriate remedy applicable to forfeiture actions in this state.
- (b) The forfeiture for violation of any provision of this Code shall be not less than One Dollar (\$1.00) nor more than One Thousand Dollars (\$1,000.00).

BE IT FURTHER RESOLVED THAT:

The Court's authority to impose alternative juvenile dispositions and sanctions is as follows:

- (a) For a juvenile adjudged to have violated any ordinance, the Municipal Court is authorized to impose any of the dispositions listed in Wis. Stats. §§938.343 and 938.344, in accordance with the provisions of those statutes.
- (b) For a juvenile adjudged to have violated an ordinance who violates a condition of a dispositional order of the Municipal Court under Wis. Stats. §§938.343 and 938.344, the Municipal Court is authorized to impose any of the sanctions listed in Wis. Stats. §938.355(6)(d), in accordance with the provisions of those statutes.
- (c) This section is enacted under the authority of Wis. Stats. §938.17(2)(cm).

BE IT FURTHER RESOLVED THAT:

This resolution shall become effective on August 22, 2012.

Adopted by the Common Council of the City of De Pere, Wisconsin, this 21st day of August, 2012.

APPROVED:

Michael J. Walsh, Mayor

ATTEST:

Shana L. Defnet, Clerk-Treasurer

Ayes: _____

Nays: _____

RESOLUTION #12-102

RATIFYING SUBMISSION OF LETTER OF COMMITMENT FOR
SCHOOL & GOVERNMENT ENERGY EFFICIENCY PROGRAM
THROUGH WISCONSIN PUBLIC SERVICE AND FOCUS ON ENERGY

WHEREAS, Wisconsin Public Service and Focus on Energy announced a pilot energy efficiency program targeting schools and government facilities for the remainder of 2012 and into 2013; and

WHEREAS, this program seeks to facilitate projects that will save energy, lower operating costs and generate sustainable and environmentally sound facilities by offering on-site expertise to school and government facilities; and

WHEREAS, enhanced bonus incentives will be available through this new program which, in conjunction with all other Focus on Energy and WPS Bundle Bonus incentives could pay up to 60% of the cost of city energy saving projects under the program; and

WHEREAS, this new program also provides for the chance to compete for a \$25,000 grant to create and implement advanced energy management plans and receive a dedicated energy advisor support; and

WHEREAS, due to the timing of the announcement of this program with city committee meetings, the Letter of Commitment required from the city to express interest in this program has been completed and submitted in anticipation of receiving Council Support for the City's participation in this exciting new program; and

WHEREAS, this matter has been reviewed by the Finance/Personnel Committee which recommends approval thereof.

NOW THEREFORE BE IT HEREBY RESOLVED THAT:

The Common Council expresses its enthusiastic support for the City's participation in the Schools & Government Energy Efficiency Program and ratifies the completion and submission of the Letter of Commitment required by the program sponsors for City participation in the program.

BE IT FURTHER RESOLVED THAT:

All City officials, officers, and employees are further authorized and directed to take such steps as are lawful and necessary in furtherance thereof.

Adopted by the Common Council of the City of De Pere, Wisconsin, this 21st day of August, 2012.

APPROVED:

Michael J. Walsh, Mayor

ATTEST:

Shana L. Defnet, Clerk-Treasurer

Ayes: _____

Nays: _____



focus on energy

Partnering with Wisconsin utilities

2637 Tulip Lane, Suite 220 • Green Bay, WI 54313

phone: 888.391.8702

fax: 920.662.1326

focusonenergy.com/wps

July 13, 2012

DePere, City of
Lawrence Delo
335 S Broadway
De Pere, WI 54115-2593

Subject: WPS Sponsored Energy Teams and Enhanced Bonus Incentives

Dear Lawrence Delo,

Wisconsin Public Service and Focus on Energy are pleased to announce a pilot energy efficiency program targeting schools and government facilities for the remainder of 2012 and into 2013. This program offers on-site expertise to school and government facilities by discussing ideas and projects that will save energy, lower operating costs and generate a sustainable and environmentally-sound facility.

To kick off the program, Enhanced Bonus Incentives will be available to all K-12 schools and local government systems served by WPS. Enhanced Bonus Incentives are offered in addition to the prescriptive Focus on Energy incentives and could pay up to 60% of the cost of your energy saving projects. Enhanced Bonus Incentives work in conjunction with all other Focus on Energy and WPS Energy Bundle Bonus incentives that may apply.

An integral part of participating in this program is to develop energy teams and benchmark your facilities. Your facility must be benchmarked to qualify for Enhanced Bonus Incentives. Focus on Energy representatives are available to help you through this process and assist you with ENERGY STAR® certified benchmarking. Focus on Energy representatives can also help you develop energy teams and work with your boards for approval of energy savings projects.

In addition to Enhanced Bonus Incentives, school and government systems have the opportunity to sign up for a \$25,000 grant. These grants are available to 12 school systems and 12 government systems in WPS territory. Grant winners will create and implement advanced energy management plans and will receive dedicated energy advisor support. To apply for this grant, your system must submit an application with short proposal by September 7, 2012. Submittals will be evaluated on specific criteria such as: opportunity size, preliminary potential projects and energy savings and commitment to moving projects forward (team commitment, budget commitment, etc.). If selected, these grants can be used toward the remaining costs of energy efficiency projects in which the Focus on Energy incentives did not cover.

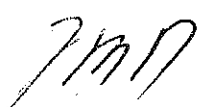
If you are interested in either of these programs, please contact your Focus on Energy representative or WPS account representative for more information. You can also contact Focus on Energy at 888-391-8702 and we will provide you with all the details you need and answer any questions you have. You can also visit focusonenergy.com/wps for more information. Please call soon, as these are limited time offers!

Sincerely,

Dan Behm
Program Manager

MEMORANDUM

TO: Finance & Personnel Committee

FROM: Lawrence M. Delo, City Administrator 

DATE: August 9, 2012

SUBJECT: WPS / Focus on Energy Grant

I have attached a previously submitted letter of commitment and informational letter from WPS Focus on Energy regarding energy bonus incentives and grant opportunities for your review. The Sustainability Team is requesting authorization to apply for the \$25,000 grant described in the letter.

The City already meets most if not all of the requirements identified in the "Schools & Government Energy Efficiency Program Letter of Commitment". The sustainability team is an energy team, we have already established baseline data for all of our facilities through the Energy Star program, we have previously shared our data and utility information with Focus on Energy and can continue to do so on an ongoing basis and we have already developed a limited action plan toward energy efficiency projects as part of our ongoing sustainability team efforts. Please contact me if you have any questions regarding this grant opportunity.



focus on energy
Partnering with Wisconsin utilities

2637 Tulip Lane, Suite 220 • Green Bay, WI 54313
phone: 888.391.8702
fax: 920.662.1326
focusonenergy.com/wps

Schools & Government Energy Efficiency Program

Letter of Commitment

June 27, 2012

We at the City of De Pere are committed to the WPS and Focus on Energy Pilot Energy Efficiency Program. This commitment agreement includes benchmarking facilities with ENERGY STAR® Portfolio Manager, signing utility release information to Focus on Energy, development of an action plan towards energy efficiency projects, development of an Energy Team consisting of three or more members, and implementing energy savings project as deemed affordable. This program is scheduled to run until December 31, 2013.

Larry Delo, Eric M. Delo, 7/27/12
Energy Team Member (print name, sign, and date)

Ken Rabich
Energy Team Member (print name, sign, and date)

Marty Kosobucki
Energy Team Member (print name, sign, and date)

Dave Hongisto
Energy Team Member (print name, sign, and date)

Karen Heyrman
Energy Team Member (print name, sign, and date)

Additional Team members: Derek Beiderwieden, Jim Stupka, Pete Smith,
Scott Thoresen, Sonja Jensen, Steve Blomer.

Return signed, completed form to:

Mail: WPS Schools & Government Energy Efficiency Program, 2637 Tulip Lane, Suite 220, Green Bay, WI 54313
Email: wps@franklinenergy.com **Fax:** 920.662.1326 **Questions:** Call 888.391.8702

City of De Pere

“How to Run for Elected Office”

A comprehensive guide for participation in local government

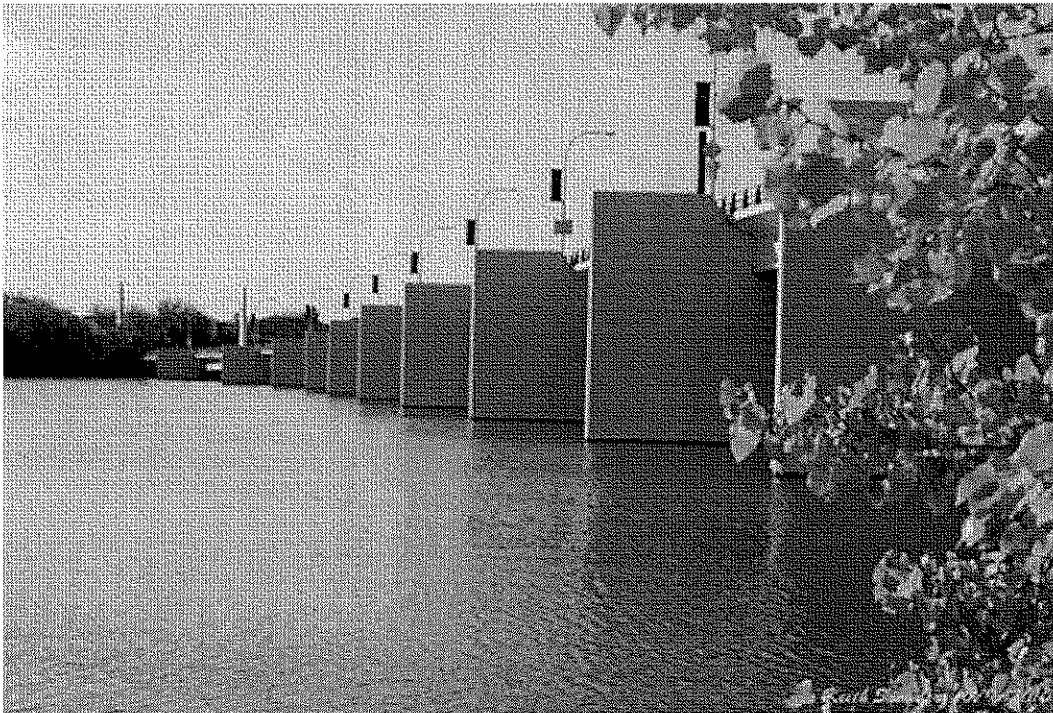
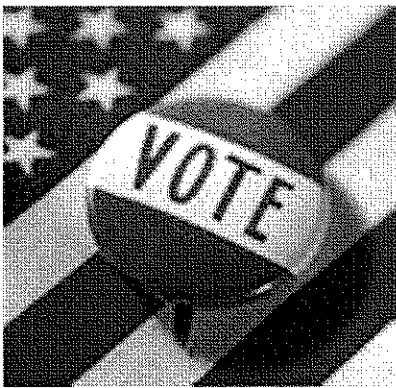


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Introduction

An **elected official** in simple terms is a person that is an official by virtue of an election. In broader terms, it is much more than that. An elected official is someone that is elected by his or her community to represent and serve in the best interest of that community. Whether you are



elected as the mayor or as an alderperson, each elected official works for their constituents and acts as a representative on their behalf. This packet is intended to be a guide for those interested in running for local office in De Pere but may lack information on how to get started.

Running for any elected office is a time consuming and complicated endeavor. This packet will simplify the process of running for the offices of mayor and alderperson by breaking down the steps and requirements of each position, including legal requirements, responsibilities of each office, and campaign rules and regulations.

Why YOU should run for local office

Most people are intimidated by the thought of running for elected office. They wonder if they could actually make a difference in their community or are overwhelmed by the prospect and complexity of campaigning. Indeed running for office is challenging but serving your community brings about great rewards. You will be helping and bettering your community that

you reside in. You can take pride in knowing that you helped your neighborhood with that new policy you enacted, or were the key vote in getting that new development built. There is no greater feeling than helping and serving others and this is what running for local office can give you.

Often times people sit on the sidelines and point out things wrong with their government or wait around and hope for the perfect candidate to be elected and solve everyone's problems. Most people look to others to do these things. Don't just sit there and wait for others to make the changes you want to see in your community. YOU can run for office and be the change for your community.

Breakdown of elected officials

There are a few types of elected officials in local government. For the sake of this guide, we will focus on two different types of non-partisan elected officials in the city of De Pere:

- Mayor
- Alderperson

The **mayor** is essentially the chief executive officer (CEO) of the City of De Pere and is elected to a 2 year term. The office of mayor is a part-time non-partisan position and responsibilities include:

- Sitting as the presiding officer at Common Council meetings
- Ensure that state laws and city ordinances are observed and enforced and city employers and officers discharge their duties

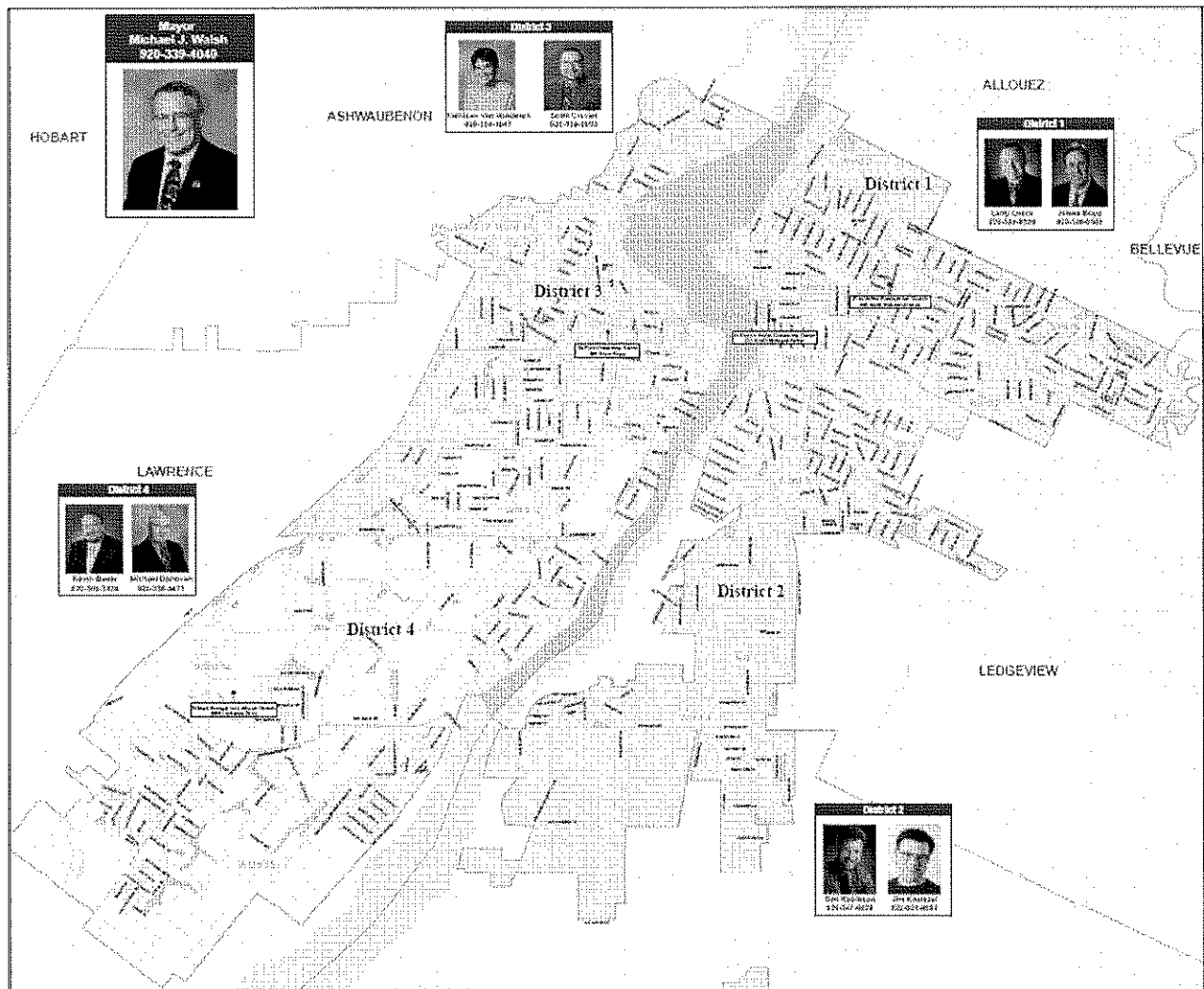
- Serves as the Chairperson of the Finance/Personnel Committee as well as the Board of Public Works and the Plan Commission.
- Signing legal documents
- Appoints alderpersons and citizens to committees and boards

An **alderperson** is an elected official that is a member of a municipal legislative body, such as a city council or common council. Two alderpersons from each aldermanic district are elected on a nonpartisan basis for 2 year staggered terms. The position of alderperson is a part-time position. Responsibilities for alderpersons include:

- Attending and participating in Common Council meetings held on the 1st and 3rd Tuesday of every month.
- Work with the mayor and fellow alderpersons to represent constituents and adopt policies to provide services, and establish programs that meet the needs of their represented districts and community as a whole.

In addition to Common Council meetings, alderpersons are appointed by the mayor to serve on one or more the city's boards, commissions, and committees.

The Common Council consists of 8 alderpersons or 2 from each district of the city of De Pere.



The current members of the De Pere Common Council are:

1st District: Larry Lueck

James Boyd

2nd District: Daniel Robinson

James Kneiszel

3rd District: Kathleen Van Vonderen **4th District:** Michael Donovan

Scott Crevier

Kevin Bauer

The Council takes up various issues having to do with the city, such as enacting city ordinances, passing new policies, and doing the business of the city. Council members meet in smaller committees as appointed by the mayor to deal with these issues. They then come together at Council meetings to share the results of these committees.

How do I decide if this is right for me?

Now that you have the information on the positions of mayor and alderperson, how do you decide if serving as an elected official is right for you? How do you decide if you are ready to make a commitment to your community?

Serving as either an alderperson or even the mayor requires a time commitment that may affect other commitments in your life.

To get an inside perspective on what it is like to be an alderperson and mayor, we have included comments from Alderperson Dan Robinson and Mayor Mike Walsh to get their perspective on their jobs:

What is it like being an alderperson/ the mayor in De Pere?

Dan Robinson: Being an alderperson has been a privilege, a challenge, and has been an enjoyable experience. It is a privilege because you get to help with issues that are important to people. It is a challenge because often times, issues are not really clear cut, such as controversial things with many opinions. It is enjoyable because you get to work with a variety of people in the community.

Mayor Walsh: It is a privilege to serve the community. I have been able to do so many things that the community has given me. By serving as the mayor for nine terms, I'm able to give back to the community. It is also one of the first jobs I've ever had that I have enjoyed going to work.

How did you decide to run for office?

Dan Robinson: I was motivated to serve the community of De Pere and to strengthen my connection to the community.

Mayor Walsh: People asked me to run but I really didn't consider it because I wanted to run for alderperson instead. Respected people in the community encourage me to run and eventually I decided to run for mayor.

Could you explain the time commitment for your position in regards to social, family, and work life?

Dan Robinson: Serving as an alderperson hasn't had that much of an impact on social life, but it can affect family life. I average 1 to 2 meetings a week along with Common Council meetings twice a month. I once missed my wife's birthday because it fell on a council meeting, but those things sometimes happen. Outside of meetings, I spend time responding to and pursuing community issues. In terms of work commitments, it really depends on your job. Flexible jobs help if you have a conflict with an alderperson duty during the day, but that doesn't happen often. The time commitment really varies on whether to spend a lot of time on aldermanic duties outside of meetings. The amount of time you spend on these duties will influence how much of a time commitment this position is.

Mayor Walsh: Serving as the mayor does impact social life to an extent. I attend many meetings. In the beginning there was a learning curve and lots of learn with lots of work involved. Now that I'm retired I have more time to devote to mayor duties. If you are working full time as well as serving as the mayor, the other job may suffer and vice versa. I waited until my children were out of the house before I ran for mayor so I'd have more time to devote to both my job at the time and as mayor.

What was campaigning like?

Dan Robinson: Campaigning was enjoyable and time consuming. It is draining and a lot of work, but it has paid off. I have been elected four times and had an opponent twice. The successful campaigns go door to door. People respond well to this, as a majority of folks are friendly and positive about it. I also used Facebook, blogs, Twitter, mailings, brochures, yard signs, and email lists as well as enlisting the help of volunteers. This is why we have campaigns, to get out in the community. I capped my money at \$1000 for my first campaign, which gave me enough money for flyers and mailings. The second time I had an opponent, I received between \$200-250 and didn't do a mailing, but I still won.

Mayor Walsh: Campaigning is stressful if you are opposed. You always have to be on top of your game because people are always bringing up different issues. On the flipside, you get to go door to door and talk to people. In a way, you have more of an impact on constituents than state

and federal politicians. I used signs, radio ads, mailings, and billboards. I didn't do that much fundraising however. I used a campaign committee three times which consisted of friends and family.

What has been the highlight of your service so far?

Dan Robinson: The biggest highlight for me is when people thank me for communicating with them. I like changing people's perceptions on what it means to be an elected official and making people feel like the person serving is responsive and doing it as a service.

Mayor Walsh: The biggest highlight for me so far is getting the Claude Allouez built under my administration as well as the completion of the river walk.

How do I run for elected office?

If you have decided to run for mayor or alderman for the City of De Pere, there are certain requirements that need to be met before you can actively start campaigning.

The minimum legal requirements for holding an office are:

- United States Citizenship
- At least 18 years of age
- Satisfy residential requirement for specific office
- May not have been convicted of a felony in any court in the United States unless pardoned of the conviction

Running for city mayor requires that you live within the City of De Pere boundaries and running for alderperson requires that you live in the district in which you are running. One must also receive a number of signatures from the community in order to run for mayor or alderperson:

- Mayor: 200-400 from residents within the City
- Alderperson: 20-40 from residents within the district

If you fulfill these requirements, then the necessary paperwork must be filed to get on the ballot for either mayor or alderperson and register your campaign.

The first form you must fill is out is **GAB-162 Declaration of Candidacy**

FOR OFFICE USE ONLY

DECLARATION OF CANDIDACY

(See instructions for preparation on back)

Is this an amendment? ☐ Yes ☐ No

I, _____, being duly sworn, state that
(Candidate's name)

I am a candidate for the office of _____
(Official name of office - include district, branch or seat number)

representing _____
(Name of political party or statement of principle - five words or less)

and I meet or will meet at the time I assume office the applicable age, citizenship, residency and voting qualification requirements, if any, prescribed by the constitutions and laws of the United States and the State of Wisconsin, and that I will otherwise qualify for office, if nominated and elected.

I have not been convicted of a felony in any court within the United States for which I have not been pardoned.¹

My present municipality of residence for voting purposes is:

(Candidate's address for voting purposes - include the number, street, and municipality where the candidate resides.)

My name as I wish it to appear on the official ballot is as follows:

(Any combination of first name, middle name or initials with surname. A nickname may replace a legal name.)

(Signature of candidate)

STATE OF WISCONSIN)
County of _____) ss.
(County of notarization)

Subscribed and sworn to before me this _____ day of _____.

(Signature of person authorized to administer oaths)

NOTARY SEAL
NOT REQUIRED

My commission expires _____ or ☐ is permanent.

☐ Notary Public or _____
(Official title if not a notary)

GAB-162 (Rev. 7/2009) The information on this form is required by §§8.21, Stats., Art. XIII, Sec. 3, Wis. Const., and must be filed with the filing officer in order to have a candidate's name placed on the ballot. §§8.05 (1)(j), 8.10 (5), 8.15 (4)(b), 8.17 (2), 8.20 (6), 120.06 (6)(b), Wis. Stats.

This form is prescribed by the GOVERNMENT ACCOUNTABILITY BOARD, 212 East Washington Avenue, 3rd Floor, P.O. Box 7984, Madison, WI 53707-7984
608-266-8005, <http://gab.wi.gov> Email: gab@wi.gov

¹ A 1996 constitutional amendment bars any candidate convicted of a misdemeanor which violates the public trust from running for or holding a public office. However, the legislature has not defined which misdemeanors violate the public trust. A candidate convicted of any misdemeanor is not barred from running for or holding a public office until the legislature defines which misdemeanors apply.

Filling out this form successfully will place your name on the ballot for the upcoming election.

GAB-162 may be filed to the City Clerk at any time but no later than **5:00 p.m. on Wed,**

January 2, 2013.

The next form is the **GAB-169 Nomination Papers for Nonpartisan Office**

NOMINATION PAPER FOR NONPARTISAN OFFICE					
Candidate's name; no titles may be used.			Street, fire, or rural route number, box number (if rural route), and name of street or road		
Name of municipality for voting purposes: ☐ Town ☐ Village ☐ City	Name of municipality for mailing purposes	State WI	zip code	Type of election: ☐ spring ☐ special	Election date
Title of office		Branch, district or seat number ☐ Branch ☐ District ☐ Seat		Name of jurisdiction or district in which candidate seeks office	

I, the undersigned, request that the candidate, whose name and address are listed above, be placed on the ballot at the election described above as a candidate so that voters will have the opportunity to vote for ☐ him or ☐ her for the office listed above. I am eligible to vote in the jurisdiction or district in which the candidate named above seeks office. I have not signed the nomination paper of any other candidate for the same office at this election.

THE MUNICIPALITY USED FOR MAILING PURPOSES, WHEN DIFFERENT THAN MUNICIPALITY OF RESIDENCE, IS NOT SUFFICIENT. THE NAME OF THE MUNICIPALITY OF RESIDENCE MUST ALWAYS BE LISTED.			
SIGNATURES OF ELECTORS	STREET & NUMBER OR RURAL ROUTE Rural address must also include box or fire no.	MUNICIPALITY OF RESIDENCE Indicate Town, Village, or City	DATE OF SIGNING
1.		☐ Town ☐ Village ☐ City	
2.		☐ Town ☐ Village ☐ City	
3.		☐ Town ☐ Village ☐ City	
4.		☐ Town ☐ Village ☐ City	
5.		☐ Town ☐ Village ☐ City	
6.		☐ Town ☐ Village ☐ City	
7.		☐ Town ☐ Village ☐ City	
8.		☐ Town ☐ Village ☐ City	
9.		☐ Town ☐ Village ☐ City	
10.		☐ Town ☐ Village ☐ City	

CERTIFICATION OF CIRCULATOR

I, _____, certify:
(Name of circulator)

I reside at _____
(Circulator's residence - Include number, street, and municipality.)

I personally circulated this nomination paper and personally obtained each of the signatures on this paper. I know that the signers are electors of the jurisdiction or district the candidate seeks to represent. I know that each person signed the paper with full knowledge of its content on the date indicated opposite his or her name. I know their respective residences given. I intend to support this candidate. I am aware that falsifying this certification is punishable under §12.13(3)(a), Wis. Stats.

(Date)

(Signature of circulator)

GAB-169 (Rev. 04/2009) The information on this form is required by §§8.10, 8.15, 8.50, 120.05, Wis. Stats.
 This form is prescribed by: Government Accountability Board
 212 East Washington Avenue, 3rd Floor
 P.O. Box 7984
 Madison, WI 53707-7984
 608 266-9005 <http://gab.wis.gov> Email: gab@wi.gov

Page No. _____

This is the form you must circulate to receive signatures for your candidacy. It cannot be circulated before December 1st, 2012 and must be filed to the City Clerk **no later than 5 p.m.**

Wednesday, January 3, 2013.

The last form is the **GAB-1 Campaign Registration Statement**

CAMPAIGN REGISTRATION STATEMENT			FOR OFFICE USE ONLY
STATE OF WISCONSIN			
GAB-1			
IF A CANDIDATE DOES NOT FILE THIS STATEMENT BY THE DEADLINE FOR FILING NOMINATION PAPERS, THE CANDIDATE'S NAME WILL NOT BE PLACED ON THE BALLOT.			
NOTICE: ANY CHANGE OF INFORMATION ON THIS REGISTRATION STATEMENT MUST BE FILED WITHIN 10 DAYS.			
IS THIS AN AMENDMENT? ☐ Yes ☐ No			
1. CANDIDATE AND CANDIDATE COMMITTEE INFORMATION			
Name of Candidate		Party Affiliation	Office Sought (include district or branch number)
Residence Address (number and street)		Primary Date	Candidate Telephone Number (residence)
City, State and Zip Code		Election Date	Candidate Telephone Number (employment)
Campaign Committee Name (if any) Check One: ☐ Personal Campaign Committee ☐ Support Committee			Candidate Email Address
Campaign Committee Address (if different than above) - Number, Street, City, State and Zip Code			Committee Email Address
Telephone Number (if different than above)			
2. POLITICAL COMMITTEE INFORMATION			
(For use ONLY by Political Action Committees, Political Party Committees, Political Groups, etc.)			
Name of Committee			
Address - Number, Street, City, State and Zip Code			
Telephone Number			Committee Email Address
Sponsoring Organization - Name and Complete Address			
Acronym (if any)			
Type of Committee:			
A. ☐ Special Interest Committee (PAC)			
☐ Resident Committee ☐ Nonresident Committee			
☐ Incorporated Labor Organization - Attach Information Required by s.11.03(3)(a), Stats.			
B. ☐ Political Party Committee			
☐ National ☐ State ☐ County ☐ Other _____			
C. ☐ Legislative Campaign Committee - Attach Statement Required by s.11.05(3)(c), Stats.			
D. ☐ Political Group (Referendum) _____ ☐ Support ☐ Oppose			
Name of Referendum _____			
E. ☐ Recall Committee _____ ☐ Support Recall ☐ Oppose Recall			
Name of Officer Subject to Recall _____			
- Attach Statement Required by s.9.10(2)(d)			
F. ☐ Independent Committee - Also, Complete Oath of Independent Expenditures, Form GAB-6			
G. ☐ Individual - Also, Complete Oath of Independent Expenditures, Form GAB-6			
GAB-1 (Rev. 12/2009) THIS FORM IS PRESCRIBED BY: WISCONSIN GOVERNMENT ACCOUNTABILITY BOARD 212 East Washington Avenue, 3rd Floor, P.O. Box 7984, Madison, WI 53707-7984 608-266-8005 http://gab.wi.gov Email: gab@wi.gov			

3. COMMITTEE TREASURER (Campaign finance correspondence is mailed to this address.)

Treasurer's Name	Telephone Number (residence)
Address (number and street)	Telephone Number (employment)
City, State and Zip Code	Treasurer Email Address

4. PRINCIPAL OFFICERS OF COMMITTEE AND OTHER CUSTODIANS OF BOOKS AND ACCOUNTS

Attach additional listing if necessary. Indicate which officers or committee members are authorized to fill a vacancy in nomination due to death of candidate by an asterisk(*). This provision only applies to independent and local nonpartisan candidates. s.8.35, Stats.

NAME	MAILING ADDRESS	Email Address	Phone #	POSITION

5. DEPOSITORY INFORMATION

Name of Financial Institution	Account Number (Attach list of any additional accounts and deposit boxes, location, type and number, i.e., savings, checking, money market, etc.)
Address (number and street)	City, State and Zip Code

CERTIFICATION**TREASURER**

I, _____ (print full name) certify the information in this statement is true, correct and complete.

Signature _____, Treasurer _____
Date _____

CANDIDATE

I, _____ (print full name) certify the information in this statement is true, correct and complete, and that this is the only committee authorized to act on my behalf.

Signature _____, Candidate _____
Date _____

+ + + EXEMPTION FROM FILING CAMPAIGN FINANCE REPORTS §11.05(2r), Wis. Stats. + + +

You may be eligible for an exemption from filing campaign finance reports. Consult the Campaign Finance Instruction and Bookkeeping Manual to determine if the registrant qualifies for exemption.

☐ This registrant is eligible for exemption. This registrant will not accept contributions, make disbursements or incur obligations in an aggregate amount of more than \$1,000 in a calendar year or accept any contribution or cumulative contributions of more than \$100 from a single source during the calendar year, except contributions by a candidate to his or her campaign of \$1,000 or less in a calendar year.

☐ This registrant is no longer eligible to claim exemption.

Signature of Candidate or Treasurer _____

Date _____

THE INFORMATION ON THIS FORM IS REQUIRED BY §§9.10(2)(d), 11.05, 11.06(7), WIS. STATS. FAILURE TO PROVIDE THE INFORMATION MAY SUBJECT YOU TO THE PENALTIES OF §§8.30(2), 11.60, 11.61, 11.66, WIS. STATS.

This form will register your campaign for the election and any committees that you will be on or using during campaigning, such as a Political Action Committee (PAC) (if applicable) and a candidate's personal or support campaign committee. Changes must be made within 10 days of filing and this form must be filed to be on the ballot. It may be filed with the City Clerk at any

time a person forms the intent to be a candidate, but **no later than 5 p.m. on Wednesday, January 2, 2013.**

All of these forms can be found on the Wisconsin Government Accountability Board website at <http://gab.wi.gov>.

How do I run a Campaign?

In order to be elected, you have to run a successful campaign. You must be visible to your constituents and make a strong effort to communicate your platform to them, whether that means direct voter contact (face to face, mailings), in speeches, through volunteers, or through social media such as Facebook and Twitter.

A successful campaign requires hours of hard work and effort on the part of you and your volunteers and staff. You will have to raise money to finance your campaign and maybe even use some of your own, but don't let a lack of money sway you from running a good campaign. Unlike statewide and national elections, you don't need a massive amount of money to successfully win a local election.

Campaigns can be run with the help of a committee. You can enlist the help of family, friends, and volunteers to help organize and run your campaign.

Campaign Finances

There are a few things about campaign finances that need to be considered to make sure you do not violate Wisconsin statutes. Campaigns must file a Campaign Finance Report (EB-2) to

report all recorded financial transactions and expenditures of \$1000 dollars or more during an election cycle. It is a ten-page form available upon request by the City Clerk. However if you meet certain requirements, you will be exempt from filing a Campaign Finance Report per Wisconsin State Statutes Chapter 11:

1. If the candidate anticipates that he/she will not accept contributions, disbursements, or incur loans and other obligations in an aggregate amount exceeding \$1,000 in a calendar year
2. The candidate anticipates that he or she will not accept more than \$100 in contributions or cumulative contributions from a single source in a calendar year
3. The candidate or treasurer must sign and date the request for exemption on the Campaign Registration Statement GAB-1.

This limit on funds does not apply to contributions from a candidate's personal funds for his/her campaign if the total of the contributions total \$1,000 or less in a calendar year. In addition, a candidate that is exempt from filing a campaign finance report can use his/her own personal funds as a campaign depository. If it is decided later by the candidate that he/she wants to exceed to the \$1,000 limit on contributions and disbursements, or to raise more than \$100 dollars from a single source for the calendar year, the candidate must immediately amend their Campaign Registration Statement GAB-1. If a candidate is exempt from filing EB-2, he/she must still keep financial records to meet the requirements for campaign finance law.

Disclaimers

Every political communication that is paid for by political funds must have a disclaimer. This disclaimer identifies the source of the funds paying for the communication. Types of communication include but are not limited to: billboards, television/radio advertisements, t-shirts, bumper

stickers, yard signs, printed advertisements, sample ballots, and flyers. Disclaimers must be present on each page of political communication, including letters and letter enclosures.

Disclaimers for each piece of communication must have the words “**Paid for by**”, followed by the name of the group and/or committee paying for the communication. The name of the treasurer or agent handling finances must be on the disclaimer as well.

There are certain instances when a disclaimer is not needed:

- Nomination papers
- A single personal item that is not reproduced or manufactured by equipment or machine
- Personal correspondence not created by equipment or machine for distribution
- Any items that are too small to have a disclaimer reasonably printed, such as buttons, pens, pins, balloons, and other small items.
- Envelopes that have campaign committee information.

There are a few proper ways to write a disclaimer depending who or what paid for the communication:



- If the communication is paid for by the candidate or other individual, the disclaimer must be: **“Paid for by John Adams”**
- If the communication is paid for by the candidate’s campaign committee or by a political committee, the disclaimer must read **“Paid for by Friends of John Adams for Alderman, Steve Johnson, Treasurer”** or **“Paid for by Restore America, Steve Johnson, Treasurer.”**
- If the communication is paid for by an independent party, whether that party is supporting or opposing a candidate, the disclaimer must read **“Paid for by Restore America, Steve Johnson, Treasurer. Not authorized by any candidate or candidate’s agent or committee**

You can refer to the Wisconsin State Statutes Chapter 11 Section 30 (11.30) for more specific information on the topic of disclaimers.

Signage Restrictions

The City of De Pere has numerous ordinances regarding political yard signs that must be followed:

- There is no start date to when you can place yard signs
- Yard signs must be taken down within 3 days following the general election
- Max Size for Residential Area: 11 sq. ft. Billboards are excluded
- Max Size for Non-Residential Area: 16 sq. ft.
- Signs must not be located on city owned property or placed in public right-of-way

In addition, candidates are prohibited from electioneering on public property within 100 feet of the entrance to the building with a polling place. You can, however, electioneer on private property within 100 feet of the entrance to the polling place. Also, State Statute 12.04 (2) states that a person can place a sign containing a political message on residential property owned or occupied by that person during an election campaign.

De Pere City Information and Structure

MAYOR

Michael Walsh

CITY ADMINISTRATOR

Lawrence Delo

COUNCIL MEMBERS

District 1: Larry Lueck

James Boyd

District 2: Dan Robinson

James Kneiszel

District 3: Kathleen Van Vonderen

Scott Crevier

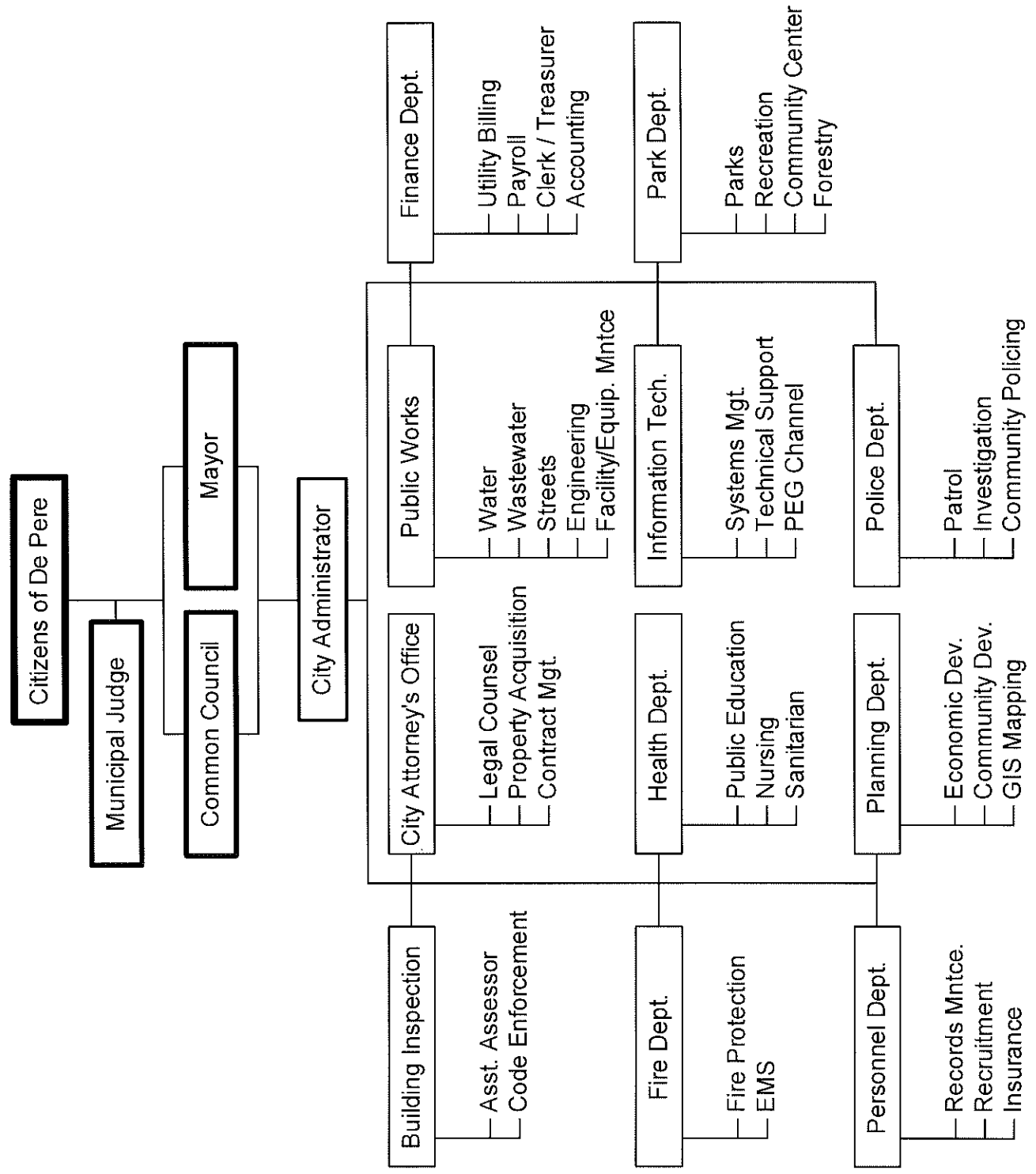
District 4: Michael Donovan

Kevin Bauer

DEPARTMENT HEADS

City Attorney	Judith Schmidt-Lehman
Building Inspector	Dave Hongisto
Finance Director	Joseph G. Zegers
Fire Chief	Robert Kiser
Health Director	Mary Dorn
Human Resources Director	Shannon Metzler
Director of Parks, Recreation, and Forestry	Marty Kosobucki
Planning and Economic Development Director	Ken Pabich
Public Works Director	Scott Thoresen
Police Chief	Derek Beiderwieden

City of De Pere Organization Chart



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BANK : AP ASSOCIATED

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
6426	ACL							
	I-201207-0	ACL	R	8/21/2012		107.20CR	065524	107.20
4881	ADVANCED TECHNICAL SOLUTIONS INC							
	I-CDP-120710	ADVANCED TECHNICAL SOLUTIONS I	R	8/21/2012		850.00CR	065525	850.00
0217	AGRI-PARTNERS COOPERATIVE							
	I-201208151287	AGRI-PARTNERS COOPERATIVE	R	8/21/2012		7.99CR	065526	7.99
6615	AIR SCIENCE USA LLC							
	I-16826	AIR SCIENCE USA LLC	R	8/21/2012		663.37CR	065527	663.37
0302	AIRGAS USA LLC							
	I-9903496134	AIRGAS USA LLC	R	8/21/2012		91.69CR	065528	
	I-9903496135	AIRGAS USA LLC	R	8/21/2012		111.97CR	065528	203.66
2982	ALL CITY COMMUNICATIONS							
	I-4699567-080112	ALL CITY COMMUNICATIONS	R	8/21/2012		193.12CR	065529	193.12
0007	AMBROSIOUS SALES & SERVICE							
	I-65077	AMBROSIOUS SALES & SERVICE	R	8/21/2012		82.50CR	065530	82.50
6022	APPLETON POST CRESCENT							
	I-6521953	APPLETON POST CRESCENT	R	8/21/2012		2,384.99CR	065531	2,384.99
0013	ARAMARK UNIFORM SERVICES INC							
	I-616-6453283	ARAMARK UNIFORM SERVICES INC	R	8/21/2012		308.46CR	065532	308.46
0014	ASCAP							
	I-100003532575	ASCAP	R	8/21/2012		133.33CR	065533	
	I-100003532576	ASCAP	R	8/21/2012		186.67CR	065533	
	I-192000235045	ASCAP	R	8/21/2012		6.42CR	065533	326.42
0442	BADGER LABORATORIES & ENGINEERING							
	I-INV000050000	BADGER LABORATORIES & ENGINEER	R	8/21/2012		60.00CR	065534	60.00
0020	BADGERLAND PRINTING INC							
	I-20038	BADGERLAND PRINTING INC	R	8/21/2012		99.00CR	065535	
	I-20097	BADGERLAND PRINTING INC	R	8/21/2012		7.00CR	065535	
	I-20116	BADGERLAND PRINTING INC	R	8/21/2012		89.00CR	065535	195.00
0023	BATTERIES PLUS LLC							
	I-232807-01	BATTERIES PLUS LLC	R	8/21/2012		114.50CR	065536	
	I-501-367462	BATTERIES PLUS LLC	R	8/21/2012		38.97CR	065536	153.47

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VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
0132	BAY AREA HUMANE SOCIETY AND							
	I-JULY2012-DEP	BAY AREA HUMANE SOCIETY AND	R	8/21/2012		1,240.00CR	065537	1,240.00
0027	BAY TOWEL INC							
	I-1488178	BAY TOWEL INC	R	8/21/2012		51.65CR	065538	
	I-1496388	BAY TOWEL INC	R	8/21/2012		126.00CR	065538	
	I-1500863	BAY TOWEL INC	R	8/21/2012		20.00CR	065538	
	I-1500867	BAY TOWEL INC	R	8/21/2012		35.90CR	065538	
	I-1500868	BAY TOWEL INC	R	8/21/2012		52.82CR	065538	
	I-1502712	BAY TOWEL INC	R	8/21/2012		126.00CR	065538	
	I-1504038	BAY TOWEL INC	R	8/21/2012		42.76CR	065538	
	I-1504039	BAY TOWEL INC	R	8/21/2012		53.40CR	065538	
	I-1507230	BAY TOWEL INC	R	8/21/2012		35.64CR	065538	
	I-S92748	BAY TOWEL INC	R	8/21/2012		38.90CR	065538	593.07
0025	BAYCOM INC							
	I-69161	BAYCOM INC	R	8/21/2012		7,015.00CR	065539	7,015.00
0033	BIRDSEYE DAIRY INC							
	I-134187	BIRDSEYE DAIRY INC	R	8/21/2012		75.60CR	065540	
	I-134348	BIRDSEYE DAIRY INC	R	8/21/2012		123.10CR	065540	
	I-134420	BIRDSEYE DAIRY INC	R	8/21/2012		254.40CR	065540	453.10
3510	BOYLE, WILLIAM C							
	I-201208151288	BOYLE, WILLIAM C	R	8/21/2012		45.10CR	065541	45.10
0037	BROADCAST MUSIC INC							
	I-22617459	BROADCAST MUSIC INC	R	8/21/2012		320.00CR	065542	320.00
0038	BROADWAY AUTOMOTIVE INC							
	I-615043P	BROADWAY AUTOMOTIVE INC	R	8/21/2012		33.81CR	065543	
	I-615876P	BROADWAY AUTOMOTIVE INC	R	8/21/2012		56.65CR	065543	90.46
0888	BROWN COUNTY HEALTH DEPT							
	I-2012-038	BROWN COUNTY HEALTH DEPT	R	8/21/2012		1,881.03CR	065544	1,881.03
2944	BROWN COUNTY JAIL							
	I-201208151289	BROWN COUNTY JAIL	R	8/21/2012		440.00CR	065545	
	I-201208151290	BROWN COUNTY JAIL	R	8/21/2012		1,040.00CR	065545	1,480.00
0046	BROWN COUNTY PORT SOLID WASTE DEPT							
	I-19416	BROWN COUNTY PORT SOLID WASTE	R	8/21/2012		13,970.26CR	065546	13,970.26

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VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
0044	BROWN COUNTY REGISTER OF DEEDS							
	I-201208151291	BROWN COUNTY REGISTER OF DEEDS	R	8/21/2012		215.00CR	065547	215.00
2984	BROWN COUNTY TREASURER							
	I-28	BROWN COUNTY TREASURER	R	8/21/2012		80.00CR	065548	
	I-31	BROWN COUNTY TREASURER	R	8/21/2012		160.00CR	065548	240.00
0115	CARQUEST AUTO PARTS LLC							
	I-6339-153250	CARQUEST AUTO PARTS LLC	R	8/21/2012		14.79CR	065549	14.79
0536	CDW GOVERNMENT INC							
	I-M161407	CDW GOVERNMENT INC	R	8/21/2012		459.09CR	065550	
	I-M197292	CDW GOVERNMENT INC	R	8/21/2012		22.21CR	065550	
	I-M957312	CDW GOVERNMENT INC	R	8/21/2012		25.50CR	065550	
	I-N361024	CDW GOVERNMENT INC	R	8/21/2012		25.25CR	065550	
	I-N587891	CDW GOVERNMENT INC	R	8/21/2012		715.56CR	065550	
	I-N643845	CDW GOVERNMENT INC	R	8/21/2012		797.30CR	065550	2,044.91
6561	CLARK, KEVIN							
	I-201208151292	CLARK, KEVIN	R	8/21/2012		29.97CR	065551	29.97
2708	CLEANING SOLUTION SERVICES INC							
	I-05-7532	CLEANING SOLUTION SERVICES INC	R	8/21/2012		1,261.85CR	065552	1,261.85
5629	CONSOLIDATED UTILITY SERVICES INC							
	I-0612DEPER	CONSOLIDATED UTILITY SERVICES	R	8/21/2012		202.00CR	065553	202.00
0062	D & D UNIFORMS INC							
	I-543057	D & D UNIFORMS INC	R	8/21/2012		8.00CR	065554	
	I-543058	D & D UNIFORMS INC	R	8/21/2012		66.00CR	065554	
	I-543067	D & D UNIFORMS INC	R	8/21/2012		832.70CR	065554	906.70
0063	DAANEN & JANSSEN INC							
	I-124436	DAANEN & JANSSEN INC	R	8/21/2012		157.50CR	065555	
	I-124437	DAANEN & JANSSEN INC	R	8/21/2012		10.50CR	065555	168.00
1183	DE CLEENE TRUCK REPAIR & REFRIG INC							
	I-591184	DE CLEENE TRUCK REPAIR & REFRI	R	8/21/2012		190.80CR	065556	190.80
0713	DE GROOT INC							
	I-12-01 (2)	DE GROOT INC	R	8/21/2012		176,937.02CR	065557	176,937.02

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3332	DE PERE AUTO CENTER INC							
	I-74923	DE PERE AUTO CENTER INC	R	8/21/2012		463.35CR	065558	463.35
0069	DE PERE GREENHOUSE INC							
	I-9859	DE PERE GREENHOUSE INC	R	8/21/2012		52.95CR	065559	52.95
0075	DIGGERS HOTLINE INC							
	I-120 6 36402	DIGGERS HOTLINE INC	R	8/21/2012		19.14CR	065560	
	I-120 7 36401	DIGGERS HOTLINE INC	R	8/21/2012		664.66CR	065560	
	I-120 7 36402	DIGGERS HOTLINE INC	R	8/21/2012		20.88CR	065560	704.68
0079	DORSCH CORP							
	I-461193	DORSCH CORP	R	8/21/2012		399.36CR	065561	399.36
0083	EDLBECK CO							
	I-442771	EDLBECK CO	R	8/21/2012		244.00CR	065562	244.00
0944	ELECTION SYSTEMS & SOFTWARE INC							
	I-824647	ELECTION SYSTEMS & SOFTWARE IN	R	8/21/2012		233.29CR	065563	233.29
0085	EMERGENCY MEDICAL PRODUCTS INC							
	I-1483204	EMERGENCY MEDICAL PRODUCTS INC	R	8/21/2012		290.40CR	065564	290.40
3880	FAMILY SERVICES OF NE WI							
	I-201208151293	FAMILY SERVICES OF NE WI	R	8/21/2012		50.00CR	065565	50.00
0092	FEAKER & SONS CO INC							
	I-12-01B (2)	FEAKER & SONS CO INC	R	8/21/2012		197,000.20CR	065566	197,000.20
0331	FERGUSON WATERWORKS #1476 INC							
	I-114659	FERGUSON WATERWORKS #1476 INC	R	8/21/2012		1,360.31CR	065567	
	I-115744	FERGUSON WATERWORKS #1476 INC	R	8/21/2012		4,379.10CR	065567	5,739.41
2627	FESTIVAL FOODS INC							
	I-201208151294	FESTIVAL FOODS INC	R	8/21/2012		14.35CR	065568	
	I-201208151295	FESTIVAL FOODS INC	R	8/21/2012		53.82CR	065568	
	I-201208151296	FESTIVAL FOODS INC	R	8/21/2012		3.94CR	065568	
	I-201208151297	FESTIVAL FOODS INC	R	8/21/2012		13.44CR	065568	85.55
0200	FIRST SUPPLY GREEN BAY LLC							
	I-9367152-00	FIRST SUPPLY GREEN BAY LLC	R	8/21/2012		272.19CR	065569	
	I-9464695-00	FIRST SUPPLY GREEN BAY LLC	R	8/21/2012		27.06CR	065569	299.25

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0105	FOX SPECIALITY COMPANY							
	I-22623	FOX SPECIALITY COMPANY	R	8/21/2012		131.41CR	065570	131.41
0089	FRV INC							
	I-A0021	FRV INC	R	8/21/2012		99.85CR	065571	99.85
0562	GALL'S INC							
	I-512294516	GALL'S INC	R	8/21/2012		60.48CR	065572	60.48
1891	GANNETT WI MEDIA							
	I-6525089	GANNETT WI MEDIA	R	8/21/2012		36.00CR	065573	36.00
6084	GANNETT WI MEDIA							
	I-201208151298	GANNETT WI MEDIA	R	8/21/2012		29.22CR	065574	29.22
2544	GLOBAL RECOGNITION INC							
	I-128053	GLOBAL RECOGNITION INC	R	8/21/2012		676.10CR	065575	676.10
0116	GRAINGER INC							
	I-9862388007	GRAINGER INC	R	8/21/2012		71.96CR	065576	
	I-9888505915	GRAINGER INC	R	8/21/2012		1.07CR	065576	
	I-98888505923	GRAINGER INC	R	8/21/2012		174.42CR	065576	
	I-9894945683	GRAINGER INC	R	8/21/2012		276.04CR	065576	523.49
0117	GRAYBAR ELECTRIC COMPANY INC							
	I-961264916	GRAYBAR ELECTRIC COMPANY INC	R	8/21/2012		6.00CR	065577	
	I-961288079	GRAYBAR ELECTRIC COMPANY INC	R	8/21/2012		54.62CR	065577	60.62
0124	GREEN BAY CITY TREASURER							
	I-80161	GREEN BAY CITY TREASURER	R	8/21/2012		7,545.95CR	065578	
	I-80173	GREEN BAY CITY TREASURER	R	8/21/2012		2,971.19CR	065578	10,517.13
2044	GREEN BAY TITLE COMPANY INC							
	I-GB34971	GREEN BAY TITLE COMPANY INC	R	8/21/2012		385.00CR	065579	385.00
6608	GROTH, TRISTA							
	I-201208151299	GROTH, TRISTA	R	8/21/2012		12.45CR	065580	12.45
4826	GUSTAVE A LARSON CO							
	I-GRB0267482	GUSTAVE A LARSON CO	R	8/21/2012		3.51CR	065581	3.51
3521	HD SUPPLY WATERWORKS LTD							
	I-5154810	HD SUPPLY WATERWORKS LTD	R	8/21/2012		451.00CR	065582	
	I-5201024	HD SUPPLY WATERWORKS LTD	R	8/21/2012		194.41CR	065582	
	I-5205999	HD SUPPLY WATERWORKS LTD	R	8/21/2012		670.90CR	065582	
	I-5228388	HD SUPPLY WATERWORKS LTD	R	8/21/2012		598.00CR	065582	1,914.31

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VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
6616	HIMALAYAN CONSULTANTS LLC							
	I-547 (FINAL)	HIMALAYAN CONSULTANTS LLC	R	8/21/2012		5,928.30CR	065583	5,928.30
5484	HYDRO DESIGNS INC							
	I-27144-IN	HYDRO DESIGNS INC	R	8/21/2012		1,113.00CR	065584	
	I-27247-IN	HYDRO DESIGNS INC	R	8/21/2012		2,876.00CR	065584	
	I-27278-IN	HYDRO DESIGNS INC	R	8/21/2012		1,657.00CR	065584	5,646.00
0135	HYDROCLEAN EQUIPMENT INC							
	I-92039	HYDROCLEAN EQUIPMENT INC	R	8/21/2012		1,981.90CR	065585	1,981.90
1399	INDOFF INC							
	I-2097642	INDOFF INC	R	8/21/2012		38.99CR	065586	
	I-2098497	INDOFF INC	R	8/21/2012		12.88CR	065586	
	I-2098664	INDOFF INC	R	8/21/2012		77.98CR	065586	
	I-2100255	INDOFF INC	R	8/21/2012		53.39CR	065586	
	I-2123088	INDOFF INC	R	8/21/2012		72.90CR	065586	
	I-2123999	INDOFF INC	R	8/21/2012		245.43CR	065586	
	I-2129541	INDOFF INC	R	8/21/2012		89.97CR	065586	
	I-2129572	INDOFF INC	R	8/21/2012		34.99CR	065586	
	I-2129573	INDOFF INC	R	8/21/2012		28.68CR	065586	
	I-2130429	INDOFF INC	R	8/21/2012		25.60CR	065586	
	I-2133979	INDOFF INC	R	8/21/2012		109.90CR	065586	790.71
6241	IQM2 INC							
	I-3547	IQM2 INC	R	8/21/2012		6,732.00CR	065587	6,732.00
6100	JONES, SARA							
	I-201209161304	JONES, SARA	R	8/21/2012		653.27CR	065588	653.27
2602	JOSSART BROTHERS INC							
	I-12-16 (1)	JOSSART BROTHERS INC	R	8/21/2012		26,441.66CR	065589	26,441.66
6520	JX PETERBILT - GREEN BAY							
	I-D-222090037	JX PETERBILT - GREEN BAY	R	8/21/2012		12.01CR	065590	
	I-D-222190083	JX PETERBILT - GREEN BAY	R	8/21/2012		64.90CR	065590	
	I-D-222210107	JX PETERBILT - GREEN BAY	R	8/21/2012		37.02CR	065590	113.93
3986	KIMPS ACE HARDWARE CORP							
	I-6497	KIMPS ACE HARDWARE CORP	R	8/21/2012		71.98CR	065591	71.98
2904	KROPP CONCRETE PRODUCTS							
	I-21307	KROPP CONCRETE PRODUCTS	R	8/21/2012		555.00CR	065592	555.00

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3140	KUNDINGER FLUID POWER INC I-50197805	KUNDINGER FLUID POWER INC	R	8/21/2012		349.62CR	065593	349.62
0153	LAFORCE INC I-711191 RI I-711419 RI I-712132 RI	LAFORCE INC LAFORCE INC LAFORCE INC LAFORCE INC	R	8/21/2012 8/21/2012 8/21/2012		279.74CR 178.75CR 48.00CR	065594 065594 065594	506.49
6577	LAKELAND LAWN CARE I-35675	LAKELAND LAWN CARE	R	8/21/2012		875.00CR	065595	875.00
0154	LAMERS BUS LINES INC I-412050	LAMERS BUS LINES INC	R	8/21/2012		114.14CR	065596	114.14
0156	LAWSON PRODUCTS INC I-9301009710	LAWSON PRODUCTS INC	R	8/21/2012		279.61CR	065597	279.61
0159	LEXIS NEXIS INC I-1207265551	LEXIS NEXIS INC	R	8/21/2012		207.65CR	065598	207.65
0160	LIZER OF WI INC I-33277A&D	LIZER OF WI INC	R	8/21/2012		97.50CR	065599	97.50
6198	MAILFINANCE I-H3442289	MAILFINANCE	R	8/21/2012		89.00CR	065600	89.00
2713	MAU & ASSOCIATES I-20388 I-20393	MAU & ASSOCIATES MAU & ASSOCIATES	R	8/21/2012 8/21/2012		1,130.00CR 595.00CR	065601 065601	1,725.00
0173	MENARDS INC I-75715 I-78083 I-78478 I-78711	MENARDS INC MENARDS INC MENARDS INC MENARDS INC	R	8/21/2012 8/21/2012 8/21/2012 8/21/2012		8.86CR 23.95CR 5.67CR 82.20CR	065602 065602 065602 065602	120.68
5891	MIDWEST ENGINEERING SERVICES INC I-G250025-IN	MIDWEST ENGINEERING SERVICES I	R	8/21/2012		3,582.82CR	065603	3,582.82
1630	BRIAN MITCHELL I-4287 I-4288	BRIAN MITCHELL BRIAN MITCHELL	R	8/21/2012 8/21/2012		288.00CR 37.00CR	065604 065604	325.00

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0524	MJB INDUSTRIES INC							
	I-5704	MJB INDUSTRIES INC	R	8/21/2012		10,185.00CR	065605	10,185.00
6618	MJB PROPERTY MAINTENANCE LLC							
	I-50710	MJB PROPERTY MAINTENANCE LLC	R	8/21/2012		116.46CR	065606	116.46
0180	MONROE TRUCK EQUIPMENT INC							
	I-679042	MONROE TRUCK EQUIPMENT INC	R	8/21/2012		146.80CR	065607	146.80
4909	MOTION PICTURE LICENSING CORP							
	I-503789576	MOTION PICTURE LICENSING CORP	R	8/21/2012		535.49CR	065608	535.49
1475	MUNICIPAL CODE CORP							
	I-219815	MUNICIPAL CODE CORP	R	8/21/2012		1,225.72CR	065609	1,225.72
3191	NIELSON COMMUNICATIONS INC							
	I-GB12-14742	NIELSON COMMUNICATIONS INC	R	8/21/2012		10.30CR	065610	
	I-GB12-14767	NIELSON COMMUNICATIONS INC	R	8/21/2012		250.00CR	065610	
	I-GB12-14784	NIELSON COMMUNICATIONS INC	R	8/21/2012		112.50CR	065610	372.80
0190	NORTHEAST ASPHALT INC							
	I-12-07 (1)	NORTHEAST ASPHALT INC	R	8/21/2012		41,425.41CR	065611	41,425.41
0531	NORTHEAST AUTO PARTS INC							
	I-270221	NORTHEAST AUTO PARTS INC	R	8/21/2012		11.48CR	065612	
	I-270228	NORTHEAST AUTO PARTS INC	R	8/21/2012		51.49CR	065612	
	I-270272	NORTHEAST AUTO PARTS INC	R	8/21/2012		23.98CR	065612	
	I-270298	NORTHEAST AUTO PARTS INC	R	8/21/2012		60.46CR	065612	
	I-270377	NORTHEAST AUTO PARTS INC	R	8/21/2012		29.97CR	065612	
	I-270548	NORTHEAST AUTO PARTS INC	R	8/21/2012		24.49CR	065612	
	I-270560	NORTHEAST AUTO PARTS INC	R	8/21/2012		5.43CR	065612	
	I-270624	NORTHEAST AUTO PARTS INC	R	8/21/2012		208.74CR	065612	
	I-270633	NORTHEAST AUTO PARTS INC	R	8/21/2012		12.82CR	065612	
	I-270657	NORTHEAST AUTO PARTS INC	R	8/21/2012		6.99CR	065612	435.85
5433	NORTHEAST WI TECH COLLEGE							
	I-SFT0000063122	NORTHEAST WI TECH COLLEGE	R	8/21/2012		126.01CR	065613	126.01
0571	NORTHERN PIPE EQUIPMENT INC							
	I-12-15 (3) FINAL	NORTHERN PIPE EQUIPMENT INC	R	8/21/2012		5,392.10CR	065614	
	I-12145	NORTHERN PIPE EQUIPMENT INC	R	8/21/2012		205.60CR	065614	5,597.70

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VENDOR SET: 01

BANK : AP ASSOCIATED

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
0187	NSIGHT TELSERVICES							
	I-201208161305	NSIGHT TELSERVICES	R	8/21/2012		34.70CR	065615	34.70
1160	OFFICEMAX INC							
	I-123608	OFFICEMAX INC	R	8/21/2012		460.40CR	065616	460.40
5344	PABICH, KEN							
	I-201208161306	PABICH, KEN	R	8/21/2012		216.45CR	065617	216.45
4641	PACE ANALYTICAL SERVICES INC							
	I-124060232	PACE ANALYTICAL SERVICES INC	R	8/21/2012		40.00CR	065618	40.00
0202	PEPSI COLA NEW INC							
	I-1204311	PEPSI COLA NEW INC	R	8/21/2012		16.80CR	065619	
	I-1504405	PEPSI COLA NEW INC	R	8/21/2012		76.25CR	065619	93.05
5469	PERFORMANCE DIESEL LLC							
	I-30548	PERFORMANCE DIESEL LLC	R	8/21/2012		106.15CR	065620	106.15
5973	RAE-COR DISTRIBUTING INC							
	I-42621	RAE-COR DISTRIBUTING INC	R	8/21/2012		345.88CR	065621	345.88
1359	RAY O'HERRON CO INC							
	I-1211507-IN	RAY O'HERRON CO INC	R	8/21/2012		10.00CR	065622	10.00
0225	RED D MIX CONCRETE INC							
	I-40086	RED D MIX CONCRETE INC	R	8/21/2012		95.10CR	065623	95.10
0227	REINDERS INC							
	I-1396112-00	REINDERS INC	R	8/21/2012		543.46CR	065624	543.46
5393	RICOH AMERICAS CORPORATION							
	I-416076599	RICOH AMERICAS CORPORATION	R	8/21/2012		480.83CR	065625	480.83
6380	ROCK OIL REFINING INC							
	I-216065	ROCK OIL REFINING INC	R	8/21/2012		116.25CR	065626	116.25
0501	SAINT MARY'S HOSPITAL MEDICAL CNTR							
	I-10598	SAINT MARY'S HOSPITAL MEDICAL	R	8/21/2012		2.36CR	065627	
	I-10854	SAINT MARY'S HOSPITAL MEDICAL	R	8/21/2012		6.58CR	065627	8.94
0235	SAINT VINCENT HOSPITAL							
	I-32753	SAINT VINCENT HOSPITAL	R	8/21/2012		66.49CR	065628	66.49

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PACKET: 03701 AUG 2012 COUNCIL - 2 8-21-12

VENDOR SET: 01

BANK : AP ASSOCIATED

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
0242	SCOTT CONSTRUCTION INC							
	I-10189MB	SCOTT CONSTRUCTION INC	R	8/21/2012		1,224.42CR	065629	
	I-10190MB	SCOTT CONSTRUCTION INC	R	8/21/2012		2,168.52CR	065629	3,392.94
0248	SHOPKO CO LLC							
	I-201208161307	SHOPKO CO LLC	R	8/21/2012		82.46CR	065630	82.46
0406	SIMPLEXGRINNELL INC							
	I-40470658	SIMPLEXGRINNELL INC	R	8/21/2012		711.50CR	065631	
	I-75415748	SIMPLEXGRINNELL INC	R	8/21/2012		773.00CR	065631	1,484.50
1394	PETER SMITH							
	I-201208161308	PETER SMITH	R	8/21/2012		141.91CR	065632	141.91
1761	SAM SOMMERS CONCRETE CONST INC							
	I-12-05 (1)	SAM SOMMERS CONCRETE CONST INC	R	8/21/2012		45,545.20CR	065633	45,545.20
0999	STAPLES ADVANTAGE							
	I-114283575	STAPLES ADVANTAGE	R	8/21/2012		74.55CR	065634	
	I-114313300	STAPLES ADVANTAGE	R	8/21/2012		17.85CR	065634	92.40
0255	STELLPLUG LAW SC							
	I-406-01M (196)	STELLPLUG LAW SC	R	8/21/2012		1,845.70CR	065635	1,845.70
3857	TAYLOR CREEK							
	I-304243	TAYLOR CREEK	R	8/21/2012		739.95CR	065636	739.95
1903	TECHNOLOGY ARCHITECTS INC							
	I-10902373	TECHNOLOGY ARCHITECTS INC	R	8/21/2012		36.25CR	065637	36.25
0267	TRAFFIC & PARKING CONTROL INC							
	I-1399705	TRAFFIC & PARKING CONTROL INC	R	8/21/2012		1,091.00CR	065638	1,091.00
0268	TRUCK EQUIPMENT INC							
	I-6552	TRUCK EQUIPMENT INC	R	8/21/2012		502.53CR	065639	502.53
0417	TWEET GAROT MECHANICAL INC							
	I-169043	TWEET GAROT MECHANICAL INC	R	8/21/2012		277.94CR	065640	
	I-169337	TWEET GAROT MECHANICAL INC	R	8/21/2012		162.00CR	065640	439.94
0272	UNIFORM SHOPPE INC							
	I-211455	UNIFORM SHOPPE INC	R	8/21/2012		184.75CR	065641	
	I-211689	UNIFORM SHOPPE INC	R	8/21/2012		41.95CR	065641	
	I-211906	UNIFORM SHOPPE INC	R	8/21/2012		19.95CR	065641	
	I-211909	UNIFORM SHOPPE INC	R	8/21/2012		125.85CR	065641	
	I-211921	UNIFORM SHOPPE INC	R	8/21/2012		35.95CR	065641	
	I-211922	UNIFORM SHOPPE INC	R	8/21/2012		35.95CR	065641	
	I-211930	UNIFORM SHOPPE INC	R	8/21/2012		28.95CR	065641	
	I-211933	UNIFORM SHOPPE INC	R	8/21/2012		117.90CR	065641	
	I-211935	UNIFORM SHOPPE INC	R	8/21/2012		4.35CR	065641	
	I-211936	UNIFORM SHOPPE INC	R	8/21/2012		35.95CR	065641	
	I-211938	UNIFORM SHOPPE INC	R	8/21/2012		35.95CR	065641	667.50

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VENDOR SET: 01

BANK : AP ASSOCIATED

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
6619	VALLEY ADVERTISING LLC							
	I-687	VALLEY ADVERTISING LLC	R	8/21/2012		121.59CR	065642	121.59
0274	VALLEY POPCORN CO INC.							
	I-125008	VALLEY POPCORN CO INC.	R	8/21/2012		109.20CR	065643	109.20
4528	WELSING & ASSOCIATES							
	I-130216	WELSING & ASSOCIATES	R	8/21/2012		158.94CR	065644	
	I-130229	WELSING & ASSOCIATES	R	8/21/2012		70.00CR	065644	
	I-130235	WELSING & ASSOCIATES	R	8/21/2012		50.50CR	065644	
	I-130243	WELSING & ASSOCIATES	R	8/21/2012		337.00CR	065644	616.44
2645	WI DEPT OF JUSTICE CRIME INFO BUREAU							
	I-T13498	WI DEPT OF JUSTICE CRIME INFO	R	8/21/2012		822.00CR	065645	822.00
0291	WI DEPT OF JUSTICE TIME MADISON							
	I-201208161309	WI DEPT OF JUSTICE TIME MADI	R	8/21/2012		7.00CR	065646	7.00
1836	DIANE YASHINSKY							
	I-201208161310	DIANE YASHINSKY	R	8/21/2012		11.83CR	065647	
	I-201208161311	DIANE YASHINSKY	R	8/21/2012		25.07CR	065647	36.90

* * T O T A L S * *	NO#	DISCOUNTS	CHECK AMT	TOTAL APPLIED
REGULAR CHECKS:	124	0.00	612,584.86	612,584.86
HANDWRITTEN CHECKS:	0	0.00	0.00	0.00
PRE-WRITE CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
VOID CHECKS:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
CORRECTIONS:	0	0.00	0.00	0.00
REGISTER TOTALS:	124	0.00	612,584.86	612,584.86

TOTAL ERRORS: 0

TOTAL WARNINGS: 0

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PACKET: 03701 AUG 2012 COUNCIL - 2 8-21-12

VENDOR SET: 01

BANK : AP ASSOCIATED

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
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** POSTING PERIOD RECAP **

FUND	PERIOD	AMOUNT
100	8/2012	84,397.56CR
201	8/2012	1,759.54CR
207	8/2012	799.38CR
208	8/2012	333.76CR
209	8/2012	7,221.06CR
235	8/2012	121.59CR
280	8/2012	26,441.66CR
285	8/2012	297.50CR
290	8/2012	297.50CR
405	8/2012	471,858.06CR
415	8/2012	45.76CR
460	8/2012	1,640.00CR
601	8/2012	15,093.34CR
650	8/2012	2,278.15CR
=====		
ALL		612,584.86CR

CITY OF DE PERE - AUGUST 21, 2012

ITEM#	NAME	ADDRESS	CITY	ST	ZIP
Previously Tabled Operator License for the 2010-2012 Licensing Period					
1	DENNY, RENEE L.	2754 VESTCO CT.	DE PERE	WI	54115
2	LESPERANCE, NICOLE M.	2817 VIKING DR.	DE PERE	WI	54115
3	MARLOW, SHARON M.	1118 S. 9TH ST.	GREEN BAY	WI	54302
4	TESCH, JEREMIAH S.	1120 FORT HOWARD AVENUE	DE PERE	WI	54115
Operator Licenses for the 2012-2014 Licensing Period					
1	AULIK, ISAAC J.	3035 BIG CREEK RD.	GREEN BAY	WI	54311
2	BORREMANS, DEBORAH G.	1565 APACHE AVE.	GREEN BAY	WI	54313
3	DUFEK, VIOLETTA L.	2848 CASTLE HILL LN.	GREEN BAY	WI	54302
4	GREGOIRE, JEFFREY T.	1107 CORAL ST., #2	DE PERE	WI	54115
5	HELGREN, MACKENZIE A.	771 FREDRICK CT., #3	GREEN BAY	WI	54313
6	KASTER, CHERYL A.	2508 BEAUMONT ST.	GREEN BAY	WI	54301
7	KLAVER, CARLY J.	1290 CROWN CT., APT. 7	DE PERE	WI	54115
8	KOSTROSKI, RYAN C.	372 WAGON WHEEL CT.	GREEN BAY	WI	54302
9	LAMERS, GREGORY	1023 HARWOOD AVE.	GREEN BAY	WI	54313
10	LAWRENCE, LORI A.	1403 CHICAGO ST.	DE PERE	WI	54115
11	MILLER, KEYONNA L.	225 FT. HOWARD AVE., APT. C	DE PERE	WI	54115
12	OATES, ASHLEY M.	1525 BEAUCHAMP ST.	GREEN BAY	WI	54304
13	PAGEL, TIARRA M.	1893 A RIVERSIDE DR.	GREEN BAY	WI	54313
14	ROBERTS, JUSTIN J.	665 DANISH WAY	DENMARK	WI	54208
15	SCULLIUFFO, CURT P.	502 N. TENTH ST., #76	DE PERE	WI	54115
16	SHEPHERD, MICHAEL C.	1448 EMILIE ST.	GREEN BAY	WI	54301
17	TESCH, KERRI J.	424 KENNEY ST.	GREEN BAY	WI	54301
18	TRUDELL, SAMUEL J.	2282 RED TAIL GLEN	DE PERE	WI	54115