

**CITY OF PRINCETON  
COMMON COUNCIL MEETING  
COUNCIL CHAMBERS – 431 W. MAIN STREET  
TUESDAY, MARCH 8, 2011  
7:00 PM**

- 1. CALL TO ORDER AND ROLL CALL.**
- 2. PLEDGE OF ALLEGIANCE.**
- 3. APPEARANCES FROM THE PUBLIC.**
- 4. CONSENT CALENDAR:**
  - A. Minutes for Approval:
    - i. February 22, 2011
- 5. OFFICER REPORTS:**
  - A. Mayor.
  - B. Administrator/Clerk/Treasurer
  - C. Police Chief.
  - D. Ambulance Director.
  - E. Emergency Government.
  - F. Zoning Administrator / Building Inspector.
  - G. Library Director
- 6. OLD BUSINESS**
  - A. Discussion and Invoice for Approval-Kunkel Engineering-Job #0917-\$575.00
  - B. Discussion and Invoice for Approval-Wood Sewer & Excavating, Inc-\$3,358.42
  - C. Invoice for Approval-Board of Commissioners of Public Lands-\$65,579.58
  - D. Ordinance 2011-01-Sex Offender Child Safety Zone
- 7. NEW BUSINESS**
  - A. Resolution 2011-01-For Expenditure Restraint-to Restrict Non Essential Expenditures to be Determined by City Council and City Administrator
  - B. Fourth of July Celebration Donation
  - C. Requests to Waive Snow Shoveling Bills at 462 N Clinton St-Erin Murphy and 472 N Clinton St-Matt Schneider
- 8. COMMUNICATIONS**
- 9. ADJOURN**

\* The meeting room is accessible to all. Requests from persons with disabilities who need assistance to participate in this meeting should be made to the Administrator's office at 920.295.6612 with as much advance notice as possible.

**CITY OF PRINCETON**  
**COMMON COUNCIL MEETING MINUTES**  
**COUNCIL CHAMBERS – 431 W. MAIN STREET**  
**TUESDAY, FEBRUARY 22, 2011**

7:00 PM

1. **CALL TO ORDER AND ROLL CALL.** Mayor Mosolf called the meeting to order at 7:02 PM. In attendance were Alderpersons Magnus, Hardt, Kallenbach, and Bednarek, Administrator Weidl, and Mayor Mosolf. Absent at Roll Call was Alderperson Pulvermacher-he arrived at 7:24 PM. Absent was Alderperson Garro.
2. **PLEDGE OF ALLEGIANCE.** The Pledge of Allegiance was recited.
3. **APPEARANCES FROM THE PUBLIC.** Nothing at this time.
4. **CONSENT CALENDAR:**
  - A. **Minutes for Approval:**
    - i. **February 8, 2011** Magnus motioned to approve the Consent Calendar item 4Ai, seconded by Kallenbach. Carried 4-0.
5. **OFFICER REPORT**
  - A. **City Administrator/Clerk/Treasurer**
    - i. **Ambulance Service Contract with Town of Brooklyn** Administrator Weidl stated the contract with the Township of Brooklyn and Princeton Ambulance Service was signed. This topic will be revisited after the City of Princeton Audit is complete.
    - ii. **Century Link Application/Notification for 2010/2011 Construction** This is a blanket permit to allow Century Link to come into the City and maintain and repair their transmission lines. There was a typo on the contract-it should be changed from 2001 to 2011. Lee Williams also stated the telephone lines are on Princeton Utility Power Poles, and he would like to see the contract state that Century Link employees cannot climb on the poles that if there are repairs that need to be made, Century Link needs to bring in a bucket truck to do the repairs. Administrator Weidl would contact Century Link and get that added to the contract.
6. **NEW BUSINESS**
  - A. **Request to Waive Snow Shoveling Bill for 328 S Clinton St., Janice White**  
No action was taken after a brief discussion.
7. **OLD BUSINESS**
  - A. **Discussion of Invoice for Approval-Bonestroo-\$48,343.10** A representative from Bonestroo was present and explained what Bonestroo has done in the past several years with SAG and BEBR grants and the clean up for the old Stock Lumber site in the City of Princeton. Administrator Weidl stated there needs to be a vision for the site. Hardt motioned to approve payment to Bonestroo in the amount of \$48,343.10, seconded by Bednarek. Carried 5-0.
  - B. **2009 Wisconsin Act 86** Lee Williams and Ernie Schmidt contacted seven businesses to find out how they are recycling their oil filters and a report was submitted to the Council. Moore Oil will deliver a filter barrel and when it is picked up it will cost \$25.00. It is only for oil filters and only for City and Utility vehicle oil filters. Pulvermacher motioned to approve Moore Oil to deliver a barrel to the City for only City and Utility vehicle oil filters for the cost of \$25.00, seconded by Magnus. Carried 5-0.
8. **COMMUNICATIONS** Administrator Weidl stated Contractors will be asked to attend

meetings who did business with the City before he started working for the City, so everyone is aware of the services provided to the City and the cost of the services. Kunkel Engineering will be at the next meeting. The Audit Report is planned to be on the April 12<sup>th</sup> Council Agenda. There will be closed session meetings coming soon to discuss Union Contracts. Alderperson Pulvermacher would like to see financial reports once a month and he preferred the first Council Meeting of the month. Mayor Mosolf was contacted by Jerry Disterhaft about canoe trips on the Fox River and he wanted to come to a Council Meeting to discuss camping in Hiestand Park. He would like to have the City allow camping in the park so the people canoeing can stay overnight in the park and spend the day in the City before the event. Josh Schoemann resigned as a consultant to the City as of 2/25/11.

**9. ADJOURN** Mayor Mosolf adjourned the meeting at 7:54 PM.

\* The meeting room is accessible to all. Requests from persons with disabilities who need assistance to participate in this meeting should be made to the Administrator's office at 920.295.6612 with as much advance notice as possible.



*Managing Wisconsin's trust assets for public education*

CITY OF PRINCETON  
MR. JOSHUA SCHOEMANN  
CLERK  
438 W MAIN ST  
PRINCETON, WI 54968

## Annual Trust Fund Loan Payment

**Invoice No:** 0000010912

*Customer No:* 5853206

### ***Pay Invoice To:***

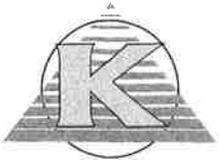
Board of Commissioners of Public Lands  
Trust Fund Loan Program  
PO Box 78569  
Milwaukee, WI 53293-0569

<b>Loan #</b>	<b>Principal Amount</b>	<b>Interest Amount</b>	<b>Amount Due</b>	<b>Balance Remaining</b>
<b>Fund 744</b>				
02009258.01	29,375.00	36,204.58	65,579.58	628,890.00
<b>Subtotal:</b>	<b>29,375.00</b>	<b>36,204.58</b>	<b>65,579.58</b>	<b>628,890.00</b>

**Total Amount Due March 15, 2011**

**\$65,579.58**

\* This is the balance remaining after the March 15th payment.



**KUNKEL**  
engineering  
group

FEBRUARY 4, 2011

107 Parallel Street  
Beaver Dam, WI 53916  
(920) 356-9447  
fax: (920) 356-9454  
kunkelengineering.com

To: MR. JOHN WEIDL/CITY ADMIN.  
CITY OF PRINCETON  
531 S. FULTON STREET  
PRINCETON, WI 54968

Invoice For Services Rendered

Job #: 0917  
PRINCETON - SECOND & WILSON STREET CURB & GUTTER

Total Due 575.00

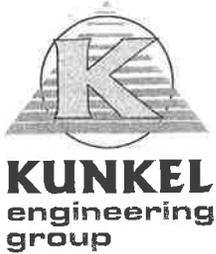
This Invoice Includes Services Thru 01/31/11

Summary:

KEG Services \$575.00

**NOTES:**

1. Contract administration includes review and finalization of contractor's final pay request.
2. Project substantially complete.



107 Parallel Street  
Beaver Dam, WI 53916  
(920) 356-9447  
fax: (920) 356-9454  
kunkelengineering.com

February 3, 2011

Cheryle Nickel  
City of Princeton  
P.O. Box 53  
531 South Fulton Street  
Princeton, WI 54968

**Re: City of Princeton  
Second Street & Wilson Street Drainage Improvements  
Payment Request #3**

Dear Ms. Nickel:

Please find accompanying this transmittal Request for Payment #3 as received from Wood Sewer & Excavating, Inc. for work efforts associated with the above referenced project. Please note that we have reviewed the Payment Request and heretofore recommend payment to Wood Sewer & Excavating, Inc in the amount of \$3,358.42.

This is the final pay request for the project. Should you or the City Council have any questions or comments on either the project or the accompanying Payment Request, please do not hesitate to contact me at your earliest convenience.

Sincerely,

**KUNKEL ENGINEERING GROUP**



Joseph Pingel  
Civil Engineer

Enclosures

cc:

**APPLICATION FOR PAYMENT**

PROJECT: Second Street & Wilson Street Drainage Improvements  
 ENGINEER'S PROJECT NO.: 0917

APPLICATION NO.: FINAL  
 PERIOD FROM: 11/12/2010  
 PERIOD TO: 01/26/2011

OWNER: City of Princeton  
 531 South Fulton Street  
 Princeton, WI 54968

CONTRACTOR: Wood Sewer & Excavating, Inc.  
 E9238 Cty X  
 New London, WI 54961

ENGINEER: Kunkel Engineering Group, LLC  
 107 Parallel Street  
 Beaver Dam, WI 53916

CONTRACT DATE: 04/13/2010  
 COMPLETION DATE:

**APPLICATION FOR PAYMENT**

1. Original Contract Amount \$ 86,205.00

2. Net Amount Change Orders \$ 43,121.00

3. Contract Amount to Date (Line 1 + 2) \$ 129,326.00

4. Total Amount Completed & Stored To Date (From Column L) \$ 112,845.65

5. Retainage  
 a. \_\_\_\_\_ % of Completed Work \_\_\_\_\_  
 b. \_\_\_\_\_ % of Stored Material \$ \_\_\_\_\_

Total Retainage \$ ~~2,069.42~~ 119,845.65  
~~109,877.23~~

7. Less Previous Applications for Payment \$ 109,487.23

8. Current Amount Due \$ 3,358.42

Change Order Summary	Additions	Deductions
Total Approved Previous Changes	\$ 43,121.00	
Total Changes Approved This Period		
TOTALS		
Net Amount Change Orders		

Approximate Balance to Finish Including Retainage (Line 3 - Line 6) 0.00

**APPLICATION BY CONTRACTOR**

The undersigned Contractor certifies that: all previous progress payments received from Owner on account of the Work have been applied to discharge in full all Contractor's legitimate obligations in connection with the Work covered by the previous progress payments; and all Work covered by this Application for Payment has been completed in accordance with the Contract Documents.

CONTRACTOR: [Signature] Date: 1-26-11

**WAIVER OF LIEN**

The undersigned Contractor hereby waives all rights and claims for lien on land and on improvements thereto for all labor performed and all materials and equipment incorporated into the Work covered by this Application for Payment.

CONTRACTOR: [Signature] Date: 1-26-11

**ENGINEER'S RECOMMENDATION**

By: [Signature] Date: 2/2/11

**OWNER'S APPROVAL**

OWNER: \_\_\_\_\_ Date: \_\_\_\_\_  
 By: \_\_\_\_\_

**APPLICATION FOR PAYMENT - DETAILED SUMMARY**

PROJECT: Second & Wilson Streets Drainage Improvements  
 PROJECT NO.: 0917

APPLICATION NO. FINAL  
 APPLICATION DATE: 1/26/2011  
 CONTRACT DATE: 4/13/2010

A	B	C	D	E	F	G		H		I	J	K	L
						Quantity	Amount (GxE)	Quantity	Amount (GxE)				
Item No.	Item Description	Quantity	Units	Unit Price	Contract Amount (GxE)	From Previous Applications	This Period	Materials Stored (Not in H or J)	Completed & Stored To Date (H+J+K)				
1	Unclassified Excavation	1	LS	2,900.00	2,900.00	1	2,900.00		2,900.00				2,900.00
2	Excavation Below Subgrade & Additional Sub-Base	150	CY	11.00	1,650.00								0.00
3	18" Storm Sewer	200	LF	32.00	6,400.00	200	6,400.00		6,400.00				6,400.00
4	18" RCP Endwalls and Trash Guards	2	EA	800.00	1,600.00	2	1,600.00		1,600.00				1,600.00
5	15" Storm Sewer	301	LF	30.00	9,030.00	301	9,030.00		9,030.00				9,030.00
6	15" RCP Endwalls and Trash Guards	1	EA	625.00	625.00	1	625.00		625.00				625.00
7	12" Storm Sewer	445	LF	26.00	11,570.00	445	11,570.00		11,570.00				11,570.00
8	Storm Inlet	5	EA	1,280.00	6,400.00	5	6,400.00		6,400.00				6,400.00
9	Storm Manhole	2	EA	1,850.00	3,700.00	2	3,700.00		3,700.00				3,700.00
10	Drainage Swale	80	LF	10.00	800.00	80	800.00		800.00				800.00
11	Asphalt Driveway	117	SY	26.00	3,042.00	89.4	2,324.40		2,324.40				2,324.40
12	Gravel Driveway Restoration	47	SY	6.00	282.00								0.00
13	Concrete Driveway	41	SY	35.00	1,435.00	59.4	2,079.00		2,079.00				2,079.00
14	Asphaltic Pavement Restoration	748	SY	21.50	16,082.00	208.7	4,487.05		4,487.05				4,487.05
15	Curb & Gutter Type D, 30"	1160	LF	9.70	11,252.00	1162.4	11,275.28		11,275.28				11,275.28
16	Slit Fence	350	LF	1.50	525.00	20	30.00		30.00				30.00
17	Lawn Restoration	520	SY	4.00	2,080.00	1150.4	4,601.60		4,601.60				4,601.60
18	Granular Backfill, Storm Sewer	916	LF	2.00	1,832.00	916	1,832.00		1,832.00				1,832.00
19	Riprap	50	SY	6.00	300.00	50	300.00		300.00				300.00
20	Water Main Adjustment Allowance	1	LS	2,200.00	2,200.00	1	2,200.00		2,200.00				2,200.00
		1	LS	2,500.00	2,500.00		725.00		725.00				1,115.00
<b>PAGE TOTAL</b>					<b>86,205.00</b>		<b>72,879.33</b>		<b>390.00</b>		<b>0.00</b>		<b>73,269.33</b>

**APPLICATION FOR PAYMENT - DETAILED SUMMARY**

PROJECT: Second & Wilson Streets Drainage Improvements  
 PROJECT NO.: 0917

APPLICATION NO. FINAL  
 APPLICATION DATE: 1/26/2011  
 CONTRACT DATE: 4/13/2010

A	B	C	D	E		F	G			K	L	
				Bid			Work Completed					
Item No.	Item Description	Quantity	Units	Unit Price	Contract Amount (CxE)	From Previous Applications Amount (GXE)	Quantity	This Period Amount (IXE)	Materials Stored (Not in H or J)	Total Completed & Stored To Date (H+J+K)		
CHANGE ORDER NO. 1												
1	8" C-900 PVC Watermain	300	LF	28.00	8,400.00	288	7	8,064.00		8,064.00		
2	Water Services Saddle, corp stop, curb box	7	EA	450.00	3,150.00	7	3,150.00			3,150.00		
3	1" Water Service	250	LF	26.00	6,500.00	250	6,500.00			6,500.00		
4	8" Gate Valve with Box & adaptor	2	EA	1,295.00	2,590.00	2	2,590.00			2,590.00		
5	8"x8"x8" Tee	1	EA	490.00	490.00	1	490.00			490.00		
6	Water main Adjustment	-1	LS	2,200.00	-2,200.00	-1	-2,200.00			-2,200.00		
7	Connect to Existing Watermain	3	EA	525.00	1,575.00	3	1,575.00			1,575.00		
8	Saw Cutting Pavement for Water Services	100	LF	2.00	200.00	76	152.00			152.00		
9	Asphalt Pavement	560	SY	17.91	10,029.60	560	10,029.60			10,029.60		
10	12" Road Base over 8" Trench	180	Ton	10.25	1,845.00	128.94	1,321.64			1,321.64		
					32,579.60			31,672.24		0.00	31,672.24	
PAGE TOTAL										0.00	0.00	31,672.24

**APPLICATION FOR PAYMENT - DETAILED SUMMARY**

PROJECT: Second & Wilson Streets Drainage Improvements  
 PROJECT NO.: 0917

APPLICATION NO. FINAL  
 APPLICATION DATE: 1/26/2011  
 CONTRACT DATE: 4/13/2010

A	B	C	D	E		F	G		H		I	J	K	L
				Bid			Work Completed		Materials					
Item No.	Item Description	Quantity	Units	Unit Price	Contract Amount (CXE)	From Previous Applications Quantity	From Previous Applications Amount (GXE)	This Period Quantity	This Period Amount (JXE)	Stored (Not in H or J)				
CHANGE ORDER NO. 2														
1	18" RCP Storm Sewer	-200	LF	32.00	-6,400.00	-200	-6,400.00							
2	18" N-12 Storm Sewer	175	LF	29.00	5,075.00	150.00	4,350.00							
3	18" RCP Endwalls & Trash Guard	-2	EA	800.00	-1,600.00	-2	-1,600.00							
4	18" N-12 Endwall with Trash Guard	1	EA	600.00	600.00	1	600.00							
5	12" N-12 Storm Sewer	416	LF	23.00	9,568.00	434	9,982.00							
6	12" Storm Sewer	-416	LF	26.00	-10,816.00	-416	-10,816.00							
7	15" Storm Sewer	117	LF	30.00	3,510.00	117	3,510.00							
8	15" RCP Endwalls & Trash Guard	-1	EA	625.00	-625.00	-1	-625.00							
9	Storm Manhole	2	EA	1,850.00	3,700.00	2	3,700.00							
10	Drainage Swale	-80	LF	10.00	-800.00	-80	-800.00							
11	Water Services Saddle, Corp Stop, Curb Box	-3	EA	450.00	-1,350.00	-3	-1,350.00							
12	1" Type K Copper	-35	LF	26.00	-910.00	-35	-910.00							
CHANGE ORDER NO.3														
1	Pulverize Existing Pavement	1214	SY	4.25	5,159.50	862	3,663.50							
2	Fine Grade Base	1214	SY	1.35	1,638.90	1214	1,638.90							
3	Lower Layer Asphalt 1 3/4"	128	Ton	77.60	9,894.00	117.74	9,136.62							
4	Upper Layer Asphalt 1 3/4"	128	Ton	77.60	9,894.00	126.56	9,821.06							
5	15" Storm Sewer	-39.5	LF	30.00	-1,185.00	-39.5	-1,185.00							
6	Granular Backfill, Storm Sewer	-916	LF	2.00	-1,832.00	-916	-1,832.00							
7	Rip Rap	-29	SY	6.00	-174.00	-29	-174.00							
8	1" Water Copper Service	-78.9	LF	26.00	-2,051.40	-78.9	-2,051.40							
9	Allowance-Testing Reduction	-1	LS	725.00	-725.00	-1	-725.00							
10	Asphalt Pavement	-560	SY	17.91	-10,029.60	-560	-10,029.60							
				PAGE TOTAL	10,541.40		7,904.08		0.00			0.00		0.00
				TOTAL	129,326.00		112,455.65		390.00			0.00		112,455.65

**RESOLUTION 2011-01**  
**RESOLUTION FOR EXPENDITURE RESTRAINT**

The Common Council of the City of Princeton does hereby create resolution number 2011-01 as follows:

**WHEREAS**, the City of Princeton, Green Lake County is going through an audit of all financial records for the tax year 2010;

**WHEREAS**, the City of Princeton relies heavily on shared revenue from the State of Wisconsin;

**WHEREAS**, the City of Princeton is carefully reviewing its financial projects and future budgetary restraints;

**NOW THEREFORE, BE IT RESOLVED**, that the City of Princeton, Green Lake County does hereby institute a Budget Restraint Resolution which restricts the City of Princeton from any non essential expenditures to be determined by the Common Council and the City Administrator to pay for only essential services and emergency expenditures through the end of the 2011 fiscal year. The Common Council reserves the right to review this restraint at any time upon proper notice and hearing.

\_\_\_\_\_  
Robert Mosolf, Mayor

ATTEST:

\_\_\_\_\_  
John Weidl, City Administrator

AYES \_\_\_\_\_ NAYES \_\_\_\_\_  
Passed this \_\_\_ day of \_\_\_\_\_, 2011.  
Approved as to form:

\_\_\_\_\_  
Ludwig L. Wurtz, City Attorney

*2011 Budget*

-24-53000-130-000	SUPERVISOR RETIREMENT	\$1,323.00	\$900.00	\$1,284.38	\$1,189.56
-24-53000-131-000	SUPERVISOR HEALTH INSURANCE	\$1,900.00	\$1,300.00	\$2,000.00	\$1,996.39
-24-53000-132-000	SUPERVISOR UNIFORMS	\$60.00	\$60.00	\$0.00	\$100.53
-24-53000-150-000	SUPERVISOR SOCIAL SECURITY	\$746.00	\$100.00	\$796.88	\$704.56
-24-53000-390-000	SUPERVISOR MISCELLANEOUS	\$500.00	\$250.00	\$500.00	\$500.00
		\$14,475.00	\$8,610.00	\$13,956.25	\$13,898.58

-25-55140-351-000	PARKS COMMUNITY HALL REPAIRS	\$0.00	\$0.00	\$0.00	\$0.00
-25-55140-830-000	COMMUNITY HALL FUTURE PROJECTS	\$0.00	\$0.00	\$0.00	\$0.00
-2-5200-220-000	PARKS UTILITIES	\$2,500.00	\$2,250.00	\$2,500.00	\$2,743.54
-2-5200-340-000	PARKS OPERATING SUPPLIES	\$3,500.00	\$2,500.00	\$2,500.00	\$4,324.89
-25-55200-341-001	PARKS OPERATING EQUIPMENT	\$500.00	\$0.00	\$0.00	\$1,006.37
-25-55200-341-002	PARKS PLAYGROUND EQUIPMENT	\$2,500.00	\$0.00	\$0.00	\$0.00
-25-55200-360-000	PARKS REPAIRS & MAINTENANCE	\$1,500.00	\$1,500.00	\$3,500.00	\$9,349.01
-25-55200-830-000	PARKS FUTURE PROJECTS	\$0.00	\$0.00	\$0.00	\$0.00
-25-55300-340-000	PARKS CELEBRATIONS	\$5,000.00	\$5,000.00	\$5,000.00	\$8,225.91
		\$15,500.00	\$11,250.00	\$13,500.00	\$25,649.72

*This is the line item - \$4500.00 was given The past 2 years for 4th July*

-17-56400-110-000	ZONING ADMINISTRATOR SALARY	\$500.00	\$1,300.00	\$1,500.00	\$0.00
-17-56400-340-000	ZONING OPERATING SUPPLIES	\$100.00	\$1,750.00	\$500.00	\$0.00
		\$600.00	\$3,050.00	\$2,000.00	\$0.00

-100-56600-730-000	CITY SHARE OF GRANT PROJECT	\$0.00	\$0.00	\$0.00	\$0.00
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-1-5110-210-000	FORESTRY CONTRACTED LABOR	\$1,000.00	\$1,200.00	\$1,000.00	\$9,614.61
-1-20-56110-240-000	FORESTRY STUMP & TREE REMOVAL	\$500.00	\$500.00	\$1,000.00	\$1,740.00
-1-20-56110-340-000	FORESTRY TREES & BUSHES	\$4,500.00	\$4,500.00	\$5,000.00	\$3,604.82
-1-20-56110-390-000	FORESTRY GRASS CUTTING	\$0.00	\$0.00	\$0.00	\$0.00
		\$6,000.00	\$6,200.00	\$7,000.00	\$14,959.43

		\$6,600.00	\$9,250.00	\$9,000.00	\$14,959.43
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-1-1-57000-810-000	POLICE RADIOS	\$3,750.00	\$3,750.00	\$0.00	\$0.00
-1-18-57330-000-000	HIGHWAY/STREET CONSTRUCTION	\$329,325.00	\$0.00	\$0.00	\$0.00
-1-27-57340-830-000	STORM SEWER FUTURE CONSTRUCT	\$61,346.00	\$0.00	\$0.00	\$9,590.00
		\$394,421.00	\$3,750.00	\$0.00	\$9,590.00

-100-58100-000-000	GO DEBT PRINCIPAL	\$65,000.00	\$65,000.00	\$70,000.00	\$60,000.00
-100-58200-000-000	GO DEBT INTEREST	\$21,488.25	\$21,488.25	\$34,296.75	\$23,498.75

Address of Property 472 N Clinton St

Date of Snowfall 2-20-11

Date and Time Snowfall Ended 2-21-11

Amount of Snowfall 12' +

Date the Sidewalk was Shoveled and/or Salted 2-23-11

Time Sidewalk was Shoveled and/or Salted 10:37

Sidewalk was Shoveled and/or Salted By Greg Gary

Matt  
Schneider  
PO Box 134



Address of Property 462 N Clinton St

Date of Snowfall 2-20-11

Date and Time Snowfall Ended 2-21-11

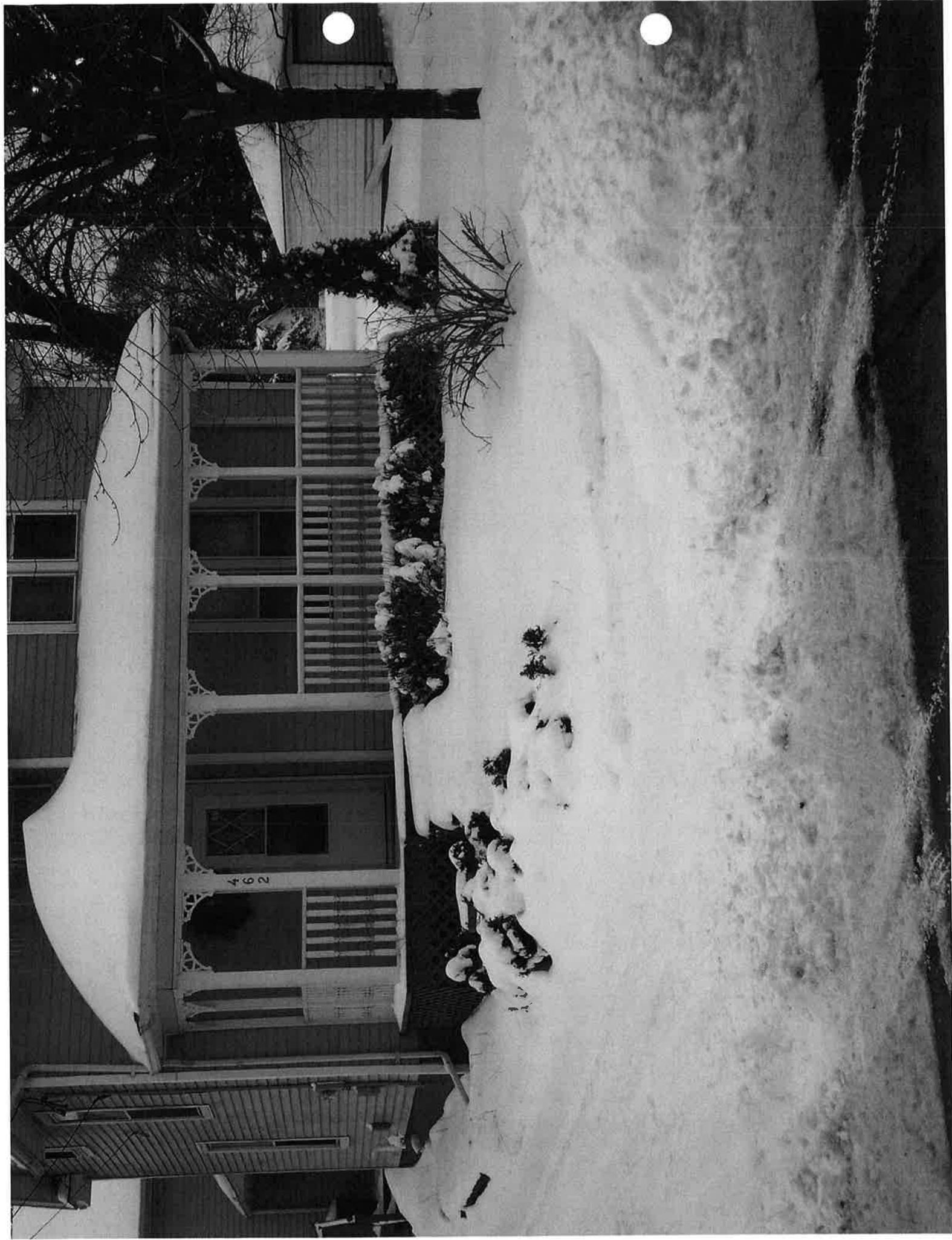
Amount of Snowfall 12" +

Date the Sidewalk was Shoveled and/or Salted 2-23-11

Time Sidewalk was Shoveled and/or Salted 10:40

Sidewalk was Shoveled and/or Salted By Greg Garg

Erin  
Murphy



# CITY OF PRINCETON

*Mayor*  
Bob Mosolf

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*City Alderpersons*  
Dave Bednarek  
Patti Garro  
Greg Hardt  
Jasper Kallenbach  
Victor Magnus  
Ernie Pulvermacher

*City Administrator*  
John S. Weidl

To: Mayor Robert Mosolf and Princeton City Alderpersons  
From: Chief Matthew Bargaquast  
Date: 3/3/2011  
RE: Sex Offender Ordinance

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**Issue:**

Ordinance to create Title 11 Chapter 8 Sex Offender Child Safety Zones

**Impact:**

This chapter is a regulatory measure aimed at protecting the health and safety of children in Princeton from the risk that convicted sex offenders may re-offend in locations where children tend to congregate or be regularly present. The City finds and declares that sex offenders are a serious threat to public safety. When convicted sex offenders re-enter society, they are much more likely than any other type of offender to be re-arrested for a new rape or sexual assault. Given the high rate of recidivism for sex offenders and that reducing opportunity and temptation is important to minimizing the risk of re-offense, there is a need to protect children where they congregate or play in public places in addition to the protections afforded by state law near schools, day care centers and other places children frequent. The City finds and declares that in addition to schools, libraries and day care centers, children congregate or play at public parks.

**Recommendation:**

To create the attached ordinance as written Title 11 Chapter 8 Sex Offender Child Safety Zones.

**ORDINANCE NO. 2011-01**

**ORDINANCE TO CREATE TITLE 11 CHAPTER 8  
SEX OFFENDER CHILD SAFETY ZONES  
OF THE MUNICIPAL CODE OF  
THE CITY OF PRINCETON, WISCONSIN**

**WHEREAS**, the Common Council for the City of Princeton is desirous to create Title 11 Chapter 8 Sex Offender Child Safety Zones of the Municipal Code; and

**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PRINCETON, WISCONSIN THAT TITLE 11 CHAPTER 8 SEX OFFENDER CHILD SAFETY ZONES IS CREATED TO READ AS FOLLOWS:**

**SEX OFFENDER CHILD SAFETY ZONES**

11-8-1 Purpose

11-8-2 Definitions

11-8-3 Child Safety Zones

11-8-4 Child Safety Zones Exceptions

11-8-4 Child Safety Zone Violations

**11-8-1 Purpose.**

This chapter is a regulatory measure aimed at protecting the health and safety of children in Princeton from the risk that convicted sex offenders may re-offend in locations where children tend to congregate or be regularly present. The City finds and declares that sex offenders are a serious threat to public safety. When convicted sex offenders re-enter society, they are much more likely than any other type of offender to be re-arrested for a new rape or sexual assault. Given the high rate of recidivism for sex offenders and that reducing opportunity and temptation is important to minimizing the risk of re-offense, there is a need to protect children where they congregate or play in public places in addition to the protections afforded by state law near schools, day care centers and other places children frequent. The City finds and declares that in addition to schools, libraries and day care centers, children congregate or play at public parks.

**11-8-2 Definitions.**

As used in this chapter and unless the context otherwise requires:

A sexually violent offense shall have the meaning as set forth in Wis. Stats. §980.01(6) as amended from time to time.

A crime against children shall mean any of the following offenses set forth within the Wisconsin Statutes, as amended, or the laws of this or any other state or the federal government having like elements necessary for conviction, respectively:

Wis. Stats. §940.225(1) First Degree Sexual Assault

Wis. Stats. §940.225(2) Second Degree Sexual Assault

Wis. Stats. §940.225(3) Third Degree Sexual Assault

Wis. Stats. §940.22(2) Sexual Exploitation by Therapist

Wis. Stats. §940.30 False Imprisonment - Victim was a minor and not the offender's child  
Wis. Stats. §940.31 Kidnapping - Victim was a minor and not the offender's child  
Wis. Stats. §944.01 Rape (prior statute)  
Wis. Stats. §944.06 Incest  
Wis. Stats. §944.10 Sexual Intercourse with a child (prior statute)  
Wis. Stats. §944.11 Indecent behavior with a child (prior statute)  
Wis. Stats. §944.12 Enticing child for immoral purposes (prior statute)  
Wis. Stats. §948.02(1) First Degree Sexual Assault of a child  
Wis. Stats. §948.02(2) Second Degree Sexual Assault of a child  
Wis. Stats. §948.025 Engaging in repeated acts of sexual assault of the same child  
Wis. Stats. §948.05 Sexual exploitation of a child  
Wis. Stats. §948.055 Causing a child to view or listen to sexual activity  
Wis. Stats. §948.06 Incest with a child  
Wis. Stats. §948.07 Child enticement  
Wis. Stats. §948.075 Use of a computer to facilitate a child sex crime  
Wis. Stats. §948.08 Soliciting a child for prostitution  
Wis. Stats. §948.095 Sexual assault of a student by school instructional staff  
Wis. Stats. §948.1 1(2)(a) or (am) Exposing child to harmful material - felony sections  
Wis. Stats. §948.12 Possession of child pornography  
Wis. Stats. §948.13 Convicted child sex offender working with children  
Wis. Stats. §948.30 Abduction of another's child  
Wis. Stats. §971.71 Not guilty by reason of mental disease - of an included offense  
Wis. Stats. §975.06 Sex crimes law commitment

Person means a person who has been convicted of or has been found delinquent of or has been found not guilty by reason of disease or mental defect of a sexually violent offense and/or a crime against children, or otherwise required to register as a sex offender under Wis. Stats. §301.45.

Residence means the place where a person sleeps, which may include more than one location, and may be mobile or transitory.

### **11-8-3 Child Safety Zones.**

No person shall enter or be present upon, or be within 1000 feet of the closest point of, any real property upon which there exists any facility used for or which supports a use of:

A public park, parkway, parkland, park facility;

A public swimming pool;

A public library;

A recreational trail;

A public playground;

A school for children;

Athletic fields used by children;

A movie theatre;

A day care center;

Any specialized school for children, including, but not limited to, a gymnastics academy, dance academy or music school;

Aquatic facilities open to the public;

A church, synagogue, mosque, temple or other house of religious worship (collectively "church"); and

Any facility for children (which means a public or private school, a group home as defined in Wis. Stats. §48.02(7),

A residential care center for children and youth as defined in Wis. Stats. §48.02(15d),

A shelter care facility as defined in Wis. Stats. §48.02(6),

A treatment foster home as defined in Wis. Stats. §48.02(17q),

A day care center licensed under Wis. Stats. §48.65, a day care program established under Wis. Stats. §120.13(14), a day care provider certified under Wis. Stats. §48.651, or a youth center as defined in Wis. Stats. §961.02(22)).

A map, as amended from time to time, depicting the locations of the real property supporting the above enumerated uses, and the 1000 foot restricted areas surrounding thereof, shall be kept on file in the police department for public inspection.

The distance shall be measured from the closest boundary line of the real property supporting the residence of a person to the closest real property boundary line of the applicable above-enumerated use(s).

#### **11-8-4 Child Safety Zones Exceptions.**

A person does not commit a violation of Sec. 11-8-3 above and the enumerated uses may allow such person on the property supporting such use or within the 1000-foot restricted area surrounding thereof, if any of the following apply:

(1) The property supporting an enumerated use under Sec. 11-8-3 also supports a church lawfully attended by a person as a congregation member and the following conditions apply:

a. Entrance and presence upon the property, or within the 1000 foot restricted area surrounding thereof, occurs only during hours of worship or other religious program/service as posted to the public; and

b. Written advance notice is made from the person to an individual in charge of the church and approval from an individual in charge of the church as designated by the church is made in return, of the attendance by the person; and

c. The person shall not participate in any religious education programs which include individuals under the age of 18.

(2) The property supporting an enumerated use under Sec. 11-8-3 also supports a use lawfully attended by a person's natural or adopted child(ren), which child's use reasonably requires the attendance of the person as the child's parent upon the property or within the 1000-foot restricted area surrounding thereof, subject to the following conditions:

a. Entrance and presence upon the property, or within the 1000-foot restricted area surrounding thereof, occurs only during hours of activity related to the use as posted to the public; and

b. Written advance notice is made from the person to an individual in charge of the use upon the property and approval from an individual in charge of the use upon the property as designated by the owner of the use upon the property is made in return, of the attendance by the person.

The property supporting an enumerated use under Sec. 11-8-3 also supports a polling location in a local, state or federal election, subject to the following conditions:

- a. The person is eligible to vote;
- b. The designated polling place for the person is an enumerated use; and
- c. The person travels directly to and enters the polling place property, proceeds to cast a ballot with whatever usual and customary assistance is provided to any member of the electorate; and the person vacates the property, and the 1000-foot restricted area surrounding thereof, immediately after voting.

(4) The property supporting an enumerated use under Sec. 11-8-3 also supports an elementary or secondary school lawfully attended by a person as a student, under which circumstances the person who is a student may enter upon that property, or within the 1000-foot restricted area surrounding thereof, supporting the school at which the person is enrolled, as is reasonably required for the educational purposes of the school.

(5) The person is on the property which the person's residence is located and that property is located within the 1000-foot restricted area surrounding a property supporting an enumerated use under Sec. 11-8-3 only if the person's residence has continuously been on such property since prior to the adoption of this article.

(6) The person is actually engaged in travel to or from the person's residence excepted under Sec. 11-8-3 only under the following conditions:

- a. There is no other route upon a city highway available to the person which avoids entering a restricted area under Sec. 11-8-3; and
- b. The person does not stop, linger, loiter, wander, stroll or stand for a period of time or take any other action which would be inconsistent with the purpose of continuing the immediate pursuit of travel to or from the person's residence.
- c. The person is on a city highway while actually engaged in interstate travel, so long as the person does not stop, linger, loiter, wander, stroll or stand for a period of time or take any other action which would be inconsistent with the purpose of continuing the immediate pursuit of such interstate travel.
- d. The presence of the person is necessitated by an emergency situation in which property or human life are in jeopardy, and the prompt summoning or rendering of aid is essential.

The person is required to serve a sentence at a jail, prison, juvenile facility or other correctional institution or facility.

Under a permit granted by the Common Council upon recommendation from the Chief of Police or his or her designee. A permit shall only be issued upon a determination that the permitted activities of the person will not likely lead to a disruption of the stated purpose of this article. The Chief of Police, or his or her designee, shall establish an application process and permit form consistent with this purpose, which process and permit form shall be approved by the Common Council. The Chief of Police, or his or her designee, shall have the power to revoke or temporarily suspend a permit issued hereunder if, in his or her opinion, the activities of the permit holder are not in compliance with the terms and conditions of this article or the permit granted, or circumstances have changed from the date of initial permit issuance whereby the permitted activities will constitute an unreasonable safety hazard to the general public or will otherwise lead to a disruption of the stated purpose of this article. Further, any permit granted hereunder may be revoked or temporarily suspended by the Chief of Police, or his or her designee, if the permit holder commits a crime or violates any other City ordinance as a result of or during the permitted activities hereunder. The decision of the Chief of Police, or his or her designee, to revoke or suspend a permit hereunder shall be final, subject only to review by the Common Council under Wis. Stats. Ch. 68.

**11-8-5 Child Safety Zone Violations.**

Persons violating this article shall be subject to the general penalty provisions set forth under Sec. 1-1-7 of the Code of Ordinances.

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John Weidl, City Administrator

ATTEST:

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AYES \_\_\_\_\_ NAYES \_\_\_\_\_  
PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.  
PUBLISHED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.