OSHKOSH COMMON COUNCIL AGENDA
COUNCIL CHAMBERS, CITY HALL
OSHKOSH, WISCONSIN
September 23, 2025

Mission: The City of Oshkosh provides goods and services in pursuit of a safe and vibrant community
Vision: A thriving and sustainable community offering abundant opportunities for work and life

If anyone requires reasonable ADA accommodations, please contact the office of the City Manager at citymgr@oshkoshwi.gov, or phone 920-236-5002.

To send written correspondence to the Council, mail it to the City Manager, place it in the City Hall dropbox, or email it to council@oshkoshwi.gov (prior to the Council meeting).

A. ***CALL TO ORDER*** (6:00 p.m.)

B. ***ROLL CALL***

C. ***INVOCATION - VOTING FIRST***
Councilor Nichols
Invocation #2

D. ***PLEDGE OF ALLEGIANCE***
Read Elementary School

E. ***PROCLAMATION ISSUED***
(Issued ahead of meeting)
Extra Mile Day, November 1, 2025

F. ***PUBLIC STATEMENTS TO COUNCIL***
(The public is to address the Council only. Statements are limited to five (5) minutes; they must address items that are not listed on the Council meeting agenda, are limited to issues that have an impact on the City of Oshkosh and the Common Council may address at a future meeting, and must not include endorsements of any candidates or other electioneering). If you require more time, please inform the Mayor at the beginning of your presentation.

G. ***CONSENT AGENDA ITEMS***
(Consent Agenda items are those items of a routine administrative nature that are voted on by the Council in a single roll call vote. Staff recommends approval of all items. Any member of the public or Common Council may request that an item be removed from the Consent Agenda for discussion.)

1.		Report of Bills
2.		Approve Common Council Meeting Minutes 09.09.25
3.		Receipt & Filing of Claim Filed with the City's Insurance Company -- Kyle Corrigan
4.	Res 25-482	Disallowance of Claim -- Kyle Corrigan
5.	Res 25-483	Renewal of Winnebago County and City of Oshkosh Inter-Agency Agreement for Haz-Mat Response Services
6.	Res 25-484	Approve budget amendment to the 2025 Fire Department's operations budget for fire equipment purchases
7.	Res 25-485	Approve Renewal of Employee Health and Dental Insurance for 2026
8.	Res 25-486	Approve Labor Contract with International Association of Fire Fighters (IAFF) Local 316 for years 2024, 2025 & 2026
9.	Res 25-487	Approve Budget Amendment to Police Special Funds
10.	Res 25-488	Approve Budget Amendment to Police Department Evidence Security Project
11.	Res 25-489	Approve Master Agreement with town sanitary districts (October 1, 2025 through December 31, 2045)
12.	Res 25-490	Approve General Development Plan and Specific Implementation plan for a building entrance landing and ramp at 608 Jefferson Street (Victory Baptist Church) and adjacent property located at the northeast corner of Jefferson Street and East Parkway Avenue (Plan Commission recommends approval)
13.	Res 25-491	Approve Specific Implementation Plan for a drive-through car wash at 1700 South Koeller Street (Plan Commission recommends approval)
14.	Res 25-492	Approve Block Party - Jen Sullivan to utilize 12th Avenue for their neighborhood block party, October 25, 2025
15.	Res 25-493	Approve Special Event - Downtown Oshkosh Business Improvement District (BID) to utilize City streets, parking lots and Opera House Square for the Downtown Oshkosh Holiday Parade & Tree Lighting, December 4, 2025
16.	Res 25-494	Approve Special Event - Corner Bar & Grill to host their 5th Anniversary Celebration in the 2090 W. 9th Avenue parking lot, October 4, 2025
17.	Res 25-495	Approve Special Event - VenuWorks of Oshkosh, LLC to host the Broadway Rock of Ages concert at their facility (1212 N. Main St.), October 18, 2025
18.	Res 25-496	Approve Special Event - VenuWorks of Oshkosh, LLC to host the Kansas w/Blue Oyster Cult concert, November 8, 2025
19.	Res 25-497	Approve Special Event - VenuWorks of Oshkosh, LLC to host the Crazy

Train - The Ozzy Experience concert, December 3, 2025

20. Res 25-498 Approve Special Event - VenuWorks of Oshkosh, LLC to host the Harlem Globetrotters, December 31, 2025

21. Res 25-499 Approve agent change for R-Store Nos. 4520, 4521, 4522, 4523
Class A Combination
Agent: Regina Nievinski
Addresses: R-Store #4520 (305 Ohio St); R-Store #4521 (708 W Murdock Ave); R-Store #4522 (1623 Bowen St); and R-Store #4523 (208 Bowen St)

22. Res 25-500 Approve conditional surrender of Combination "Class B" Beer/liquor License and issuance of Combination "Class B" Beer/liquor License (Kim Wagnernese/ Evergreen Hospitality LLC, 3105 S Washburn St, Oshkosh to Mitul Patel AJJ Oshkosh Hospitality LLC, 3105 S Washburn St, Oshkosh)

H. ITEMS REMOVED FROM CONSENT AGENDA

I. PENDING ORDINANCES

23. Ord 25-501 Approve zone change from Two Flat Residential-10 District (TR-10) and Central Mixed-Use District (CMU) to Two Flat Residential-10 District with a Planned Development Overlay (TR-10-PD) for select properties located on the south side of the 100 block of West 8th Avenue and the north side of the 100 block of West 9th Avenue between Oregon Street and Nebraska Street (Plan Commission recommends approval)

24. Ord 25-502 Approve zone change from Heavy Industrial District (HI) to Heavy Industrial District with a Planned Development Overlay (HI-PD) at 2751 Universal Street (Plan Commission recommends approval)

25. Ord 25-503 Amend Chapter 13 of the City of Oshkosh Municipal Code Pertaining to Fire Prevention and Protection to Adopt Updated Provisions from the International Fire Code and Clarify Provisions Pertaining to Responsibility for Compliance and Fireworks

J. NEW ORDINANCES *(NOTE: It is anticipated that there will be no formal action taken at this meeting on items marked with an asterisk (*) unless Council formally waives the rules.)*

26. *Ord 25-504 Designate 20th Avenue and the east driveway of Traeger School as Traffic Controlled Intersection per Section 27A-7 of the Municipal Code

27. *Ord 25-505 Amend Section 27-36(j)(2)(c) of the City of Oshkosh Municipal Code pertaining to Parking Permits within Municipal Parking Lots and Repeal Section 27-36(e) pertaining to Hours of Enforcement within Municipal Parking Lots

28. *Ord 25-506 Amend Sections 2-19, 2-20 and Create Chapter 2 Article VII-1 of the City of Oshkosh Municipal Code all Pertaining to Creation and Enforcement of Rules on City Properties

29. *Ord 25-507 Amend Section 2-10(A) of the City of Oshkosh Municipal Code to remove the requirement that the annual Council Organizational Meeting be held at 12:00 noon

30. *Ord 25-508 Amend Section 2-16(B) of the City of Oshkosh Municipal Code to eliminate the requirement for two readings of ordinances prior to adoption

K. ***NEW RESOLUTIONS***

31. Res 25-509 Approve General Development Plan and Specific Implementation Plan for a building expansion at 2751 Universal Street (Plan Commission recommends approval)

32. Res 25-510 Approve General Development Plan for a multi-family development located on the south side of the 100 block of West 8th Avenue and the north side of the 100 block of West 9th Avenue (Plan Commission recommends approval)

33. Res 25-511 Adopt 2026 calendar of Council meetings

34. Res 25-512 Approve Ambulance Service Agreement for 2026 with the Town of Algoma

35. Res 25-513 Approve Utility Undergrounding Policy

L. ***COUNCIL DISCUSSION, DIRECTION TO CITY MANAGER & FUTURE AGENDA ITEMS***

36. ***Discussion and Direction to City Manager***

37. ***Future Agenda Items, Meetings, and Workshops***

A. Budget Workshops:

- Tuesday, October 14, 2025, 4-6pm
- Wednesday, October 15, 2025, 5-7pm (if needed)

B. 2026 Operations Budget Public Hearing, October 28, 2025, 5pm

M. ***COUNCIL MEMBER ANNOUNCEMENTS & STATEMENTS***

N. ***CITY MANAGER ANNOUNCEMENTS & STATEMENTS***

38. Removal of 1915 Fire Engine from Municipal Collection

39. Current Initiatives

O. ***MOTION TO GO INTO CLOSED SESSION*** (Room 402, City Hall)
The Common Council may convene in closed session pursuant to Section 19.85(1)(c) of the Wisconsin State Statutes to consider employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility (specifically, the quarterly review of the City Manager).

P. ***ADJOURN***

TO: Honorable Mayor and Members of the Common Council
FROM: Julie Calmes, Director of Finance
DATE: September 23, 2025
SUBJECT: Report of Bills

Background

The items below are being presented for approval by the Oshkosh Common Council. These items have been properly audited and certified by the City Comptroller and are herewith submitted for your allowance in the amount of $21,054,529.34

Bills paid September 5 and 12, 2025	$3,928,544.98
Payroll paid September 12, 2025	$1,221,240.01
Regular cycle payables paid throughout the month of August	$14,952,721.27
Regular UMR payables paid throughout the month of August	$952,023.08

Attachments

09052025 Check run
August 2025 UMR
09122025 Check run
August 2025 Vouchers

CHECK NUMBER	CHECK DATE	VENDOR NAME	AMOUNT
14344	09/05/2025	AIRGAS USA LLC	3,500.77
14345	09/05/2025	ALL TRAFFIC SOLUTIONS INC	3,000.00
14346	09/05/2025	BAYCOM INC	1,341.25
14347	09/05/2025	BROOKS TRACTOR INC	11,997.98
14348	09/05/2025	BROWN AND CALDWELL	3,191.43
14349	09/05/2025	CHEMTRADE CHEMICALS US LLC	4,561.37
14350	09/05/2025	CINTAS CORPORATION NO 2	597.32
14351	09/05/2025	COMMUNICATIONS ENGINEERING CO	785.50
14353	09/05/2025	DR HANSEN PLUMBING LLC	5,400.00
14354	09/05/2025	ENERGENECS INC	893.64
14355	09/05/2025	FOUNDATION BUSINESS SYSTEMS LLC	890.00
14356	09/05/2025	FULL SERVICE ORGANICS MANAGEMENT LLC	32,342.97
14357	09/05/2025	GARROW OIL CORP	44,746.92
14358	09/05/2025	GROUND EFFECTS OF WI INC	165.00
14359	09/05/2025	HAROLD CARPENTER AND COMPLETE OVERHEAD	624.00
14360	09/05/2025	HOLIDAY WHOLESALE	6,277.59
14361	09/05/2025	HOWARD ALLEN DAVIS	1,562.50
14363	09/05/2025	JACOBS ENGINEERING GROUP	2,772.50
14364	09/05/2025	J F AHERN CO	330.00
14365	09/05/2025	JFTCO INC	5,352.30
14367	09/05/2025	KEMIRA WATER SOLUTIONS INC	10,200.24
14368	09/05/2025	KONE INC	1,486.08
14369	09/05/2025	MACQUEEN EQUIPMENT GROUP	108.96
14370	09/05/2025	MICHELS ROAD AND STONE, INC	805.41
14371	09/05/2025	MILPORT ENTERPRISES INC	19,207.12
14372	09/05/2025	MSA PROFESSIONAL SERVICES INC	544.00
14373	09/05/2025	NORTHERN LAKE SERVICE INC	2,485.08
14374	09/05/2025	OSHKOSH CONVENTION AND VISITORS BUREAU INC	3,648.15
14375	09/05/2025	OTIS ELEVATOR COMPANY	11,109.00
14376	09/05/2025	PLYMOUTH LUBRICANTS	5,327.47
14377	09/05/2025	POESCHL PRINTING COMPANY INC	724.00
14378	09/05/2025	POMP'S TIRE SERVICES INC	2,881.88
14379	09/05/2025	PROFESSIONAL SVC INDUSTRIES	23,405.17
14380	09/05/2025	QUALITY TRUCK CARE CENTER INC	359,303.93
14381	09/05/2025	SEILER INSTRUMENT AND MFG CO INC	1,660.00
14382	09/05/2025	SERVICEMASTER BLDG MAINTENANCE	4,820.00
14383	09/05/2025	STORM COMPANIES INC	3,461.00
14384	09/05/2025	UNITED PARCEL SERVICE	93.54
14385	09/05/2025	WALLY SCHMID EXCAVATING INC	5,400.00
14386	09/05/2025	WI PUBLIC SERVICE CORP	16,962.08
14387	09/05/2025	WINDOW GENIE OF APPLETON AND OSHKOSH	1,100.00
14388	09/05/2025	WINNEBAGO COUNTY TREASURER	1,437.86
14389	09/05/2025	ZOLL MEDICAL CORPORATION	1,228.36
5006625	09/05/2025	HYDRO CORP	8,781.00
5006626	09/05/2025	JOHNSON CONTROLS US HOLDINGS LLC	2,115.11
5006627	09/05/2025	ADVANCE CONSTRUCTION INC	993,576.98
5006628	09/05/2025	ADVANTAGE PEST CONTROL	312.00
5006629	09/05/2025	ALEXANDER CHEMICAL CORPORATION	12,708.00
5006630	09/05/2025	MARK BIGGAR	16,086.03
5006631	09/05/2025	BOUND TREE MEDICAL LLC	671.80
5006632	09/05/2025	BRENNEN BUCK	66.23

5006633	09/05/2025	LEONARD CHAMPION	140.00
5006634	09/05/2025	COMMON SCHOOL FUND	473.00
5006635	09/05/2025	D AND K RENTALS	150.00
5006636	09/05/2025	DAY BY DAY SHELTER INC	19,549.79
5006637	09/05/2025	DAVID W STOKES	558.00
5006638	09/05/2025	GIZMO OSHKOSH LLC	13,447.87
5006639	09/05/2025	GUARANTY CLOSING AND TITLE SERVICES INC	5,000.00
5006640	09/05/2025	GUNDERSON CLEANERS INC	1,129.18
5006641	09/05/2025	HARMONY POWELL	50.00
5006642	09/05/2025	IMAGETREND INC	1,000.00
5006643	09/05/2025	INFOUSA MARKETING INC	741.00
5006644	09/05/2025	JACOB FANNIN	400.00
5006645	09/05/2025	JEROME M EATON	350.00
5006646	09/05/2025	JX ENTERPRISES INC	779.81
5006647	09/05/2025	A. KALMERTON WELDING SUPPLIES	261.77
5006648	09/05/2025	KEITH NORKOFSKI	115.00
5006649	09/05/2025	KIESLER POLICE SUPPLY INC	1,144.00
5006650	09/05/2025	LANGE ENTERPRISES	421.28
5006651	09/05/2025	LEGAL FILES SOFTWARE INC	10,453.00
5006652	09/05/2025	MONROE FABRICATION LLC	6,128.74
5006653	09/05/2025	NAPA AUTO PARTS	356.81
5006654	09/05/2025	ASHLEY R WILTZIUS	52.84
5006655	09/05/2025	DEB MUGERAUER	15.00
5006656	09/05/2025	DEMPSEY LAW FIRM LLP	1,008.00
5006657	09/05/2025	ENTRUST TITLE GROUP INC	83.51
5006658	09/05/2025	FIRST AMERICAN TITLE INSURANCE CO	74.47
5006659	09/05/2025	GUARANTY CLOSING & TITLE SERVICES	336.09
5006660	09/05/2025	HYDRAULIC ENGINEERING SERVICES INC	1,425.60
5006661	09/05/2025	JOYCE POKRANDT	30.00
5006662	09/05/2025	JULES ROBERTS-BETT	42.55
5006663	09/05/2025	MATTHEW C LENOX	93.63
5006664	09/05/2025	MICHAELS SALON & SUITES LLC	53.13
5006665	09/05/2025	P.H.H.G., LLC	731.34
5006666	09/05/2025	ROBERT OR CORRIE HEARN JR	46.72
5006667	09/05/2025	ROBERT POLLNOW	50.49
5006668	09/05/2025	SAMANTHA TEAL	66.96
5006669	09/05/2025	SOUTH PARK TIC GROUP	7.31
5006670	09/05/2025	SWANSON SWEET LLP	756.00
5006671	09/05/2025	TAMARA YBARRA	126.00
5006672	09/05/2025	TITAN PROPERTY MANAGEMENT LLC	86.00
5006673	09/05/2025	WALTER H DIES	59.94
5006674	09/05/2025	WINNEBAGO CO HISTORICAL SOCIETY	60.00
5006675	09/05/2025	OSHKOSH AREA HUMANE SOCIETY	366.00
5006676	09/05/2025	CITY OF OSHKOSH	442.00
5006677	09/05/2025	PALE BLUE DOT LLC	20,878.80
5006678	09/05/2025	NADINE M HUTMAKER	2,750.00
5006679	09/05/2025	REALTORS ASSOCIATION OF NORTHEAST WISCONSIN INC	325.00
5006680	09/05/2025	SCHMITT TITLE LLC	60.00
5006681	09/05/2025	T MOBILE	12,843.07
5006682	09/05/2025	ANN YORK	600.00
5006683	09/05/2025	THE WISCONSIN PARTNERSHIP FOR HOUSING DEV INC	249,500.00
5006684	09/05/2025	TODD MUEHRER	18.90

5006685	09/05/2025	TOTAL SECURITY AND SAFETY INC	6,510.00
5006686	09/05/2025	TRUCK COUNTRY OF WISCONSIN INC	291,849.30
5006687	09/05/2025	US BANK TRUST	575.00
			2,296,622.42

CHECK NUMBER	CHECK DATE	CHECK TYPE	VENDOR NUMBER	VENDOR NAME	AMOUNT
112681	08/04/2025	MANUAL	27018	UMR	1,569.67
112691	08/04/2025	MANUAL	27018	UMR	35,221.10
112701	08/04/2025	MANUAL	27018	UMR	27.60
112711	08/04/2025	MANUAL	27018	UMR	264.96
112721	08/04/2025	MANUAL	27018	UMR	134.64
112731	08/04/2025	MANUAL	27018	UMR	1,120.74
112741	08/04/2025	MANUAL	27018	UMR	97.18
112751	08/04/2025	MANUAL	27018	UMR	52.30
112761	08/11/2025	MANUAL	27018	UMR	88,063.09
112771	08/11/2025	MANUAL	27018	UMR	342.04
112781	08/11/2025	MANUAL	27018	UMR	118.68
112791	08/11/2025	MANUAL	27018	UMR	27.60
112801	08/11/2025	MANUAL	27018	UMR	86.25
112811	08/11/2025	MANUAL	27018	UMR	27.60
112821	08/11/2025	MANUAL	27018	UMR	55.20
112831	08/11/2025	MANUAL	27018	UMR	172.50
112841	08/11/2025	MANUAL	27018	UMR	102.60
112851	08/11/2025	MANUAL	27018	UMR	27.60
112861	08/11/2025	MANUAL	27018	UMR	215.01
112871	08/11/2025	MANUAL	27018	UMR	118.68
112881	08/11/2025	MANUAL	27018	UMR	17,954.20
112891	08/11/2025	MANUAL	27018	UMR	527.48
112901	08/18/2025	MANUAL	27018	UMR	86.25
112911	08/18/2025	MANUAL	27018	UMR	27.60
112921	08/18/2025	MANUAL	27018	UMR	306.90
112931	08/18/2025	MANUAL	27018	UMR	15.75
112941	08/18/2025	MANUAL	27018	UMR	77.40
112951	08/18/2025	MANUAL	27018	UMR	33.75
112961	08/18/2025	MANUAL	27018	UMR	15.75
112971	08/18/2025	MANUAL	27018	UMR	691.65
112981	08/18/2025	MANUAL	27018	UMR	237.60
112991	08/18/2025	MANUAL	27018	UMR	54.90
113001	08/18/2025	MANUAL	27018	UMR	15.75
113011	08/18/2025	MANUAL	27018	UMR	15.75
113021	08/18/2025	MANUAL	27018	UMR	56.25
113031	08/18/2025	MANUAL	27018	UMR	47.25
113041	08/18/2025	MANUAL	27018	UMR	100.35
113051	08/18/2025	MANUAL	27018	UMR	16.20
113061	08/18/2025	MANUAL	27018	UMR	2,884.00
113071	08/18/2025	MANUAL	27018	UMR	27.83
113081	08/18/2025	MANUAL	27018	UMR	521.26
113091	08/25/2025	MANUAL	27018	UMR	105,149.52
113101	08/25/2025	MANUAL	27018	UMR	40.00
113111	08/25/2025	MANUAL	27018	UMR	66.60
113121	08/25/2025	MANUAL	27018	UMR	33.75
113131	08/25/2025	MANUAL	27018	UMR	27.90
113141	08/25/2025	MANUAL	27018	UMR	126.00
113151	08/25/2025	MANUAL	27018	UMR	77.40
113161	08/25/2025	MANUAL	27018	UMR	15.75
113171	08/25/2025	MANUAL	27018	UMR	15.75
113181	08/25/2025	MANUAL	27018	UMR	33.75
113191	08/25/2025	MANUAL	27018	UMR	821.25
113201	08/25/2025	MANUAL	27018	UMR	56.25
113211	08/25/2025	MANUAL	27018	UMR	237.60
113221	08/25/2025	MANUAL	27018	UMR	66.15
113231	08/25/2025	MANUAL	27018	UMR	118.35
113241	08/25/2025	MANUAL	27018	UMR	294.30
113251	08/25/2025	MANUAL	27018	UMR	15.75
990804251	08/04/2025	MANUAL	27018	UMR	7,902.87
990811251	08/11/2025	MANUAL	27018	UMR	4,614.17
990818251	08/18/2025	MANUAL	27018	UMR	3,274.82
990825251	08/25/2025	MANUAL	27018	UMR	2,843.46
999080425	08/04/2025	MANUAL	27018	UMR	128,762.10
999081125	08/11/2025	MANUAL	27018	UMR	121,362.28
999081825	08/18/2025	MANUAL	27018	UMR	212,010.58
999082525	08/25/2025	MANUAL	27018	UMR	212,497.82
				TOTAL	$ 952,023.08

CHECK NUMBER	CHECK DATE	VENDOR NAME	AMOUNT
14390	09/10/2025	AIRGAS USA LLC	3,442.81
14391	09/10/2025	ALRO STEEL CORPORATION	889.09
14392	09/10/2025	AQUATIC INFORMATICS INC	2,311.98
14393	09/10/2025	AURORA HEALTH CARE	757.00
14394	09/10/2025	BADGER LAB & ENGINEERNG CO INC	9,238.00
14395	09/10/2025	BAKER & TAYLOR BOOKS	1,328.66
14396	09/10/2025	CARYN BEHLMAN	88.20
14397	09/10/2025	CENTRAL TEMP EQUIP SRVC INC	337.50
14398	09/10/2025	CHEMTRADE CHEMICALS US LLC	4,561.37
14399	09/10/2025	CINTAS CORPORATION NO 2	679.91
14400	09/10/2025	CONSTELLATION ENERGY SERVICES	1,379.48
14401	09/10/2025	CONVERGENT CLAIMS SERVICES, LLC	51.60
14402	09/10/2025	DFI SOLUTIONS IN PRINT INC	4,217.47
14403	09/10/2025	DORNER INC	527,658.74
14404	09/10/2025	EMMONS BUSINESS INTERIORS	818.85
14405	09/10/2025	ENERGY CONTROL AND DESIGN INC	2,467.74
14406	09/10/2025	ENTRANCE TECHNOLOGIES 1, LLC	220.00
14407	09/10/2025	ENVIROTECH EQUIPMENT	73.87
14408	09/10/2025	ENVISIONINK PRINTING SOLUTIONS INC	345.45
14409	09/10/2025	CENGAGE LEARNING INC	91.46
14410	09/10/2025	GANNETT WISCONSIN LOCALIQ	1,536.66
14411	09/10/2025	GFL ENVIRONMENTAL	773.98
14412	09/10/2025	GORDON FLESCH COMPANY INC	565.13
14413	09/10/2025	HACH COMPANY	10,893.86
14414	09/10/2025	JAMES RABE	1,580.10
14415	09/10/2025	JUSTIFACTS CVS INC	1,388.17
14417	09/10/2025	KWIK TRIP INC	583.65
14418	09/10/2025	LEAGUE OF WISCONSIN MUNICIPALITIES MUTUAL INS	18,270.82
14419	09/10/2025	LEE BEVERAGE	370.99
14420	09/10/2025	MANDI KATION	47.60
14421	09/10/2025	MATRIX CONSULTING GROUP LTD	3,233.00
14422	09/10/2025	MCC INC	3,850.98
14423	09/10/2025	MIDWEST TAPE LLC	6,645.29
14424	09/10/2025	MILPORT ENTERPRISES INC	7,526.98
14425	09/10/2025	NORTHERN LAKE SERVICE INC	400.16
14426	09/10/2025	OSHKOSH CITY CAB CO INC	93,205.50
14427	09/10/2025	OSHKOSH CONVENTION AND VISITORS BUREAU INC	18,278.53
14428	09/10/2025	PACKER CITY INTL TRUCKS INC	366.33
14429	09/10/2025	PINGRY-CASWELL INC	96.58
14430	09/10/2025	PLYMOUTH LUBRICANTS	3,962.42
14431	09/10/2025	POLYDYNE INC	30,525.00
14432	09/10/2025	PRIMADATA LLC	17,809.56
14433	09/10/2025	QUARLES AND BRADY LLP	10,260.00
14434	09/10/2025	RED SHOES INC	2,000.00
14435	09/10/2025	REINDERS INC	779.52
14436	09/10/2025	SECURIAN FINANCIAL GROUP INC	22,670.76
14437	09/10/2025	SPEEDY CLEAN DRAIN & SEWER	24,908.02
14438	09/10/2025	STAPLES	306.34
14439	09/10/2025	MCCLONE	49,108.00
14440	09/10/2025	UNITED PARCEL SERVICE	40.58
14441	09/10/2025	VINTON CONSTRUCTION INC	20,000.00

14442	09/10/2025	WI PUBLIC SERVICE CORP	88,081.35
14443	09/10/2025	WINNEBAGO AREA LITERACY COUNCIL	143.39
14444	09/10/2025	WINNEBAGO COUNTY TREASURER	72,650.61
14445	09/10/2025	WINNEBAGO CO SHERIFF DEPT	6,891.00
14446	09/10/2025	WINNEBAGO COUNTY TREASURER	228.75
14447	09/10/2025	WINNEBAGO COUNTY TREASURER	1,375.26
14448	09/10/2025	WOLTER INC	1,713.92
5006688	09/10/2025	KAMI ZUERCHER	249.40
5006689	09/12/2025	ACCURATE SUSPENSION WAREHOUSE	262.01
5006690	09/12/2025	ALEXANDER CHEMICAL CORPORATION	6,354.00
5006691	09/12/2025	ANIMAL HOSPITAL OF OSHKOSH	2,841.09
5006692	09/12/2025	ART CIY SIGNS LLC	62.35
5006693	09/12/2025	ASSOCIATED BANK OF OSHKOSH	525.00
5006694	09/12/2025	ASSURANCE TITLE SERVICES INC	7,500.00
5006695	09/12/2025	AUTOMOTIVE SUPPLY COMPANY INC	69.90
5006696	09/12/2025	BATTERIES PLUS LLC	1,780.00
5006697	09/12/2025	BERGSTROM CDJR OF OSHKOSH	12,288.11
5006698	09/12/2025	CARL BOWERS AND SONS CONSTRUCTION COMPANY INC	414,138.81
5006699	09/12/2025	CENTER POINT LARGE PRINT	449.46
5006700	09/12/2025	CHRIS HAEDT	46.20
5006701	09/12/2025	COMPLETE FIRE SOLUTIONS INC	300.00
5006702	09/12/2025	COPPER BOX LLC	3,500.00
5006703	09/12/2025	CRAIG A RAMTHUN	25.20
5006704	09/12/2025	CREATIVE SIGN COMPANY INC	500.00
5006705	09/12/2025	EXODUS LAWN CARE AND SNOW REMOVAL LLC	1,092.00
5006706	09/12/2025	FACE PAINTING BY ALI	150.00
5006707	09/12/2025	FARRELL EQUIPMENT AND SUPPLY	149.85
5006708	09/12/2025	FOX VALLEY IRON METAL AND AUTO SALVAGE INC	100.00
5006709	09/12/2025	GARTMAN MECHANICAL SERVICES	2,767.41
5006710	09/12/2025	GRAEF USA INC	3,398.84
5006711	09/12/2025	HENRY SCHEIN INC	2,768.61
5006712	09/12/2025	INGRAM LIBRARY SERVICES LLC	4,573.68
5006713	09/12/2025	JACKS MAINTENANCE SERVICE INC	125.00
5006714	09/12/2025	JACOB DEDERING	11.20
5006715	09/12/2025	JASON CROUT	77.00
5006716	09/12/2025	JEREMY KRUEGER	8.98
5006717	09/12/2025	JIM KOEPNICK PHOTOGRAPHY LLC	250.00
5006718	09/12/2025	JOE BONGERS	133.83
5006719	09/12/2025	A. KALMERTON WELDING SUPPLIES	155.68
5006720	09/12/2025	KENT ADHESIVE PRODUCTS COMPANY	352.60
5006721	09/12/2025	KITZ AND PFEIL INC	132.54
5006722	09/12/2025	KODI PARKER	129.50
5006723	09/12/2025	LA SURE'S INC	1,316.00
5006724	09/12/2025	LAWSON PRODUCTS, INC	171.62
5006725	09/12/2025	MATHESON TRI-GAS INC	1,612.50
5006726	09/12/2025	MORGAN DUNN	36.96
5006727	09/12/2025	NAPA AUTO PARTS	175.06
5006728	09/12/2025	ANCHORAGE PROPERTIES LP	13.53
5006729	09/12/2025	BZA PROPERTIES LLC	239.86
5006730	09/12/2025	FAITH FEHRMAN	200.00
5006731	09/12/2025	GUARANTY CLOSING & TITLE SERVICES INC	86.38
5006732	09/12/2025	JOHN A OR SUSAN M KREIBICH	99.60

5006733	09/12/2025	MARK J OR JUDITH M KALBUS	52.92
5006734	09/12/2025	PINE INVESTMENTS OF OSHKOSH LLP	24.18
5006735	09/12/2025	Quandt Plumbing LLC	30.00
5006736	09/12/2025	Quandt Plumbing LLC	30.00
5006737	09/12/2025	RONALD OR ERIKA VANLAARHOVEN	112.82
5006738	09/12/2025	SCHMITT TITLE LLC	126.04
5006739	09/12/2025	SPARK DEVELOPMENT CO	119.23
5006740	09/12/2025	STEPHANIE A OR PAUL A FILTER	46.72
5006741	09/12/2025	THEOBALD APPLETON RENTAL PROPERTY LL	36.20
5006742	09/12/2025	WATTERS PLUMBING	135.00
5006743	09/12/2025	WRS PROPERTY MANAGEMENT LLC	9.87
5006744	09/12/2025	OSHKOSH AREA SCHOOL DISTRICT	4,648.43
5006745	09/12/2025	CITY OF OSHKOSH	30.00
5006746	09/12/2025	CITY OF OSHKOSH	105.00
5006747	09/12/2025	PEPSI COLA GENERAL BOTTLNG INC	205.81
5006748	09/12/2025	RACHEL ANDERSON	58.80
5006749	09/12/2025	RADDATZ FARM LLC	300.00
5006750	09/12/2025	RED POWER DIESEL SERVICE INC	653.23
5006751	09/12/2025	RIDGELINE UTILITY CO LLC	2,055.00
5006752	09/12/2025	RIESTERER & SCHNELL INC	470.43
5006753	09/12/2025	RYAN BUSCHING	64.40
5006754	09/12/2025	SAIKI DESIGN INC.	695.00
5006755	09/12/2025	SANDY TOLAND	74.76
5006756	09/12/2025	SCHMITT TITLE LLC	180.00
5006757	09/12/2025	SCOTT FOOTIT	374.49
5006758	09/12/2025	SHERWIN WILLIAMS CO	162.67
5006759	09/12/2025	TRUGREEN PROCESSING CENTER	855.68
5006760	09/12/2025	UNIQUE MANAGEMENT SERVICES	628.30
5006761	09/12/2025	UNITED MAILING SERVICES INC	3,043.07
5006762	09/12/2025	US BANK TRUST	1,725.00
5006763	09/12/2025	WISCONSIN TUBING LLC	650.03
5006764	09/12/2025	WINNEFOX LIBRARY SYSTEM	58,971.75
			1,631,922.56

CHECK NUMBER	CHECK DATE	VENDOR NAME	AMOUNT
14264	08/01/2025	ASSOCIATED BANK MERCHANT SERVICES	558.91
14362	08/01/2025	BANKCARD USA	465.62
14366	08/01/2025	DELTA DENTAL OF WISCONSIN INC	5,359.62
14416	08/06/2025	DELTA DENTAL OF WISCONSIN INC	12,411.80
14449	08/13/2025	DELTA DENTAL OF WISCONSIN INC	8,416.87
14450	08/20/2025	DELTA DENTAL OF WISCONSIN INC	8,404.50
14451	08/27/2025	DELTA DENTAL OF WISCONSIN INC	12,654.45
14452	08/14/2025	FOX VALLEY TECH COLLEGE	859,025.00
14453	08/11/2025	BANK ONE	132,601.88
14454	08/01/2025	MISSION SQUARE	79,238.56
14455	08/15/2025	MISSION SQUARE	72,037.64
14456	08/01/2025	CITY OF OSHKOSH	600.70
14457	08/14/2025	OSHKOSH AREA SCHOOL DISTRICT	9,492,215.49
14458	08/31/2025	SOFTERWARE INC	50.54
14459	08/05/2025	TASC	24,315.64
14460	08/06/2025	TASC	184.31
14461	08/19/2025	TASC	24,328.14
14462	08/26/2025	TASC	757.05
14463	08/14/2025	UMR	126,377.49
14464	08/01/2025	US TREASURY	427,923.51
14465	08/15/2025	US TREASURY	390,600.97
14466	08/29/2025	US TREASURY	405,257.08
14467	08/14/2025	WINNEBAGO COUNTY TREASURER	1,974,309.86
14468	08/12/2025	WI DEPT OF REVENUE	75,183.98
14469	08/18/2025	WI DEPT OF REVENUE	10,213.07
14470	08/27/2025	WI DEPT OF REVENUE	83,321.16
14471	08/27/2025	WI DEPT OF REVENUE	76,281.24
14472	08/26/2025	WI DEPT OF SAFETY AND PROFESSIONAL SERVICES	80.00
14473	08/29/2025	WI RETIREMENT SYSTEM	646,769.78
14474	08/14/2025	WI DEPT OF WORKFORCE DEVEL-UI	2,452.41
14475	08/31/2025	WI DEPT OF TRANSPORTATION	324.00
			14,952,721.27

DATE: September 23, 2025

SUBJECT: Approve Common Council Meeting Minutes 09.09.25

Attachments

09.09.25 CC Minutes

DRAFT

CITY COUNCIL MINUTES 9.9.2025

Present: Matt Mugerauer, Mayor; Kris Larson; Joe Stephenson, Deputy Mayor; Karl Buelow; Brad Spanbauer; DJ Nichols; Jacob Floam

Staff: Rebecca Grill, City Manager; Lynn Lorenson, City Attorney; Cheryl Pionke, Interim City Clerk

CALL TO ORDER - 6:01 p.m.

ROLL CALL

INVOCATION - VOTING FIRST - Deputy Mayor Stephenson

PLEDGE OF ALLEGIANCE

South Park Middle School

PROCLAMATIONS

(issued ahead of meeting)
Pedestrian Safety Month (October 2025) & White Cane Safety Day Proclamation (October 15, 2025)
Crash Responder Safety Week, November 17 - 21, 2025

PRESENTATION

Review of 2024 Annual Comprehensive Financial Report (ACFR) by KerberRose

PUBLIC STATEMENTS TO COUNCIL

CONSENT AGENDA ITEMS

Report of Bills

July 2025 Financial Reports

Approve Common Council Meeting Minutes 08.26.25

Receipt & Filing of Claim Filed with the City's Insurance Company - Kelly & Emily Flanigan

Receipt & Filing of Claim Filed with the City's Insurance Company - Raheim Cason

Res 25-466 Update Designation of Authorized Signers

Motion To Approve - Brad Spanbauer
Second By - Kris Larson

AYE: Mayor Matt Mugerauer, Kris Larson, Deputy Mayor Joe Stephenson, Karl Buelow, Brad Spanbauer, DJ Nichols, Jacob Floam

7 - 0 Passed

Res 25-467 Deferred Payment Agreement Policy

Motion To Approve - Brad Spanbauer
Second By - Kris Larson

AYE: Mayor Matt Mugerauer, Kris Larson, Deputy Mayor Joe Stephenson, Karl Buelow, Brad Spanbauer, DJ Nichols, Jacob Floam

7 - 0 Passed

Res 25-468 Approve 2025 Budget Amendment and Professional Services Agreement from CAMA Cloud Technologies, LLC for Computer Assisted Mass Appraisal (CAMA) Services for Community Development Department ($212,620 in one-time implementation costs; $47,840 for the annual subscription)

Motion To Approve - Brad Spanbauer
Second By - Kris Larson

AYE: Mayor Matt Mugerauer, Kris Larson, Deputy Mayor Joe Stephenson, Karl Buelow, Brad Spanbauer, DJ Nichols, Jacob Floam

7 - 0 Passed

Res 25-469 Award Bid to Ahern Fire Protection for IT Server Room Clean Agent System for the Oshkosh Public Library ($28,160.00)

Motion To Approve - Brad Spanbauer
Second By - Kris Larson

AYE: Mayor Matt Mugerauer, Kris Larson, Deputy Mayor Joe Stephenson, Karl Buelow, Brad Spanbauer, DJ Nichols, Jacob Floam

7 - 0 Passed

Res 25-470 Rescind Resolution 25-440 and approve Specific Implementation Plan Amendment for parking lot modifications at 90 Wisconsin Street (Plan Commission recommends approval)

Motion To Approve - Brad Spanbauer
Second By - Kris Larson

AYE: Mayor Matt Mugerauer, Kris Larson, Deputy Mayor Joe Stephenson, Karl Buelow, Brad Spanbauer, DJ Nichols, Jacob Floam

7 - 0 Passed

Res 25-471 Approve 2025 budget amendment to Contractual Agreement Payments WEDC ($250,000)

Motion To Approve - Brad Spanbauer
Second By - Kris Larson

AYE: Mayor Matt Mugerauer, Kris Larson, Deputy Mayor Joe Stephenson, Karl Buelow, Brad Spanbauer, DJ Nichols, Jacob Floam

7 - 0 Passed

Res 25-472 Approve Change Order No. 1 (Final) for Public Works Contract No. 24-04

Wastewater Treatment Plant Roofs Replacement / Rohde Brothers, Inc. (+$37,528.00)

Motion To Approve - Brad Spanbauer
Second By - Kris Larson

AYE: Mayor Matt Mugerauer, Kris Larson, Deputy Mayor Joe Stephenson, Karl Buelow, Brad Spanbauer, DJ Nichols, Jacob Floam

7 - 0 Passed

Res 25-473 Approve Special Event - HC Entertainment to host Al Grito de Puerta (Yell: Open the Gate) at Sunnyview Exposition Center, September 14, 2025

Motion To Approve - Brad Spanbauer
Second By - Kris Larson

AYE: Mayor Matt Mugerauer, Kris Larson, Deputy Mayor Joe Stephenson, Karl Buelow, Brad Spanbauer, DJ Nichols, Jacob Floam

7 - 0 Passed

Res 25-474 Approve Special Event - Oshkosh West High School to utilize City streets for the Oshkosh West Homecoming Parade, October 3, 2025

Motion To Approve - Brad Spanbauer
Second By - Kris Larson

AYE: Mayor Matt Mugerauer, Kris Larson, Deputy Mayor Joe Stephenson, Karl Buelow, Brad Spanbauer, DJ Nichols, Jacob Floam

7 - 0 Passed

Res 25-475 Approve Special Event - Vida to utilize City sidewalks and South Park trails for the Walk for Life, October 4, 2025

Motion To Approve - Brad Spanbauer
Second By - Kris Larson

AYE: Mayor Matt Mugerauer, Kris Larson, Deputy Mayor Joe Stephenson, Karl Buelow, Brad Spanbauer, DJ Nichols, Jacob Floam

7 - 0 Passed

ITEMS REMOVED FROM CONSENT AGENDA

PENDING ORDINANCES

Ord 25-476 Amend Section 27A-11 of the Municipal Code pertaining to parking regulations on Washington Avenue

Motion To Approve - Karl Buelow
Second By - DJ Nichols

AYE: Mayor Matt Mugerauer, Kris Larson, Deputy Mayor Joe Stephenson, Karl Buelow, Brad Spanbauer, DJ Nichols, Jacob Floam

7 - 0 Passed

NEW ORDINANCES

****Ord 25-477*** Approve zone change from Two Flat Residential-10 District (TR-10) and Central Mixed-Use District (CMU) to Two Flat Residential-10 District with a Planned Development Overlay (TR-10-PD) for select properties located on the south side of the 100 block of West 8th Avenue and the north side of the 100 block of West 9th Avenue between Oregon Street and Nebraska Street (parcels 90301010000, 90301040000, 90301050000, 90301060000, 90301070000, 90301100000, 90301110000, 90301120000, 90301130000 and 90301150000) (Plan Commission recommends approval)

****Ord 25-478*** Approve zone change from Heavy Industrial District (HI) to Heavy Industrial District with a Planned Development Overlay (HI-PD) at 2751 Universal Street (parcel 91329120200) (Plan Commission recommends approval)

****Ord 25-479*** Amend Chapter 13 of the City of Oshkosh Municipal Code Pertaining to Fire Prevention and Protection to Adopt Updated Provisions from the International Fire Code and Clarify Provisions Pertaining to Responsibility for Compliance and Fireworks

PENDING RESOLUTIONS

Res 25-480 Approve Determination of Necessity to Acquire and Approve and Execute Relocation Order for a Storm Sewer Easement at 3820 Jackson Street (Parcel 91527190100), 3835 Summerset Way (Parcel 91527310000), and 3847 Summerset Way (Parcel 91527320000)

Conner Miller(3835 Summerset Way) expressed his concerns about the easement and how it will affect their home and future children, wanting the City to come up with a better solution.

All the councilors spoke at length about the options that were presented for this project. All agreed that there needs to be a better solution to this.
TO BE LAID OVER UNTIL NOVEMBER 11TH

Motion To Approve - Mayor Matt Mugerauer
Second By - Jacob Floam

AYE: Mayor Matt Mugerauer, Kris Larson, Deputy Mayor Joe Stephenson, Brad Spanbauer, DJ Nichols, Jacob Floam

No: Karl Buelow

6 - 1 Passed

Res 25-481 Approve Budget Amendment and Award Bid for Public Works Contract No. 25-03 to Vinton Construction Company for Washington School Reconstruction ($824,321.63)

Mayor Mugerauer originally asked for this layover and spoke about his frustrations over needing to ask to see other options.

Motion To Approve - Karl Buelow
Second By - Kris Larson

AYE: Mayor Matt Mugerauer, Kris Larson, Deputy Mayor Joe Stephenson, Karl Buelow, Brad Spanbauer, DJ Nichols, Jacob Floam

7 - 0 Passed

COUNCIL DISCUSSION, DIRECTION TO CITY MANAGER & FUTURE AGENDA ITEMS

Discussion and Direction to City Manager

Future Agenda Items, Meetings, and Workshops

Budget Workshops:

- Tuesday, October 14, 2025, 4-6pm
- Wednesday, October 15, 2025, 5-7pm (if needed)

2026 Operations Budget Public Hearing, October 28, 2025, 5pm

COUNCIL MEMBER ANNOUNCEMENTS & STATEMENTS

CITY MANAGER ANNOUNCEMENTS & STATEMENTS

Current Initiatives

ADJOURN - 6:57 p.m.

SUBMITTED BY CHERYL PIONKE, INTERIM CITY CLERK

THE FULL AUDIO/VIDEO RECORDING OF THIS MEETING IS AVAILABLE ON OUR WEBSITE
THE FULL TRANSCRIPT OF THIS MEETING IS AVAILABLE ON THE YOUTUBE PLAYBACK CHANNEL

SUBJECT: Receipt & Filing of Claim Filed with the City's Insurance Company -- Kyle Corrigan

DATE: September 23, 2025

Claim Information

Claimant: Kyle Corrigan
Date of Loss: 7/2/2025
Summary of Claim: Alleged personal information was disclosed in an incident summary.

TO:	Honorable Mayor and Members of the Common Council
FROM:	Crystal Bathke, Elections Specialist
DATE:	September 23, 2025
SUBJECT:	Res 25-482 Disallowance of Claim -- Kyle Corrigan

Attachments

Res 25-482
Statewide/Claim

PURPOSE: DISALLOWANCE OF CLAIM

INITIATED BY: CITY CLERK

WHEREAS, the following claim has been referred to Town Counsel Law & Litigation, LLC, which has recommended disallowance.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oshkosh that the proper City officials are hereby authorized and directed to disallow the following claim against the City of Oshkosh:

Claimant - Dennis Strong
Date of Loss — June 6 and /or June 11of 2025
Claim — Alleged harassment

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to inform the claimant by certified mail of the disallowance and the fact that the claimant has six months from the date of service to appeal.

BE IT FURTHER RESOLVED that the City Clerk is directed to send a copy of this resolution and notice of disallowance to the appropriate insurance carrier for the City of Oshkosh.

Statewide Services, Inc.
Claim Division

1241 John Q. Hammons Dr.
P.O. Box 5555
Madison, WI 53705-0555
877-204-9712

September 5, 2025

CITY OF OSHKOSH
ATTN: CITY CLERK
215 CHURCH AVE, PO BOX 1130
OSHKOSH, WI 54902

via email

RE: Our Claim #: WM000702661328
Date of Loss: 07/02/2025
Claimant: ***Kyle Corrigan, Bright Line Investigations LLC***
1408 Strongsg Ave, PO Box 656, Stevens Point, WI 54481

Dear City Clerk:

Statewide Services, Inc. administers the claims for the League of Wisconsin Municipalities Mutual Insurance, which provides the insurance coverage for the City of Oshkosh. We are in receipt of the "Notice of Claim" submitted by Kyle Corrigan regarding the above-referenced incident that occurred on 7/2/2025 while he was conducting surveillance for an investigation for his company, Bright Line Investigations LLC. He has filed a federal claim and a state claim.

Based on my review of the claim and discussion with Lynn Lorenson, I do not see any legal liability for this incident. Therefore, we recommend that the City of Oshkosh disallow this claim pursuant to the Wisconsin Statute for disallowance of claim 893.80(1g). The disallowance of the claim in this manner will allow us to shorten the statute of limitations period to six months.

Please send your disallowance, on your letterhead, directly to the claimant at the above listed address. This should be sent certified or registered (restricted) mail and must be received by the claimant within 120 days after you received the claim. Please send me a copy of the Notice of Disallowance and receipt for our file.

Thank you.

Sincerely,

Ginger Kimpton
Senior Casualty Specialist
855-828-5515 direct
866-828-6613 fax
gkimpton@statewidesvcs.com

CC: Brian Dandoy, Agent

RECEIVED
SEP 03 2025
CITY CLERK'S OFFICE

NOTICE OF CLAIM

Wis. Stat. § 893.80(1d)

Date: September 2, 2025

To:
Diane Bartlett, City Clerk
City of Oshkosh
215 Church Ave., Room 108 (City Hall)
P.O. Box 1130
Oshkosh, WI 54903-1130

From (Claimant):
Kyle Corrigan, Chief Investigator
Bright Line Investigations LLC
1408 Strongs Ave., P.O. Box 656
Stevens Point, WI 54481
Phone: 888-407-7380
Email: kyle@brightlineinvestigations.com

Date of Incident: July 2, 2025
Approx. Time: ~9:00 a.m. (CDT)
Location: 1800 block of Faby Street, Oshkosh, Wisconsin
Related OPD Case No.: 25-020561

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1) Circumstances of the Claim (Wis. Stat. § 893.80(1d)(a))

On July 2, 2025, while conducting a lawful surveillance operation from a legally parked vehicle in the public right-of-way, an Oshkosh Police Department officer provided a private civilian complainant with information about my vehicle's registration and my occupation, stating that the vehicle was "registered to a private investigator."

The complainant was **not the subject of my investigation** in any way. Despite this, the officer improperly disclosed my identity and occupation to the complainant, thereby compromising an unrelated and lawful investigation, endangering investigator safety, and damaging business interests and reputation.

After I lodged a complaint, Lt. Hotter informed me by phone that, after consulting the City's corporate counsel, OPD's position was that the disclosure did not violate any law or policy.

This ratification by supervisory staff and corporate counsel evidences a municipal policy or custom permitting such disclosures.

City officers/employees involved (known and unknown):

- Officer **Miguel A. Nunez** (on-scene officer who disclosed to the complainant)
- **Lt. Hotter** (supervisory follow-up and ratification)
- **John/Jane Doe Dispatcher** (accessed/relayed restricted data tied to the plate)
- **John/Jane Doe Corporate Counsel** (advised that the conduct was lawful)

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2) Legal Basis for Claim

Federal Law

- **42 U.S.C. § 1983** – Deprivation of constitutional rights under color of law, including informational privacy, and ratification of unlawful conduct by municipal officials.
- **42 U.S.C. § 1985** – Conspiracy to interfere with civil rights, based on the coordinated actions of dispatch, Officer Nunez, Lt. Hotter, and corporate counsel to disclose restricted information and insulate the conduct from accountability.
- **18 U.S.C. § 2721 et seq. (DPPA)** – Wrongful use and disclosure of motor vehicle record information.

Wisconsin State Law

- **Wis. Stat. § 343.50** – Prohibits the disclosure of personally identifiable information from DOT motor vehicle records except for permissible uses. Creates liability for knowingly disclosing such information in violation of the statute.
- **Wis. Stat. § 995.50** – Invasion of privacy by unreasonable intrusion and disclosure of private facts.
- **Wis. Stat. § 134.01** – Civil conspiracy to injure business, where two or more persons act together to harm reputation, trade, or business.
- **Common Law Negligence** – Breach of the duty of care in safeguarding restricted information.
- **Negligent Training and Supervision** – Failure to adequately instruct officers, dispatchers, and supervisors regarding compliance with DPPA and state privacy protections.

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SEP 03 2025
CITY CLERK'S OFFICE

- **Respondeat Superior** – The City of Oshkosh is liable for the tortious acts of its employees within the scope of employment.

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3) Itemized Statement of Relief/Damages (Wis. Stat. § 893.80(1d)(b))

Claimant seeks the following damages caused by the disclosure and its ratification:

- **Business disruption and investigative losses:** $75,000
- **Security/safety mitigation costs (operational changes, client notifications):** $30,000
- **Reputational harm and loss of client goodwill:** $100,000
- **Time and expense pursuing records and complaint processes:** $10,000
- **Emotional distress and inconvenience:** $35,000

Total sum certain sought (state-law damages): $250,000.00

Claimant also seeks equitable relief appropriate under state law, including policy changes, training, and directives prohibiting disclosure of DMV/LE-derived information to civilians absent a lawful purpose. (Attorney's fees and punitive damages under federal law are reserved and not waived by this notice; punitive damages are not sought against the City under Wisconsin law.)

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4) Evidence and Exhibits (non-exhaustive)

- OPD Incident/Case No. 25-020561 report and any related supplements
- Audio recording of call with **Lt. Hotter** memorializing counsel's ratification
- CAD/dispatch logs, radio traffic, and database access logs for the July 2, 2025 encounter
- Any body-worn camera or in-car video and call-for-service notes

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5) Litigation-Hold / Preservation Demand

Please immediately preserve all potentially relevant evidence, including but not limited to CAD data, database query logs, communications between dispatch, Officer Nunez, Lt.

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SEP 03 2025
CITY CLERK'S OFFICE

Hotter, and corporate counsel, and OPD policies/training materials on DPPA/records disclosure.

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6) Service and Contact

This Notice of Claim is served upon the **City Clerk** for the City of Oshkosh pursuant to Wis. Stat. § 893.80(1d). Please direct all communications regarding this claim to the undersigned.

Claimant:

Kyle Corrigan, Chief Investigator
Bright Line Investigations LLC
Date: September 2, 2025

RECEIVED
SEP 03 2025
CITY CLERK'S OFFICE

Bright Line Investigations LLC

Incident Report
Date of Report: July 8, 2025
Incident Date: July 2, 2025
Time: Approx. 9:00 AM
Location: 1800 Block of Faby Street, Oshkosh, WI
Reporting Investigator: Kyle Corrigan, Chief Investigator
Case #: 25-020561 (Oshkosh Police Department)

Incident Summary:

On Wednesday, July 2, 2025, while conducting a lawful and pre-planned surveillance operation in the 1800 block of Faby Street in Oshkosh, WI, I was approached by officers from the Oshkosh Police Department in response to a complaint from a resident concerning "a man taking photos." I was operating from a legally parked vehicle as part of an ongoing investigation that did not involve the complainant or any residents of the block.

This surveillance was conducted on behalf of a private client and did not target the complainant, nor did it involve photographing private persons or entering private property. All investigative work was confined to public space, consistent with state and federal surveillance guidelines.

Violation of Investigative Privacy:

Upon review of the incident and the subsequent redacted report released by OPD under open records request #25-020561, it appears that either a dispatcher or responding officer accessed restricted DMV or law enforcement databases to determine that the vehicle was registered to Bright Line Investigations LLC. That information was then relayed to the complainant, including the identity and occupation of the investigator, Kyle Corrigan. This constitutes a gross misuse of law enforcement authority—allowing a civilian complaint about lawful activity to be used as a pretext for accessing restricted data, and then improperly disclosing it to the complainant.

This disclosure is highly problematic for several reasons:

- The complainant was not the subject of the investigation.
- My personal and business information, including the nature of my occupation as a licensed private investigator, may have been obtained through restricted channels such as DMV registration databases.

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- If such disclosure occurred using protected information from the Wisconsin DMV or law enforcement systems, this may constitute a violation of the federal Driver's Privacy Protection Act (DPPA, 18 U.S.C. § 2721 et seq.).
- It may also constitute a privacy violation under the Gramm-Leach-Bliley Act (GLBA) if financial or proprietary client-related details were inferred or relayed.

Impact:

This breach of confidentiality undermines the security and integrity of ongoing investigations, potentially compromises the safety of the investigator, and could damage client trust and relationships. It also opens Bright Line Investigations LLC to client liability concerns stemming from unauthorized third-party disclosures initiated by law enforcement personnel.

Action Taken:

An open records request has been submitted to the Oshkosh Police Department requesting the dispatch logs, CAD notes, 911 recordings, and any body-worn camera footage to determine:

- Who disclosed the investigator's identity;
- The basis for that knowledge;
- Whether the information was obtained through restricted systems;
- The context and content of what was shared with the complainant.

Recommendations:

- An internal complaint has been filed to document this matter.
- Pending review of the open records response, legal counsel will assess whether violations of federal or state statutes occurred.
- The client has been informed of the disruption and privacy concern.
- Recommend law enforcement liaison outreach to educate OPD on proper procedures when encountering licensed private investigators engaged in lawful activity.

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Filed by: Kyle Corrigan, M.S.
Chief Investigator – Bright Line Investigations LLC
Date: July 8, 2025

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Bright Line Investigations LLC

Incident Report – Addendum

Date of Addendum: September 1, 2025
Original Report Date: July 8, 2025 (Internal Complaint Submitted to Oshkosh PD)
Incident Date: July 2, 2025
Follow-Up Call Date: July 14, 2025
Location: 1800 Block of Faby Street, Oshkosh, WI
Reporting Investigator: Kyle Corrigan, Chief Investigator
Case #: 25-020561 (Oshkosh Police Department)

Purpose

This addendum supplements the incident report and internal complaint I submitted to the Oshkosh Police Department on **July 8, 2025**, concerning the unlawful disclosure of restricted motor vehicle registration and occupational information. It documents the City's official response communicated to me during a follow-up call on **July 14, 2025** with Lt. Hotter.

Summary of New Facts

On July 14, 2025, I spoke with **Lt. Hotter**, who was assigned to follow up on my internal complaint. During this call, Lt. Hotter stated that he had reviewed the matter with the **City of Oshkosh's corporate counsel**. He relayed that corporate counsel **agreed with his assessment that Officer Miguel A. Nunez's conduct did not violate the Driver's Privacy Protection Act (DPPA), any other federal law, or any department policy.**

This official communication establishes that:

1. The **City of Oshkosh, through its legal counsel, has ratified the disclosure** of protected motor vehicle record information to private citizens.
2. The City has effectively adopted an **official policy or custom permitting the disclosure of private investigator identities and related registration data to third parties**, even when those third parties are not the subject of an investigation.
3. The decision was made not to discipline or correct Officer Nunez's disclosure, confirming the conduct is **institutionally sanctioned** rather than treated as an isolated violation.

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Legal and Privacy Implications

- **Federal Law:** Such conduct conflicts with the **Driver's Privacy Protection Act (18 U.S.C. § 2721 et seq.)**, which prohibits disclosure of personally identifiable motor vehicle record information except for limited permissible uses.
- **Civil Rights:** The coordinated actions of Officer Nunez, the dispatcher, Lt. Hotter, and corporate counsel indicate a **deprivation of rights under 42 U.S.C. § 1983** and a **conspiracy under 42 U.S.C. § 1985** to insulate the disclosure from accountability.
- **State Law:** The conduct violates **Wis. Stat. § 343.50 (state DPPA equivalent), Wis. Stat. § 995.50 (invasion of privacy), and Wis. Stat. § 134.01 (conspiracy to injure business).**
- **Business Harm:** By confirming to an unrelated civilian that my vehicle was tied to my investigative business, the City compromised client confidentiality, undermined the integrity of a lawful surveillance operation, and created safety risks.

Conclusion

This addendum documents that the **City of Oshkosh, through supervisory staff and corporate counsel, has formally ratified Officer Nunez's disclosure of protected information** in response to my July 8, 2025 internal complaint.

This ratification escalates the misconduct from an individual officer error to an **institutional policy** permitting violations of federal and state law, including the DPPA, civil rights statutes, and Wisconsin privacy protections.

I am preserving this addendum as part of the official incident file and for use in pending legal actions.

Filed by:

Kyle Corrigan, M.S.
Chief Investigator – Bright Line Investigations LLC
Date: September 1, 2025

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TO:	Honorable Mayor and Members of the Common Council
FROM:	Tim Heiman, Fire Chief
DATE:	September 23, 2025
SUBJECT:	Res 25-483 Renewal of Winnebago County and City of Oshkosh Inter-Agency Agreement for Haz-Mat Response Services

BACKGROUND

The Oshkosh Fire Department has historically had an inter-agency agreement between Winnebago County and the City of Oshkosh for Type-II hazardous material response services.

ANALYSIS

This would be a renewal for 2026 to continue the agreement to participate in the Winnebago County Haz-Mat Emergency Response Plan. The Oshkosh Fire Department will continue to provide initial emergency response to hazardous substance releases to assist fire districts within the County when requested.

FISCAL IMPACT

The Oshkosh Fire Department will be compensated through the Local Emergency Planning Committee (LEPC) budget for the purpose of hazardous materials equipment at the rate of $9,000.00 per year. These funds will be deposited in account 02350230-4240-20557.

RECOMMENDATION

I recommend that the Common Council approve continuing this agreement with Winnebago County so that we can continue this mutually beneficial relationship.

Attachments

Res 25-483
HAZMAT Contract 2026

09/23/2025 25-483 RESOLUTION

CARRIED 7-0

PURPOSE: APPROVE INTER-AGENCY AGREEMENT BETWEEN WINNEBAGO COUNTY AND CITY OF OSHKOSH FOR TYPE II HAZARDOUS MATERIAL (HAZMAT) RESPONSE SERVICES FOR 2026

INITIATED BY: OSHKOSH FIRE DEPARTMENT

WHEREAS, the Oshkosh Fire Department provides hazardous material response services through contract with the State of Wisconsin Department of Military Affairs, Division of Emergency Management; and

WHEREAS, the Oshkosh Fire Department has previously provided county wide hazardous material response services through Agreement with Winnebago County; and

WHEREAS, Winnebago County has requested the Oshkosh Fire Department to continue to provide these services within the County for calendar year 2026.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oshkosh that the attached Agreement with Winnebago County for Hazardous Materials Response Services from January 1, 2026 through December 31, 2026 is hereby approved and the proper City officials are hereby authorized to execute and deliver the agreement in substantially the same form as attached hereto, any changes in the execution copy being deemed approved by their respective signatures, and said City officials are authorized and directed to take those steps necessary to implement the terms and conditions of the Agreement.

INTER-AGENCY AGREEMENT
BETWEEN WINNEBAGO COUNTY AND CITY OF OSHKOSH
FOR TYPE II HAZARDOUS MATERIAL (HAZMAT) RESPONSE SERVICES
January 1, 2026 – December 31, 2026

THIS AGREEMENT is entered into pursuant to the authority provided by Section 66.0301, Wisconsin Statutes, as to inter-governmental cooperative agreements; pursuant to Section 323.60, Wisconsin Statues, as to general Emergency Response requirements and pursuant to Section 323.15, relating to the powers and authority of Emergency Management.

WHEREAS, Winnebago County, a municipal corporation, whose address is 112 Otter Avenue, Oshkosh, Wisconsin 54901 (hereinafter referred to as "County") and the City of Oshkosh, a municipal corporation, whose address is 215 Church Avenue, Oshkosh, Wisconsin 54901, (hereinafter referred to as "City") desire to enter into an inter-governmental agreement regarding TYPE II Hazardous Material (HAZMAT) Response Services; and

WHEREAS, County desires to provide fiscal resources as herein specified in this agreement and in order to enhance the county-wide use of City's HAZMAT Response Team by County; and

WHEREAS, City is able and willing to provide such services in accordance with its hazardous material plan, upon the request of the Local Emergency Planning Committee (hereinafter referred to as "LEPC") or the Winnebago County Emergency Management Director, as its designee.

NOW, THEREFORE, in consideration of the above promises and the mutual covenants of the parties hereinafter set forth, the receipt and sufficiency of which is acknowledged by each party for itself, the COUNTY and CITY do agree as follows:

I. DEFINITIONS

1.01 HAZARDOUS SUBSTANCE:

A "hazardous substance" is as defined pursuant to Section 42 U.S.C.A. Sec. 960(14) or those substances designated by the administrator of the U.S. Environmental

Protection Agency, pursuant to 42 U.S.C.A. Sec. 9602(a), as such Statutes and shall include, but not shall be limited to, flammable liquids or substances.

1.02 SUBSTANCE RELEASE:

"Substance Release" is defined as the release or spill of a hazardous substance as defined in Sec. 1.01 of this agreement.

1.03 SUBSTANCE RELEASE RESPONSE:

"Substance Release Response" is defined as those activities undertaken by and authorized by the City's HAZMAT Response Team throughout Winnebago County at the request of the LEPC or Emergency Management Director or designees to provide adequate emergency response to hazardous substance release.

1.04 CITY HAZMAT RESPONSE TEAM:

The Fire Chief or his designee shall supervise and direct operations of the City Response Team.

II. PURPOSE OF AGREEMENT

2.01 It is the intended purpose of the parties to this agreement to implement a HAZMAT Plan for County-Wide HAZMAT Emergency Response and to provide HAZMAT Response Team services to fire districts throughout Winnebago County. Such services shall be limited to an initial emergency response to hazardous substance release.

III. EMERGENCY RESPONSE FUNDING

3.01 During the term of this agreement, County shall provide through its LEPC Budget matching funds to the City for the purpose of purchasing HAZMAT equipment. Said funding shall be contingent upon County receiving sufficient funding from the State for that specific purpose. Funding by County to City pursuant to this agreement shall be $9,000.00 per year.

IV. TERM

4.01 The term of this agreement shall commence on the 1st day of January, 2026 and shall terminate as of the end of the day on the 31st day of December, 2026.

V. FAILURE TO APPROPRIATE FUNDS

5.01 The failure of Winnebago County Board of Supervisors to appropriate sufficient funds in any year covered by this agreement shall be cause for automatic termination of this agreement.

VI. HOLD HARMLESS AND INDEMNIFICATION

6.01 City agrees to provide liability protection for its officers, employees and agents while acting within scope of their employment. Subject to any limitations contained in Sec. 893.80 and any similar statute, of the Wisconsin Statutes, City further agrees to hold the County harmless from any and all liability, including claims, demands, losses, costs, damages, and expenses of every kind and description (including death), or damages to person or property arising out of or in connection with our occurring during the course of this agreement where such liability is founded upon or grows out of the acts or omission of any of the officers, employees or agents of City while acting within the scope of their employment.

6.02 County agrees to at all times during the term of this agreement, indemnify, save harmless and defend the City, its boards, commissions, agencies, officers, employees and representatives against any and all liability, loss, damages, costs or expenses, whether personal injury or property damage, which the City, its officers, employees, agencies, boards, commissions and representatives may sustain, incur, be required to pay by reason of any negligent acts, errors or omissions of the County, pursuant to this agreement, provided however, that the provisions of this

Section shall not apply to liabilities, losses, charges, costs of expenses caused by or resulting from the acts or omissions of the City, its agencies, boards, commissions, officers, employees or representatives.

6.03 City and County intend by this indemnification, that each party will be responsible for the acts and omissions of its own officers, employees, agents, contractors, subcontractor and invitees to the extent not caused by, aggravated by, or enhanced by the other party's officers, employees' agents, contractors, subcontractors, and invitees.

6.04 Further, it is the intention of the parties to this Agreement that each party shall be entitled to rely upon the municipal limitations and the immunities available under the Wisconsin law, including but not limited to section 345.05, and 893.83 of the Wisconsin Statutes and that such damage limits, caps and immunities shall be used to govern all disputes, contractual or otherwise, as they apply to the parties, their agents, officers and employees.

VII. DISCRIMINATION

7.01 During the term of this agreement the parties mutually agree not to discriminate against any person, whether a recipient of services (actual or potential), an employee, or an applicant for employment on the basis of race, religion, sex, handicap, national origin, age, cultural differences, sexual preference, marital status, or physical appearance. Such equal opportunity shall include but not be limited to the following: employment, upgrading, demotion, transfer, recruitment, advertising, layoff, termination, training, rates of pay, or any other form of compensation.

VIII. ENTIRE AGREEMENT

8.01 The entire agreement of the parties is contained herein and this agreement supersedes any and all oral agreements and negotiations between the parties relating to the subject matter hereof.

IN WITNESS WHEREOF, the CITY and the COUNTY have executed this agreement on the ____day of _____, 2025.

CITY OF OSHKOSH ("CITY")

By: _____
Rebecca Grill, City Manager

By: _____
Cheryl Pionke, Interim City Clerk

By: _____
Lynn A. Lorenson, City Attorney

By: _____
Tim Heiman, City Fire Chief

WINNEBAGO COUNTY ("COUNTY")

By: _____
Gordon Hintz, County Executive

By: _____
Julie Barthels, County Clerk

Drafted by: Mary Anne Mueller
Corporation Counsel for Winnebago County
Redrafted 09/15/2025
Amended Signature Lines 09/15/2025

TO: Honorable Mayor and Members of the Common Council

FROM: Tim Heiman, Fire Chief

DATE: September 23, 2025

SUBJECT: Res 25-484 Approve budget amendment to the 2025 Fire Department's operations budget for fire equipment purchases

BACKGROUND

In recent budget discussions with the Finance department and the City Manager, we assessed our 2026 Capital Improvement Project submissions, which included several equipment acquisitions. Given the anticipated fiscal challenges for 2026, along with the fact that Ambulance personnel costs are projected to be below budget for 2025, a proposal was made to see if some of these capital requests could be purchased in 2025 yet. The specific items identified include drysuits and thermals, costing $19,000; a fire hose tester, costing $15,000; and a SCBA extractor, costing $32,000.

FISCAL IMPACT

The below budget amendment moves 2025 budgeted tax levy from the Ambulance special revenue fund to the General Fund in order to increase the fire department machinery and equipment budget. If approved, the drysuits and thermals, fire hose tester, and SCBA extractor could be purchased in 2025.

Account Number	Account Description	Account Type	Increase Budget	Decrease Budget
02370240-4102	Ambulance - General Property Tax Levy	Revenue	$ -	$ 66,000.00
02370240-6102	Ambulance - Regular Pay	Expense	$ -	$ 66,000.00
01000072-4102	GF - General Property Tax Levy	Revenue	$ 66,000.00	
01000230-7204	Fire Machinery & Equipment	Expense	$ 66,000.00	

Please contact me or Director of Finance Calmes if you have any additional questions.

RECOMMENDATION

Staff recommends that Council approve the above budget amendment.

Attachments

Res 25-484

09/23/2025 25-484 RESOLUTION

CARRIED 7-0

PURPOSE: BUDGET AMENDMENT FOR 2025 FIRE OPERATIONS BUDGET TO APPROVE AN INCREASE IN EXPENDITURES ($66,000.00)

INITIATED BY: OSHKOSH FIRE DEPARTMENT

WHEREAS, the Common Council has adopted the 2025 Operating Budget, which is on file in the Office of the City Clerk and available for public inspection; and

WHEREAS, the Oshkosh Fire Department is requesting budget amendment moves from the 2025 budgeted tax levy from the Ambulance special revenue fund to the General Fund in order to increase the Fire Department machinery and equipment budget.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oshkosh that the 2025 Operating Budget, on file in the City Clerk's Office, is hereby amended to decrease tax levy and regular wages in the Ambulance fund and to increase the tax levy and machinery and equipment expense in the General Fund. This expenditure increase is for the purpose of purchasing drysuits and thermals, fire hose tester, and SCBA extractor.

Account Number	Account Description	Account Type	Increase Budget	Decrease Budget
02370240-4102	Ambulance - General Property Tax Levy	Revenue	$ -	$ 66,000.00
02370240-6102	Ambulance - Regular Pay	Expense	$ -	$ 66,000.00
01000072-4102	GF - General Property Tax Levy	Revenue	$ 66,000.00	
01000230-7204	Fire Machinery & Equipment	Expense	$ 66,000.00	

TO:	Honorable Mayor and Members of the Common Council
FROM:	John Fitzpatrick, Assistant City Manager / Director of Admin Services
DATE:	September 23, 2025
SUBJECT:	Res 25-485 Approve Renewal of Employee Health and Dental Insurance for 2026

BACKGROUND

The City of Oshkosh manages a self-funded health insurance program as an employee benefit, which includes a variety of components such as a third-party administrator (TPA), a stop loss carrier, provider networks, and a pharmacy benefit manager (PBM). The City also manages a self-funded dental plan administered through Delta Dental, as well as Three Waves Health Clinic and Wellness Center, an employer-based clinic established in 2015 in conjunction with Winnebago County and the Oshkosh Area School District. Additionally, the City utilizes Gallagher Insurance, Risk Management, and Consulting as our benefits consultant.

ANALYSIS

After evaluating current medical plan cost trends, it was determined that the City will be incurring a zero increase (0%) in projected costs in our health insurance program for 2026. We did discuss the option of plan design changes with our Health Insurance Focus Group, and the recommendation was made to keep current plan design in order to continue to recruit and retain employees while keeping our budget responsibilities in mind. The City is currently out for bids on the stop loss insurance and will accept the most advantageous option.

Additionally, staff projects a zero percent (0%) increase for the dental program in 2026.

FISCAL IMPACT

Staff is estimating an overall zero percent (0%) increase for the health insurance program in 2026 as well as a zero percent (0%) increase for the dental program in 2026, The City is also currently out for bids on the stop-loss insurance and plans to accept the most advantageous option for 2026.

Although the city employee focus group on health insurance, staff, and City Manager Grill are pleased with the outcome of this year's process, all parties understand that it will be necessary to continue to evaluate our plan for 2027 in order to consider what changes may be necessary in order to preserve the best benefits possible for our staff at the most cost-effective level possible for our taxpayers moving forward.

RECOMMENDATION

Based on the analysis conducted, staff recommends no modification of plan design at this time, retention of: UMR as the TPA for the health insurance program, Caremark as the PBM for the prescription drug program, Delta Dental of Wisconsin as the TPA for the dental program, and Premise Health as the administrator of the Three Waves Health Clinic & Wellness Center, as well as no increased funding for the health and dental insurance programs respectively.

Please let me know if you have any questions regarding this matter and thank you as always

for your assistance and support.

Attachments

Res 25-485

09/23/2025 25-485 RESOLUTION

CARRIED 7-0

PURPOSE: APPROVE RENEWAL OF EMPLOYEE HEALTH AND DENTAL INSURANCE FOR 2026

INITIATED BY: ADMINISTRATIVE SERVICES

WHEREAS, the City of Oshkosh evaluated health and dental insurance programs for 2026; and

WHEREAS, the City recommends renewing agreements with UMR as the third party administrator (TPA) for the health benefits insurance plan and Caremark as the pharmacy benefit manager (PBM), continuing participation in and expansion of the Three Waves Health Clinic and Wellness Center, procuring stop-loss insurance, and maintaining the current health insurance plan design which will result in the City of Oshkosh incurring a zero (0)% increase in projected costs for 2026, and will provide minimal disruption to employee-provider relationships; and

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oshkosh that the proper City officials are hereby authorized to enter into and take those steps necessary to renew agreements with UMR as the TPA for the health insurance plan, Caremark as the PBM, Premise Health as administrator for the Three Waves Health Clinic and Wellness Center, procure advantageous stop-loss insurance, and maintain current plan design for the health insurance as well as enter into and take those steps necessary to renew the agreement with Delta Dental of Wisconsin as third party administrator (TPA) for a self-funded dental insurance plan in substantially the same form as the existing agreement and endorsements, any changes in the execution copy being deemed approved by their signatures.

BE IT FURTHER RESOLVED that money for this purpose is hereby appropriated from:

Acct. No. XXX-XXXX-6306-XXXXX Employee Benefit Fund
XXX-XXXX-6308-XXXXX Employee Benefit Fund

TO:	Honorable Mayor and Members of the Common Council
FROM:	John Fitzpatrick, Assistant City Manager / Director of Admin Services
DATE:	September 23, 2025
SUBJECT:	Res 25-486 Approve Labor Contract with International Association of Fire Fighters (IAFF) Local 316 for years 2024, 2025 & 2026

BACKGROUND

The City has reached a tentative agreement with the International Association of Fire Fighters (IAFF) Local 316. This agreement has been approved by the respective membership of the group for the contract years of 2024, 2025 & 2026.

ANALYSIS

The major elements of the agreement are a restructured pay schedule beginning in 2024 which provides an average wage increases of 3.50% in 2024, 4.25% in 2025, and 4.25% in 2026. Also included in this packet is the conceptual tentative agreement.

FISCAL IMPACT

The estimated impact for the projected increases associated with this agreement is approximately $375,300 in 2024, $391,250 in 2025 and $407,900 in 2026.

RECOMMENDATION

Based on the analysis conducted, as well as the discussion and direction that occurred with Council, staff recommends approval of this labor agreement with the International Association of Fire Fighters (IAFF) Local 316 for the years of 2024, 2025, and 2026.

Attachments

Res 25-486
IAFF Tentative Agreement

09/23/2025 25-486 RESOLUTION

CARRIED 7-0

PURPOSE: APPROVE LABOR CONTRACT WITH INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS (IAFF) LOCAL 316 FOR YEARS 2024, 2025 & 2026

WHEREAS, the City of Oshkosh and IAFF Local 316 previously negotiated a Working Conditions Agreement (labor contract) for calendar years 2024-2026; and

WHEREAS, the City of Oshkosh and IAFF Local 316 previously negotiated a Working Conditions Agreement (labor contract) for calendar years 2024-2026; and

WHEREAS, IAFF Local 316 has ratified these changes and it is appropriate for the Common Council to approve this agreement.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oshkosh that the attached changes to the current labor contract of the International Association of Fire Fighters (IAFF) Local 316 are approved and the proper City officials are authorized and directed to enter into an appropriate agreement for these purposes, the execution copy being deemed approved by their respective signatures, and said City officials are further authorized and directed to take those steps necessary to implement the terms and conditions of the labor contract.

TENTATIVE AGREEMENT

THE CITY OF OSHKOSH
to

LOCAL 316, IAFF

August 28, 2025

1. **Insurance Benefits:**
   Modify:
   ARTICLE X:
   A. Medical Benefits Plan

   Replace paragraph 2 with:
   Health Risk Assessment (HRA): Participation in the City's Health Risk Assessment (HRA) program is voluntary. To receive the preferred premium contribution rate, the employee and covered spouse must participate in the HRA process.

   Modify Number 1 to:
   1. Employee Contributions **With** Health Risk Assessment **(HRA).**
   Effective January 1, 2024, employees will contribute up to 12% up to a maximum of $166.30 per month towards single; $311.87 per month towards dual; and $384.63 per month towards the family premium equivalents.

   Modify Number 2 to:
   2. Employee Contributions **Without Health Risk Assessment (HRA):**
   Effective January 1, 2024, employees will contribute up to 15% up to a maximum of $207.88 per month towards single; $389.84 per month towards dual; and $480.79 towards the family premium equivalents.

   Delete, *Note: Health insurance premium contributions are actually made one month prior to the effective dates shown.*

2. **Wages:** Effective at the beginning of each year's pay period that includes the date January 1.

   a. 2024: 3.50%
   b. 2025: 4.25%
   c. 2026: 4.25%

3. **Term:** Three years.

4. **Clean up language to be mutually agreed upon.**
   a. Article XXVI Uniforms – the City shall provide all required clothing and operate a clothing commissary. ~~in accordance with the memorandum of understanding signed by both parties and incorporated by reference herein.~~

5. In conjunction with the ambulance rotation policy proposed by the Union with revisions (see attachment) and add language as follows:

   Wage and Fringe Benefits
   III. Paramedic Pay & EMT Pay
   Add to end of paragraph:

   If a vacancy in the ambulance rotation for exists for six consecutive weeks or more, the least senior firefighter assigned to a fire company on the affected shift will temporarily be moved back into the ambulance rotation. No more than two firefighters per shift can be temporarily moved back into the rotation. Members who may be returned to the ambulance rotation will be evenly distributed amongst the three shifts prior to annual vacation selections.

Past practice 7
Union Representative in Disciplinary Meetings – 2 representatives

Past Practice 17
Sick Leave During Worker's Compensation Leave – We will follow contract language as written

Union proposals:

1. 48/96 schedule for 2026 (along with necessary contract clean up language).
3. See proposal below - Article XXIX – Wages and Fringe Benefits, Exhibit A. II. Classification Pay
   Adjust to:
   Personnel assigned to the next higher classification in the table of organization for a period of time totaling <u>at least twelve (12) hours in a shift shall be compensated</u> <u>for all hours worked in the higher classification</u> at the rate of pay in effect for the classification to which they are assigned at a step which is higher than their primary classification. Captains serving as Duty Chief shall receive a pay amount equal to the midpoint between A & B for the Battalion Chief classification in the Oshkosh Chief Officers agreement, per day.

6. Article XIII – Authorized Absence, B. Vacation – 56 Hour Employees: #2
   Delete last sentence and replace with:
   During the timeframe beginning the Friday shift prior to Memorial Day through Labor Day, including the full "swing" encompassing those dates, no less than five (5) employees shall be allowed on paid leave provided that the fifth employee scheduled the time off at least twenty-four (24) hours in advance.
7. Incorporate Mandatory Overtime MOU language
8. Modified Union proposal Article XIII – Authorized Absence
   Article XIII – Authorized Absence, B. Vacation, 56 Hour Employees:, #8
   Adjust to:
   Transfers within the Fire Department made after the vacation schedule has been established will have no effect on the vacation schedule. ~~except i~~In cases of promotions, one (1) additional vacation slot will be allowed for promotions that require transfers between shifts. ~~when/if the subsequent transfer causes more than four employees to be on vacation, demotion, or other emergency situations which may require transfers.~~

Repealed Repudiation
August 28, 2025

2 – Truck 6 agreement
3 – Continuous hours worked
4 – Offer training opportunities
5 – Union participation in committees and interviews
10 – Temporary assignment of Equipment Operators
14 – FAA ARFF training
15 – Modified duty MOU
16 – Medical excuse for sick leave

Pending Grievances

Union withdraws the following grievances:

- Ambulance build spec committee
- Research and Development and Recruitment committee
- Smoke diver
- Fire company vacancy
- Neenah Flashover training

8.28.25

8/28/25

Ambulance Rotation Proposal

Core Principles:

Each primary ambulance shall have four Firefighters assigned to its rotation at all times.

Personnel at each fire station are primarily responsible for filling short-term vacancies on the primary ambulance at their regularly assigned fire station.

The most junior ~~36~~ firefighters are on the ambulance rotation. Firefighters senior to these ~~36~~ shall be assigned to permanent fire companies, and cannot be used to fill ambulance shifts involuntarily.

Ambulance Rotation:

As a general rotation, Firefighters assigned to a primary ambulance will have an initial rotation utilizing two-day swings of the 48/96 schedule in which the Firefighters alternate swings assigned to the primary ambulance or a fire apparatus (fill/float).

The following is an example of the rotation using Med Unit 15 on the 48/96 schedule. FF 1 indicates the most senior Firefighter on that ambulance and shift, FF2 the second most, etc.

	Day 1	Day 2	(96hrs off)	Day 3	Day 4
M15 - FF1	M15	M15	-	Fill/Float	Fill/Float
M15 - FF4	M15	M15	-	Fill/Float	Fill/Float
M15 - FF2	Fill/Float	Fill/ Float	-	M15	M15
M15 - FF3	Fill/Float	Fill / Float	-	M15	M15

The following conditions apply to the ambulance rotation:

- A firefighter assigned to a primary ambulance will only fill vacancies on a primary ambulance in another station if three (3) or more of the firefighters assigned to a primary ambulance in another station are off. Ambulance vacancies will then be filled by seniority, the most junior FF/P will fill the vacancy.

- When a Firefighter assigned to a primary ambulance fills a vacancy on that ambulance due to sick leave or unpaid time off, the duty chief will adjust the rotation such that the Firefighter filling the vacancy on the ambulance reclaims their time on the fire

apparatus and the absent Firefighter is assigned to the primary ambulance at the next available opportunity in the schedule. Reclaiming shall not apply to vacancies caused by the use of vacation, holidays, or compensatory time.

General Scheduling and Filling Vacancies:

1. Fill all ambulance positions utilizing members assigned to each primary ambulance according to the ambulance rotation. Each primary ambulance shall have four Firefighters assigned to its rotation. In the event of a vacancy in the Firefighter assigned to a primary ambulance that lasts more than six (6) consecutive weeks, the least senior Firefighter assigned to a fire company on that shift shall be temporarily assigned to the ambulance rotation until the vacancy is filled, or at the next transfer list, assignments will be adjusted to ensure that the ~~36~~ least senior firefighters overall are the ones in the ambulance rotation. If a member chooses to voluntarily stay on the ambulance rotation despite their seniority, they may.

2. Vacancies on a primary ambulance shall be filled as follows:

~~1. First, by a Firefighter assigned to that primary ambulance's rotation who is most Junior.~~

~~2. By the Firefighter assigned to that primary ambulance who is 2nd most Junior~~

~~3. By the least senior Firefighter, who is within the ambulance rotation, who is not already assigned elsewhere.~~

~~4. If there are no Firefighters available, overtime should be put out for the position needed and then to move up/move down as needed.~~

1. Firefighter assigned to that primary ambulance who is on day 1 of Fill/Float.
2. Firefighter assigned to that primary ambulance who is on day 2 of Fill/Float.
3. By the least senior firefighter who is in the primary ambulance rotation on their Fill/Float rotation day.
4. If there are no Firefighters available, overtime will be hired in accordance with the collective bargaining agreement.

John Fitzpatrick
8/28/25

TO:	Honorable Mayor and Members of the Common Council
FROM:	Dean Smith, Police Chief
DATE:	September 23, 2025
SUBJECT:	Res 25-487 Approve Budget Amendment to Police Special Funds

BACKGROUND

The purpose of the Police Special Funds is to provide separate accounting and any reporting requirements for funds from Federal and State funding, grants and donations to be utilized for specific operational needs. These funds are utilized to support various department projects, funding anticipated and unanticipated operational costs that are not covered by the general police budget.

ANALYSIS

The department has identified the need to upgrade outdated equipment used in patrol operations. To fund this upgrade, the department intends to utilize funds from the Federal Asset Forfeiture funds, which are placed in the Police Special Funds account.

FISCAL IMPACT

There will be no fiscal impact on the Oshkosh Police Department general budget.

RECOMMENDATION

The Oshkosh Police Department recommends the Common Council approve a budget amendment to increase the Police Special Funds expenditure account 02150211-6550-02152 in the amount of $40,000 for purchase of minor equipment.

Attachments

Res 25-487

09/23/2025 25-487 RESOLUTION

CARRIED 7-0

PURPOSE: APPROVE THE OSHKOSH POLICE SPECIAL FUNDS BUDGET AMENDMENT

INITIATED BY: OSHKOSH POLICE DEPARTMENT

WHEREAS, the Common Council has adopted the 2025 Operating Budget, which is on file in the Office of the City Clerk and available for public inspection; and

WHEREAS, the Oshkosh Police Department has identified the need to upgrade outdated equipment used in patrol operations; and

WHEREAS, an amendment within the 2025 Budget is necessary to allocate funds from the Police Special Funds revenue generated from Federal Asset Forfeiture to fund the equipment upgrade.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oshkosh that a budget amendment is approved to increase the Police Special Funds expenditure account 02150211-6550-02152 in the amount of $40,000.

TO:	Honorable Mayor and Members of the Common Council
FROM:	Dean Smith, Police Chief
DATE:	September 23, 2025
SUBJECT:	Res 25-488 Approve Budget Amendment to Police Department Evidence Security Project

BACKGROUND

The Oshkosh Police Department conducts annual property and evidence inspections and audits throughout the year to maintain its accreditation from the Commission on Accreditation for Law Enforcement Agencies and the Wisconsin Law Enforcement Accreditation Group. Additionally, an audit of high-risk property is mandated when there are changes in property and evidence personnel. Access to the department's evidence control center is strictly limited to designated Property and Evidence Clerks and the immediate supervisor.

ANALYSIS

During recent audits along with accreditation recommendations, the department staff have identified opportunities for process enhancements and security improvements to ensure the integrity of the evidence function. A digital key-box has been implemented to enable audit tracking of keyed-access locations and lockers and additional biometric readers have been installed for accessing further evidence control rooms. To enhance oversight in less accessible areas, the department is seeking to install more security cameras in specific evidence storage and processing units, particularly where high-risk items are kept. To facilitate this expansion, the acquisition of a network video recorder (NVR) server is necessary, as the existing City NVRs have reached their capacity. This upgrade will also support potential expansions in other city areas as required.

FISCAL IMPACT

Amend the department's budget, reducing Account No. 01000211-6102 ("Regular Pay") by $52,000 and increasing Account No. 01000211-6550 ("Minor Equipment") by $29,000 and Account No. 01000211-7202 ("Capital Outlay - Office Equipment") by $23,000.

RECOMMENDATION

The Oshkosh Police Department recommends the Common Council approve a budget transfer from the department's regular salary budget to its operating minor equipment budget to implement this enhancement.

Attachments

Res 25-488

09/23/2025 25-488 RESOLUTION

CARRIED 7-0

PURPOSE: APPROVE BUDGET TRANSFER TO IMPLEMENT THE POLICE DEPARTMENT EVIDENCE SECURITY PROJECT

INITIATED BY: OSHKOSH POLICE DEPARTMENT

WHEREAS, the Common Council has adopted the 2025 Operating Budget, which is on file in the Office of the City Clerk and available for public inspection; and

WHEREAS, the Oshkosh Police Department has identified the need to enhance its security systems for the property and evidence control centers; and

WHEREAS, a budget transfer within the 2025 Budget is necessary to allocate funds from the department's regular pay budget to its operating minor equipment budget to implement the security system.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oshkosh that a budget transfer is approved to reduce Account No. 01000211-6102 ("Regular Pay") by $52,000 and increase to Account No. 01000211-6550 ("Minor Equipment") by $29,000 and increase to Account No. 01000211-7202 ("Capital Outlay - Office Equipment") by $23,000.

TO:	Honorable Mayor and Members of the Common Council
FROM:	Lynn Lorenson, City Attorney
DATE:	September 23, 2025
SUBJECT:	Res 25-489 Approve Master Agreement with town sanitary districts (October 1, 2025 through December 31, 2045)

BACKGROUND

The City of Oshkosh has for many decades provided wastewater treatment for adjoining towns under the terms of various sanitary districts agreements. The city is currently providing treatment services to 6 districts: Algoma Sanitary District, Black Wolf Sanitary District, and 4 separate districts within the Town of Oshkosh: Island View Sanitary District, Sunset Point Sanitary District, Edgewood Shangri La Sanitary District and the Winnebago Area Sanitary District (WASD).

Previous agreements for the various districts did not all contain the same terms and conditions and all had reached the end of the initial terms and were neither up to date or being necessarily followed in terms of actual practices. The agreements as they were currently being applied were also not recovering the full costs of service for the districts and billing for capital improvements to the sanitary systems was not consistently done for the districts who benefited from those improvements resulting in district customers paying a lower cost for the wastewater treatment system than their proportionate share of usage of that system.

Looking toward new agreements, the city had identified the primary objective to modernize and standardize all sanitary district agreements under one simpler, equitable current agreement with an attachment for each district identifying boundaries, connection points and any necessary individualized provisions. Initial drafts of the Master Agreement were sent to the districts in June of 2021. The parties have met and exchanged drafts, and engaged in mediation over the course of the past several years and have reached an agreement on the Master Agreement. At this time, we are requesting that the Council approve the terms of the Master Agreement.

Approval of the terms of the Master Agreement does not finalize this transaction. After the Master Agreement is approved, the City will need to continue to work with all Districts on finalizing the addendums to the Master Agreement, which contain District specific terms among other provisions. Once the addendums are finalized, the final individual agreements for each District will be brought to council for approval. However, approval of the form of the Master Agreement is a significant step in this process and gives each party the assurance that we are agreed upon and will implement the overall provisions accepted by all the parties during mediation and that it is appropriate to move on to the next step of finalizing the addendums

City staff is working diligently to prepare the addendums for each district and plan to bring those to council during October and November to allow for implementation of the contractual rates when 4th quarter 2025 billing is prepared and sent out in January of 2026.

ANALYSIS

The new agreement provides updated terms and terminology and provides a standard basis for all sanitary districts for billing with an agreed upon method for calculation of service rates that assures rates will be reviewed and updated annually and assures that costs are spread equitably across all utility users. The agreement clarifies current boundaries and how those boundaries are amended and includes provisions specific to annexations and detachments in the future. The Agreement with Algoma Sanitary District will include the transfer over the course of the agreement of several areas that had previously been annexed to the city back to direct city service and billing. Those areas include areas in Havenwood and commercial properties and the Aurora Hospital along Highway 21. The agreement includes provisions for testing and compliance with city ordinance and permit requirements which were not consistently addressed or applied under previous agreements. Provisions are also included to assure that there is appropriate data collection and sharing of necessary information between the parties through requirements for telemetry systems, annual reporting requirements and establishment of a technical standards committee made up of the personnel who operate the district systems and the city utility who can review issues and concerns, share information and create protocols for working together to enhance the working relationships and information sharing between the districts and the city. The agreement also sets forth provisions for dealing with potential exceedances and for dispute resolution if there are future disputes between the parties.

Following is an outline of the basic layout and synopsis of provisions that the parties have agreed to.

Overall Format --

Agreement -- Master Agreement common to all districts
Attachments --

A. Addendum A -- Maps showing current district boundaries and points of connection
B. Addendum B -- Allocated Flow Capacity
    1. By district and by connection point where applicable
    2. By time -- hourly/daily/monthly
C. Addendum C - Billing
    1. Utility Based Method developed by financial advisors, Ehlers for the city and Trilogy representing the districts
D. Addendum D -- District Specific Terms and Conditions
E. Addendum E -- Provisions pertaining the Purchase of Additional Capacity

Articles of the Agreement

I. Term -- The Agreement proposed an initial term of 20 years. While the 20-year term is shorter than the previous agreements it is still a long-term agreement. To address any concerns about another long-term agreement, staff built in reopener language that will allow staff to address significant issues or regulatory changes if they arise during the course of the agreement.

The 20-year initial term also allowed the city to negotiate the transfer of several areas of city incorporated properties, which include areas near Havenwood, Kirkwood, Wyldewood, and commercial areas along Highway 21, that are within city boundaries but currently served by ASD, to direct service by the City of Oshkosh.

II. Acronyms and Definitions -- Definition of contractual terms.

III. District Boundaries and Service Area - The boundaries of the individual districts and connection points for the individual districts will be specifically identified within an Addendum

to the Agreement along with any special provisions such as city or district customers served by the other party due to location. The city will only provide service within the district boundaries, which includes future additional connections within district boundaries and within established flow limits.

District boundaries may be amended through a review and approval process through East Central Wisconsin Regional Planning Commission (ECWRPC) and the Wisconsin Department of Natural Resources (WDNR) or by annexations/attachments or detachments during the contract period. Recognizing that annexations / attachments will change boundaries and, in some cases, may make it reasonable to make changes to ownership of utility assets and service/maintenance area responsibilities, provisions are included for acquisition of the other parties' assets and responsibilities in some cases.

For most districts, there are revisions to the current maps that are needed in order to reflect the parties' current boundaries and intended service areas and staff is working with the districts and ECWRPC for this purpose.

There are also provisions setting out the responsibilities for customers that are within one party's jurisdiction but due to location or other factors currently served by another party. In the case of ASD, the maps will reflect the transfer of those areas currently within the city and served by the district to city service over the course of the 20-year agreement.

IV. Services to be Provided -- Article IV of the Agreement sets forth the basic services the city will provide to the districts, including wastewater transportation, wastewater treatment, and includes reference to Addendum B which establishes the specific capacity allocations for each District.

Note: Capacity Allocation has been a significant issue for the parties to overcome particularly in relation to higher volumes expected in connection with storm events. The WWTP has an annual average daily flow capacity of 20 MGD (million gallons per day). We know the plant can continue to process wastewater in higher flow environments. However, the amount of flow that can be processed can be affected by a number of factors, including the ability to bypass secondary treatment and blend and the addition of tertiary or other processes over time. In addition, the parties need to be aware that even if the plant may handle higher flows, the city interceptor sewers may be limited. With the assistance of the mediators, the parties have agreed to the annual average of 20 MGD, as well as maximum monthly, weekly, daily and hourly flows which are reflected in the definition section of the final master agreement and will be reflected in the district specific addendum. The parties also recognized that these amounts may change over time due to various regulations, orders or operation adjustments and the Agreement provides that these amounts will automatically adjust proportionately should the amounts change.

Should a party exceed its designated limit the Agreement provides that at 80% the parties would meet and discuss options to address flow; at 90% districts must provide information showing a plan for addressing flow and any noted deficiencies in their system and at 95% of their allocated flow districts will not be allowed any future connections until they show that they have addressed issues and additional connections will not cause them to exceed flow or they purchase additional flow. A formula for the purchase of additional flow is incorporated into the final agreement as Addendum E.

V. District Compliance with Wastewater Regulations -- Historically, district waste has been required to meet the characteristics of domestic strength wastewater as it entered the city system, that is waste that is typical of residential uses. However, historically, little testing had been done to verify district compliance with regulations governing the strength of wastewater.

The districts, in negotiating their rates for treatment under the new agreement, posited that the waste they introduce into the system is lower in BOD (Biological Oxygen Demand is a measure of the amount of oxygen necessary/consumed-by bacteria to decompose waste), TSS (Total Suspended Solids), phosphorus and ammonia (NH3) than typical city waste streams. Based on this assertion, the districts negotiated a lower treatment rate based on the portion of the rate calculation that relies on those parameters, however the districts were also concerned that one or more of the districts may exceed this level at times. Rather than raise the level for all districts, the districts requested that the rates be set at the domestic limit for these 4 typical domestic strength waste constituents, but that they be allowed to exceed those at the connection point. The parties agreed to recommend that the rates applicable to the districts remain calculated at the current levels for these 4 waste constituents. There must be testing at the connection point verifying that the districts meet these levels or they must pay for any excess loadings of these constituents at a rate to be calculated with the annual rate schedule applicable to the districts. Districts must also adopt, comply with and enforce within the district all city ordinances and administrative codes, State and Federal Regulations and appropriately test and monitor any non-residential strength dischargers within their boundaries. The parties recognized that if there is a user in the district that separately pays pretreatment that those costs would be subtracted from any exceedance of the district. Initial testing may be a single 7-day test and either party may request additional testing, the city would pay ½ of the cost for additional testing if such testing were requested by the city.

VI. Sampling of District Wastewater -- Sampling will be done in accordance with methods and fees for city's industrial user program. City staff anticipates sampling and testing in the same manner as those entities under the city's industrial user pretreatment program initially which may become less frequent for districts when a baseline is established and up to date information is provided annually by the districts as to their customer base. The agreement further provides that if high strength waste is detected, the parties will work together to have additional testing performed to identify the issue and determine what actions may be necessary to comply with the contract and ordinance requirements. Excessive loadings of unusual or concentrated deleterious materials are prohibited; the agreement provides that if there are such wastes the district will either need to provide pretreatment or pay the city's additional costs for such treatment. Inflow and Infiltration (I&I) -- Districts are required to take reasonable efforts to prevent I&I within the system.

Inspection of the District Collection System -- the agreement anticipates the parties working together if an issue is identified, but preserves the city's rights as the permit holder to inspect records and the district system if necessary, focusing on ensuring operational efficiency and safeguarding public health.

VII. Rates and Fees / Billing -- The existing agreements applied a variety of calculations for rates for each district resulting in disparity between city and district customers as well as disparity in how the various districts were being billed. The proposed rate structure provides a method for billing for usage and reimbursement of capital expenses that the City incurs on assets used by the districts including the interest on debt to finance those capital investments that is applicable to all districts and does not require separate billing of capital costs on a project-by-project basis. Rates are proposed to be updated annually and provided to the districts for review and comment at least 30 days prior to adoption.

The remainder of the Agreement contains "Standard Provisions" covering:

VIII. Records -- records to be kept and right of parties to examine

IX. Audits -- parties will cooperate in audits

X. Default -- 90 day notice of default with opportunity to cure

XI. Technical Committee -- to meet to facilitate discussions on day-to-day issues and technical concerns pertaining to the operation of the system and review proposed updates to the wastewater ordinances

XII. Dispute Resolution -- provisions for discussion and mediation, final dispute resolution through court action

XIII. Reopeners, Amendments and Extension of the Agreement -- for substantial changes in operations or rate model; for changes in applicable laws or significant or unforeseen circumstances; agreement will automatically extend in 5-year increments unless notice of renegotiation is given by one of the parties; City may not terminate prior to end of a term except in case of default/breach of the agreement then must give one-year notice to allow parties to plan for separation of systems or the City may seek an alternate order through circuit court. Termination of the agreement will be by a two year notice.

XIV. Whole Agreement

XV. Liability -- city not responsible to districts for losses due to breakdowns or failure of the system; each party responsible for its own actions/inactions; governmental immunities within statutes apply to actions

XVI. Headings -- for convenience only, actual language of provision controls interpretation

XVII. Counterparts of Agreement -- multiple copies of the agreement may be signed to allow each party to have an original on file

XVIII. Performance Standards -- duty of parties to act in good faith

XIX. Not construed against any Party

XX. No Waiver -- temporary failures or decisions not to enforce a portion of the agreement shall not be held against a party later determining to enforce the provision

XXI. Severability -- if any section of the agreement should be determined to be unenforceable, it does not invalidate the entire agreement.

XXII. Governing Law / Venue -- Wisconsin law

XXIII. Notices -- contact information

XXIV. Authority to Sign

FISCAL IMPACT

The new agreement will allow the city to recoup the costs of providing service to sanitary districts in a consistent and equitable manner that is reflective of the portion of wastewater services and infrastructure used by the districts.

RECOMMENDATION

Staff recommends approval of the Master Agreement.

Attachments

Res 25-489
Master Agreement Sanitary Districts

09/23/2025 25-489 RESOLUTION

CARRIED 6-0-1 PRESENT

PURPOSE: APPROVE MASTER AGREEMENT WITH TOWN SANITARY DISTRICTS (OCTOBER 1, 2025 THROUGH DECEMBER 31, 2045)

INITIATED BY: CITY ADMINISTRATION

WHEREAS, the City of Oshkosh has for many decades provided wastewater treatment for adjoining towns under the terms of various sanitary districts agreements; and

WHEREAS, the City is currently providing treatment services to 6 districts: Algoma Sanitary District, Black Wolf Sanitary District, and 4 separate districts within the Town of Oshkosh: Island View Sanitary District, Sunset Point Sanitary District, Edgewood Shangri La Sanitary District and the Winnebago Area Sanitary District; and

WHEREAS, previous agreements for the various districts did not all contain the same terms and conditions and all had reached the end of the initial terms; and

WHEREAS, the city and districts met and have agreed to a new master agreement that modernizes and standardizes the basic provisions applicable to all districts in an equitable current agreement with individualized attachments identifying boundaries, connection points and any necessary individualized provisions for each district.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oshkosh that the attached Master Agreement is hereby approved and that the proper city officials are hereby authorized and directed to work with the districts to take those steps necessary to complete an individualized addendum for each sanitary district for future approval of an agreement consistent with this Master Agreement with each district seeking to enter into an agreement for the transportation to and treatment of wastewater by the City of Oshkosh Wastewater Treatment Plant.

Oshkosh Sanitary Districts Master Agreement

This Oshkosh Sanitary Districts Master Agreement ("Agreement") is made between the City of Oshkosh, a Wisconsin Municipality with its principal offices located at 215 Church Avenue, Oshkosh, Winnebago County, Wisconsin 54902-1130 ("City") and _____ Sanitary District, a body politic organized and existing pursuant to Chapter 60, Subchapter IX Town Sanitary Districts, §60.70 et. seq. Wis. Stats., with its principal offices located at _____, Oshkosh, Winnebago County, Wisconsin _____ ("the District").

Whereas, City and the District (collectively referred to herein as "the Parties") have previously entered into agreements for the provision of sanitary sewer and wastewater treatment service ("Services") by the City to the District; and

Whereas, the Parties wish to enter into an updated master agreement with common provisions applicable to all districts served by the City of Oshkosh;

Whereas, specific provisions applicable to each individual district shall be incorporated in addendums to each master agreement, with the terms of the master agreement remaining uniform between the districts; and

Whereas, the City is not obligated to provide extraterritorial service to the District except through a specific agreement for such services; and

Whereas, the City and the District entered into previous agreements for the transportation and treatment of the District wastewater and recognize that the District is currently dependent upon the City for service; and

Whereas, the City and District each desire to enter into this Agreement to continue their long-term relationship; and

Whereas, in return for the City providing the Services, the District agrees that the District will not promote competition for development or for movement or expansion of existing commercial and industrial concerns located in the City that would be in violation of an existing or amended Cooperative Plan/Agreement between the City and a respective Town and/or Sanitary District; and

Whereas, the Parties intend the foregoing provisions are contractual in nature and not to be construed as mere recitals to this Agreement.

Now, therefore, the Parties by their duly authorized representatives, agree as follows:

I. Term of Agreement.

This Agreement shall commence for the billing period beginning October 1, 2025, or alternatively for the next quarterly billing period following the latest date set forth in the signature blocks below, and shall continue through December 31, 2045, and shall continue thereafter, subject to the provisions of Article XIII.

II. Acronyms and Definitions.

A. Allocated Capacity. The flow capacity allocated to the District in Addendum B.

Classes of Flow Capacity: Maximum Hour Flow – the greatest total volume of wastewater during any consecutive 60-minute period expressed in terms of gallons per hour.

Maximum Day Flow – the greatest total volume of wastewater during any consecutive 24-hour period expressed in terms of millions of gallons per day.

Maximum Week Flow – the greatest total volume of wastewater during any consecutive 7-day period expressed in terms of millions of gallons per day.

Maximum Month Flow – the greatest total volume of wastewater during any consecutive 30-day period expressed in terms of millions of gallons per day.

Annual Average Daily Flow – the total volume of wastewater over one calendar year divided by 365 expressed in terms of millions of gallons per day.

B. **CMAR.** Compliance Maintenance Annual Report that is required by the WPDES General Permit for City and Satellite Sewage Collection Systems.

C. **CMOM.** Capacity, Management, Operation and Maintenance program that is required by the WPDES General Permit for City and Satellite Sewage Collection Systems.

D. **Connection Point**. The point at which the District's Collection System discharges to the City's Collection System.

E. **Collection System.** The individual and combination of infrastructure assets constructed, installed and used for the transmission of sanitary wastewater. These assets include, but are not limited to gravity pipes, manholes, force mains, valves, pump/lift stations with all their components, and associated ancillary assets required to monitor, control and evaluate flow.

F. **Data Logger**. An electronic device that automatically monitors and records environmental parameters over time, allowing conditions to be measured, documented, analyzed, and validated.

G. **Designated Management Agency.** An entity designated in an areawide water quality management plan having responsibility for implementing specific plan recommendations ("DMA") reviewed and recommended by East Central Wisconsin Regional Planning Commission ("ECWRPC") and approved by the Wisconsin Department of Natural Resources ("WDNR").

H. **District Wastewater Concentration. For purposes of calculating wastewater charges, the following definitions shall apply:** Wastewater having organic concentrations of Biochemical Oxygen Demand (BOD5) with an annual average of 250 milligrams per liter (mg/L), Total Suspended Solids (TSS) with an annual average of 250 milligrams per liter (mg/L), Phosphorous (P) with an annual average of 10 milligrams per liter (mg/L), and Ammonia-Nitrogen (NH3-N) with an annual average of 25 milligrams per liter (mg/L).

I. **EPA.** United States Environmental Protection Agency.

J. **Infiltration.** Water that enters a Wastewater System from the ground, including, but not limited to, such sources as defective pipes, pipe joints, connections, or manholes.

K. **Inflow.** Water that enters a Wastewater System through inappropriate connections including, but not limited to, sump pumps, roof leaders, cellar drains, and yard drains.

L. **Rate of Return.** The formula for calculating the Rate of Return is the total annual principal and interest payments for the City's sewer utility debt in the test year plus an additional 10% of the annual principal and interest payments less the City's annual depreciation expense for the City's Wastewater System. The dollar amount is then divided by the net book value of the City's Wastewater System to arrive at a percentage Rate of Return calculation.

M. **Residential Equivalent Connection**. The Residential Equivalent Connection or "REC" is the formula for calculating the annual discharge of an unmetered domestic residential unit. A Residential Equivalent Connection or "REC "shall be defined as 100 gallons per person per day of average daily flow with Category A domestic strength wastewater concentrations as defined in the City of Oshkosh Municipal Code, Ch. 24. A residential unit shall be defined as 3 people per unit.

N. **Sewer Service Area.** The area presently served or anticipated to be served by a sewage collection system ("SSA") as reviewed and recommended by East Central Wisconsin Regional Planning Commission ("ECWRPC") and approved by the Wisconsin Department of Natural Resources ("WDNR").

O. **Technical Standards Committee.** A committee made up of representatives from the City and the Districts created to discuss matters of a technical nature as described in Article XI.

P. **Wastewater System.** The combination of physical, chemical and biological components used to collect, pump, analyze, measure and treat raw wastewater and dispose of treated wastewater and biosolids in accordance with Federal and State laws, regulations and permit requirements. The Wastewater System includes, but is not limited to, the Collection System and the Wastewater Treatment Facility.

Q. Wastewater Treatment Facility. A plant in which a combination of physical, chemical and biological processes are used to treat wastewater and remove pollutants. The Wastewater Treatment Facility for the City is currently located at 233 N. Campbell Road, Oshkosh, WI.

R. WDNR. Wisconsin Department of Natural Resources.

S. WPDES. Wisconsin Pollution Discharge Elimination System.

III. District Boundaries and Service Area.

A. Establishment of Boundaries.

The boundaries of the District are established in Addendum A, which is incorporated into this Agreement and made a part hereof ("District Boundaries").

These boundaries will be modified by Amendment to reflect Sewer Service Area ("SSA") amendments and Designated Management Agency ("DMA") amendments approved by the Wisconsin Department of Natural Resources ("WDNR") which are within the boundaries of the District or the defined protected town areas set forth in existing or amended Cooperative Plans/Agreements between the City and a respective Town and/or Sanitary District. The City agrees not to unreasonably withhold, delay, or condition its approval of boundary modifications within the District, or defined protected town areas as defined in a Cooperative Plan, which include development anticipated to occur within the Allocated Capacity of the District as defined within Addendum B to this Agreement. City disapproval under this paragraph will be based upon a reasonable determination of the lack of sufficient contracted capacity for flow, load, or strength, the lack of sufficient downstream capacity in the City's Collection System, or other substantial engineering consideration related to a District's proposed construction or extension.

The boundaries will be similarly amended for annexation and attachment of City service areas under Sections E and F below to reflect sewer service amendments approved by the WDNR which are within the boundaries of the City or the defined City growth areas set forth in existing or amended

Cooperative Plans/Agreements between the City and a respective Town and/or Sanitary District. The District agrees not to unreasonably withhold, delay, or condition its approval of boundary modifications within the City or City growth areas as defined in a Cooperative Plan.

B. Service Outside of the District Boundary.

The City shall provide Services to the District only within the District Boundaries authorized by this Agreement.

Except as provided in paragraph A, the City has no obligation to provide Services to any properties not currently located within the District Boundaries and all rights are reserved by the City to decline to provide Services to any properties outside of the District Boundaries as established in Addendum A regardless of any proposed or future changes to the boundaries of the District.

C. Connection Point(s).

The Connection Point(s) between the District's Collection System and the City's Collection System are established in Addendum A. Changes in the Connection Point(s) required for any reason, may be agreed upon by the representatives for the Parties by written Memorandum of Understanding and new Addendums may be attached to the Agreement indicating the changes in Connection Points and date of change. In the case of the City the representative shall be the Director of Public Works, and in the case of the District the representative shall be the District President. A change in the Connection Point(s) shall not require formal amendment of the Agreement between the Parties.

D. District Mapping and Connections within the District.

The District shall provide to the City maps of current District facilities and connections within the District which shall be updated annually to include any changes to the location of facilities or connections and any additional connections to the system. The maps shall clearly depict how each property is metered.

The District may permit additional connections to the District's Collection System, subject to Section VII(H), provided that such connections are within the District and SSA/DMA boundaries and that the District does not

exceed its Allocated Capacity described in Addendum B, which is incorporated into this Agreement and made a part hereof. The District shall submit to the City's Public Works Director annually, during the month of December, a report showing the total current number of connections to the District's Collection System. The report shall contain the addresses of the premises served by those connections, the type of land use associated with each connection to the District's Collection System, and clearly indicate any new connections made to the District's Collection System occurring during the previous calendar year.

E. Currently Existing Atypical Sewer System Connections.

The Parties acknowledge that there are various atypical sewer connections within both the City and various districts at the time of entry into this Agreement. The Parties agree that the currently existing atypical sewer connections, shall generally be treated as follows:

1. The Parties agree that those properties that are located within the District but discharge sewage to the City's Collection System at a point other than a metered Connection Point may continue to discharge sewage directly to the City's Collection System, provided that the District timely complies with the requirements of Article VII pertaining to Flow Measurement.

2. Those City properties that have been annexed or attached to the City but are still connected to the District's Collection System shall continue to remain connected to the District's Collection System, except as these areas may be brought into the City as provided in Paragraph F below or as may be otherwise agreed upon by the Parties. For example, in the case of parcels located within the City currently served by the Town of Algoma Sanitary District No. 1, service by the City may begin immediately upon execution of this Agreement for certain of these parcels, while City service to certain other parcels will occur no earlier than 20 years following execution of this Agreement.

3. The quantity of flow from a user connection shall be determined in accordance with Article VII of this Agreement pertaining to Flow Measurement.

F. Annexations/Attachments/Detachments.

In accordance with Section 60.79 of the Wisconsin Statutes, the annexation of any parcel within the District detaches the parcel from the District. If at any point an annexation or attachment causes a portion of the District's Collection System to be bordered by City properties on each side, then the City may acquire the infrastructure assets of the District's Collection System located within the annexed area as follows:

1. If the sanitary flow through the annexed area connects directly to the City's Collection System without passing through any other portion of the District's Collection System and without passing through a District meter, then the City shall acquire all the assets of the District's Collection System located within the annexed area, including but not limited to pipes, pumps, valves, and manholes.

2. If the sanitary flow through the annexed area cannot connect directly to the City's Collection System without passing through any other portions of the District's Collection System or without passing through a District meter, then the District shall continue to own and maintain the infrastructure assets located in the annexed area until the District meter is relocated and/or the Collection System is able to directly connect to City facilities under paragraph 1 above.

3. If the sanitary flow can connect directly to the City's Collection System or if a majority of the patrons already receiving sewer service within a definable area are City patrons, the City may take over ownership and maintenance responsibilities for the portion of the system within the defined area. At that time, the City shall acquire and maintain all infrastructure assets of the District's Collection System located within the defined area including, but not limited to, pipes, pumps, valves, and manholes.

When the City acquires a portion or all of the District's Collection System, the following shall apply regarding the infrastructure assets formerly owned by the District:

1. If the assets were financed by a private developer or in any other manner without direct cost to the District, the acquired assets shall be transferred to the City without cost to the City.

2. If the assets were a utility financed purchase by District through the issuance of bonds or other debt and said indebtedness remains unpaid, the City shall pay to the District the proportionate share of any remaining indebtedness that is attributable to the purchase of the assets. The City's payment shall be made either in one sum, or in annual installments of the amount necessary to pay the proportionate share of the principal and interest when due. The District shall apply the moneys received from the City strictly to the payment of the principal and interest due.

3. If the assets were purchased by the District without incurring debt, then the City shall pay to the District the depreciated value, if any, of the assets as identified in the accounts of the District or as reasonably calculated in relation to the anticipated remaining useful life of the assets.

4. The Parties recognize that while the above parameters will generally provide a reasonable means to calculate the value of assets, that there may be circumstances in individual cases that require adjustment to these calculations and the Parties agree to work together in good faith in such cases to reasonably calculate the value of the assets to be acquired. In the case of a dispute, the Parties agree that they may seek the assistance of an independent outside person to assist with the valuation of the assets or mediator. If the Parties are unable to reach agreement, the City may take over the assets and either Party may petition the Wisconsin Public Service Commission to seek resolution of the matter in relation to compensation.

Should a detachment occur, the same process and analysis shall apply to allow the District to acquire the infrastructure assets of the City's Collection System located within the detached area.

The Parties agree that they will execute any documents reasonably necessary to facilitate the above transactions including easements, bills of sale, deeds, release of easements, or similar documents.

G. Parties' Assets.

Notwithstanding anything to the contrary, the City continues to solely own, operate, maintain and replace its Collection System and Wastewater Treatment Facility, and shall solely bear the cost of any repair or replacement for its Collection System and Wastewater Treatment Facility. The District continues to solely own, operate, maintain and replace its Collection System, and shall solely bear any cost of repair or replacement for its Collection System and any related facilities.

H. District Specific Terms.

This Agreement is a standard master agreement between the City and each of the sanitary districts it serves. The Agreement establishes foundational terms and conditions that are applicable to all districts. The District may have unique requirements and circumstances regarding service area, asset ownership, or transfer, and as a result, Addendum D is hereby incorporated into this Agreement to delineate District specific terms and conditions.

IV. Services to be Provided.

A. Wastewater Transportation.

The City shall receive wastewater generated within the District Boundaries at Connection Points as provided for in Addendum A. The City shall be responsible for the transportation of the wastewater from the Connection Point(s) through the City's Collection System to the City's Wastewater Treatment Facility and shall be responsible for obtaining all permits necessary for operation, maintenance and replacement of its Collection System. The District shall be responsible for the transportation of the wastewater through the District's Collection System to the Connection Point(s) and shall be responsible for obtaining all permits necessary for operation, maintenance and replacement of its Collection System.

B. Wastewater Treatment.

The City shall provide treatment of the wastewater from the District at the City's Wastewater Treatment Facility. The City shall own, operate and maintain the Wastewater Treatment Facility and shall be responsible for obtaining all permits necessary for operation of the Facility and complying with all reporting requirements for the Facility.

C. Capacity Allocation.

The City shall allocate capacity in its Collection System and its Wastewater Treatment Facility as provided for in Addendum B, which is incorporated into this Agreement and made a part hereof. Each District may also request to purchase additional capacity according to the formula provided in Addendum E. City approval under this paragraph shall not be unreasonably withheld, conditioned, or delayed.

The District acknowledges that the capacity allocated to it in Addendum B is calculated as determined as a percentage of the total treatment capacity of the Wastewater Treatment Facility. If, for any reason, there are changes to the total treatment capacity of the Wastewater Treatment Facility, including a change in state or federal regulatory requirements, the District's capacity in Addendum B shall be adjusted accordingly. Specifically, the District shall maintain their percentage allocation, but the District's percentage allocation shall now be applied to the new adjusted total treatment capacity of the Wastewater Treatment Facility.

Both Parties agree that if any changes occur to the total treatment capacity of the Wastewater Treatment Facility, the City shall provide the District with notice of the revised capacity which shall be determined either by the limits stated in the City's current WPDES permit or through an engineering study, submitted to and approved by the WDNR if required.

The District acknowledges that although its overall capacity is a percentage of the total treatment capacity of the Wastewater Treatment Facility, the District's capacity may be further constrained at specific Connection Points due to the limitations of the Collection System (including the size of the existing pipes and infrastructure).

V. District's Compliance with Wastewater Regulations.

A. District's Compliance with City's Wastewater Service Regulations.

1. Waste Characteristics.

Characteristics of waste delivered to the City's Collection System at each connection point must meet the requirements of Chapter 24 of the City of Oshkosh Municipal Code.

District wastewater strength may be calculated based on 7 days of consecutive 24-hour flow proportional composite sampling performed annually by a third-party laboratory. The District shall be responsible for paying for the annual testing.

Alternatively, at the option of either Party, the District wastewater strength may also be calculated by taking an annual rolling average, which will be calculated based on 7 days of consecutive 24-hour flow proportional composite sampling performed quarterly by a third-party laboratory. Results of the testing will be aggregated with the data collected quarterly over the past twelve months, to calculate an annual average. This annual average will be used to determine District wastewater strength in relation to the definition of Category A set forth in this Agreement. In the event a District desires to use an annual rolling average to calculate wastewater strength, the District shall be responsible for paying for the quarterly testing. In the event the City desires to use an annual rolling average to calculate wastewater strength, the District and City shall equally be responsible for paying for the quarterly testing.

2. **Applicability of City Ordinance and Administrative Rules**

The City's provision of Services is subject to the District's compliance with and enforcement of all applicable City ordinances and administrative rules pertaining to protection of the City's Wastewater System and the prevention of cross connections with any other utility systems. All discharges from the District's Collection System into the City's Wastewater System shall be subject to Chapter 24 of the City of Oshkosh Municipal Code and the District's Board of Commissioners shall adopt and enforce regulations regarding the use of the District's Collection System that includes the same language as Sections 24-4, 24-5, 24-6, 24-6.1 through 24-6.4, 24-6.6 and 24-6.7 of the City of Oshkosh Municipal Code, except (1) replacing the word "City" or words "City of Oshkosh" with the name of the Sanitary District, except in the case where the sentence refers to the City's Wastewater Treatment Plant (Facility) or the City's Industrial Wastewater Discharge Handbook; (2) replacing the terms "Control Authority" and "Authority" with the term

"District's Board of Commissioners;" and, (3) replacing the term "Utility Operations Manager" with the term "District's President". The City reserves its legislative right to amend its ordinances and regulations as it deems prudent or necessary.

Unless expressly required by state or federal laws or regulations, or conditions of the City's WPDES permit, if an amendment to the City's ordinances would conflict with the terms and conditions of this Agreement the City cannot unilaterally amend its ordinances or administrative rules without first submitting the proposed amendment to the Technical Standards Committee ('TSC") for its review and recommendation. However, if the City notifies the TSC of an amendment and the TSC does not provide its recommendation within 30 days of the City's notification, the City may take action without the TSC's recommendation.

The City agrees that it will not amend its ordinances with the effect of invalidating this Agreement, or unjustly targeting the District. Any amendment to the City's ordinances are to be made in good-faith with the objective of achieving equitable and comprehensive system-wide regulation.

B. Sanitary District Ordinance Applying City Ordinance

The District must provide by ordinance that the City's sewer use ordinance as amended from time to time applies within their jurisdictions, including that all customers within their jurisdictions who require pretreatment of sewage are subject to the provisions of the City's sewer use ordinance relating to pretreatment.

The District shall periodically, and specifically upon request of the City, sample and provide all sampling and test results for all customers within its jurisdiction who are or may be subject to the provisions of the City's sewer use ordinance relating to pretreatment or as necessary to comply with the District's or City's WPDES permit(s). The District shall work with the City to sample and test within their District's own system as discussed in Article VI of this Agreement, to assure compliance with the pretreatment requirements.

Notwithstanding the above, this paragraph shall not limit the Parties' rights or responsibilities for testing under state and federal law.

C. District's Compliance with State and Federal Regulation.

The District shall comply with all State of Wisconsin and Federal laws, regulations and orders concerning wastewater systems. Specifically, the District shall comply with the State of Wisconsin's General Permit under the WPDES for Satellite Sewage Collection Systems (WI-0047341-06-0 or as may be updated from time to time). The District shall provide the City a copy of the District's Capacity, Management, Operation and Agreement (CMOM) and the most recent Compliance Maintenance Annual Report (CMAR) within 30 days of the effective date of this Agreement, and any updates to the CMOM and CMAR within 30 days after they are completed. The District shall also provide the City with any notices of violation, administrative orders, consent orders, consent decrees or any written enforcement action taken by the WDNR or the EPA within 10 business days of receipt by the District. Notwithstanding the preceding, the submission of a District's CMOM or CMAR does not grant the City any right to unilaterally amend a CMOM or a CMAR. District security plans will be redacted if they are included as part of a District's CMOM or CMAR.

VI. Sampling of and Access to District Wastewater.

A. Sampling of District Wastewater.

The City shall cause periodic sampling and analyses to be conducted, at least annually, of District wastewater. Initial samples will be collected at the connection points. Samples will be collected and analyzed in the same manner that samples are collected and analyzed for the City's industrial user program. Reports generated from the sampling and analysis shall be provided by the City to the District in a timely manner. If a sample shows high strength waste, or any other condition present in violation of Chapter 24 of the City of Oshkosh Municipal Code, the Parties shall work together to have additional testing completed which may be at points other than the connection point. The District shall pay the City for the sampling and analysis at the same cost and rate as the City's industrial user program.

B. Inspection of District's Collection System.

The District shall conduct periodic inspections of its Collection System to ensure that users of the Collection System are in compliance with all applicable regulations and take appropriate action to correct or cause the correction of any deficiencies in the District's Collection System. In addition, the District agrees to allow the City, upon a minimum of 14 calendar days' notice, to inspect the District's Collection System and review any written or electronic records relating to the physical and video inspection of the collection system, and condition assessments of the District's wastewater pump stations. The District agrees to provide access to the District's Collection System and records along with a District employee to facilitate the City's inspection and review.

Inspections of the District's Collection System by the City will focus on ensuring operational efficiency and safeguarding public health. The City will only request inspection when a compelling need is identified, such as abnormal/excessive flow, deleterious material in flow (i.e. gravel), or other evidence of system failure. In those instances, the City will promptly inform the District of the identified issues and work collaboratively with the District to resolve them.

C. Excessive Loads.

The District agrees that it will make reasonable efforts to control the collection of wastewater containing any unusual or unusually concentrated presence of deleterious materials and substances or materials and substances that are now, or may in the future be, regulated under Chapter 24 of the City of Oshkosh Municipal Code, the terms of the WPDES permit for the City's Wastewater System, or EPA regulations. To the extent that such wastes are collected by the District, the District shall either provide pretreatment to remove such materials prior to introduction into the City's Wastewater System or shall pay the City in accordance with Article VII.

D. Inflow and Infiltration.

The District agrees that it will make reasonable efforts consistent with best practices in the wastewater sector to limit Inflow and Infiltration into the District's Collection System and to take action, which is within its authority, to ensure that Inflow and Infiltration will not enter the District's Collection System. To the extent that the District does not limit Inflow and Infiltration and the District exceeds its Allocated Capacity, the provisions of Article VII shall apply.

VII. Rates and Fees / Billing.

A. Rates and Fees.

The District shall pay to the City wastewater charges as determined by the Common Council, which may include a meter charge, fixed charge, volume charge or such other fees and charges as may be determined by the Common Council. It is the intent of this Agreement that the City shall be fully compensated for the provision of Services to the District. The City shall provide the District with a copy of the analysis at least 30 calendar days prior to consideration by the Common Council to allow the District to review and comment upon the proposed rates.

The rate study will be updated each year by entering the previous year's actual expenses, flows and loadings, and fixed asset values, along with calculating of the rate of return according to the defined formula.

The rate study shall be based on the loading levels of the District Wastewater Concentration, as defined in this Agreement. The rate study shall calculate a rate, per pound, for treatment of BOD5, TSS, P, and NH3-N exceeding the District Wastewater Concentration levels.

If the District exceeds the District Wastewater Concentration at any connection point, the District shall be charged for that additional exceedance per pound. In calculating the exceedance charge, the District shall receive a credit for any payment the City receives directly from any non-domestic sewage customers participating in the pretreatment program as further detailed below.

The City reserves its legislative discretion to modify its own rate structure in the future. Rates will be established through a regular review of the cost of service analysis performed in accordance with industry practices. Generally, rates shall be calculated using a utility-based method with a current Rate of Return. The current rate structure is set forth in Addendum C. New rates shall automatically be included within this Agreement upon approval of the Council and notification to the District.

The District may seek review by the Public Service Commission of Wisconsin ("PSC") under Wis. Stat. § 66.0821(5) for a determination of whether the rates, rules and practices are unreasonable or unjustly discriminatory. The District may only challenge the City's rates, rules and practices before the PSC if the Agreement is silent on such rates, rules and practices.

If at any time the District has a non-domestic sewage customer (a customer who is or may be subject to the provisions of the City's sewer use ordinance relating to pretreatment or as necessary to comply with the District's or City's WPDES permits) within its boundaries, the District agrees that the District shall pay a charge per pound over the pollutant concentrations specified in Chapter 24 of the City of Oshkosh Municipal Code on the wastewater discharged from the non-domestic sewage customer into the District's collection system. The charge shall be the same as the charge assessed to the non-domestic sewage customers within the City.

The charge shall be invoiced to the District directly, unless the District requests the City invoice the non-domestic sewage customer directly. In the event of direct billing to the non-domestic sewage customer, the District shall be responsible for any charges that are unpaid by the non-domestic sewage customer.

Nothing in this provision waives, alters, or otherwise modifies the requirement that the District wastewater flow shall not contain pollutant concentrations exceeding those specified in Chapter 24 of the City of Oshkosh Municipal Code at the Connection Point between the District and the City. In that event, the provisions of Section VII(I) shall apply.

B. Billing and Flow Measurement.

The City shall bill the District for Services based on the quantity of flow entering the City's Collection System at the Connection Point. If there is

more than one Connection Point, the quantity of flow shall be the sum of quantity of flows from all Connection Points.

The quantity of flow for the District shall be determined by the City from the following sources, which are listed in the order of priority/use for billing purposes:

1. Wastewater Flow Meters/Integrated Telemetry System
2. Wastewater Flow Meters/Data Loggers
3. Temporary Wastewater Flow Meters
4. Residential Equivalent Connection
5. Water Flow Meters

If it is determined that any meter is inaccurate or inoperable, the City shall estimate the quantity of flow using a method designed to reasonably calculate the flow for the period including but not limited to extrapolation from temporary flow meters, an average of the previous 6-months of flow for which the meter was deemed to accurately measure flow, or average of other similar user's flow. For further information regarding the installation and maintenance requirements of the above meters, see Article VII.C-E.

In the event there is residential wastewater flow entering the City's or a District's Collection System at a Connection Point that is not metered by a wastewater flow meter, that unmetered flow shall be estimated by taking the flow per the Residential Equivalent Connection and multiplying it by the number of unmetered units flowing through the Connection Point. For non-residential flow that is unmetered, the Parties shall meet and agree upon a metering system that shall be installed, including wastewater flow meters or water flow meters, as appropriate.

C. Wastewater Flow Meters/Integrated Telemetry System

In order to provide more effective flow data for future analysis and planning of system improvements, the District agrees to install flow meters integrated with telemetry systems capable of real-time data transmission to the City at all wastewater flow metering sites as defined below.

The District shall maintain, repair and replace the wastewater flow meters and the telemetry systems at all Connection Points where wastewater flow meters are currently installed and shall install wastewater flow meters integrated with telemetry systems at any future proposed Connection

Points unless the Parties representatives under Article III-C. agree that installation is impractical, cost prohibitive, or otherwise unnecessary. The City shall review and approve of all proposed wastewater flow meters and telemetry systems.

The District shall be responsible for all costs associated with the wastewater flow meters and telemetry systems, their installation, operation, readings, and maintenance. All existing wastewater flow meters shall have the integrated telemetry systems installed within two years of the date of this Agreement.

The District shall cause all wastewater flow meters within the District to be calibrated by the meter's manufacturer, the manufacturer's authorized representative or other company approved by the City within 90 calendar days of the date of this Agreement, and annually thereafter. A certificate of calibration shall be sent to the City within 14 calendar days of the meter's calibration. Any meter which cannot be calibrated within the manufacturer's specified tolerances shall be repaired or replaced by the District within 90 calendar days of the District receiving notice of the inability to calibrate the meter. Repaired meters, replaced meters, and any additional new meters installed by the District or its contractors, shall be subject to written approval by the City's Director of Public Works. The District shall submit specifications for the replacement and/or new meters, along with plans for installation for the Director of Public Work's approval.

In the event a District has or installs a flow meter, but the Parties' representatives under Article III-C. agree that installation of the integrated telemetry system specifically would be impractical, the District may install a Data Logger instead. The City shall provide the District with the specific Data Logger the District shall install and the District shall be responsible for all costs associated with the Data Logger, including its installation, readings, and maintenance.

D. Temporary Wastewater Flow Meters.

Either Party may, during the term of this Agreement, install temporary wastewater flow meters and data loggers within the Collection System to verify flow data or obtain additional information relative to waste characteristics or flow entering a Party's system from the other Party's system. Temporary installations shall generally be installed at or near Connection Points, as necessary to verify or replace equipment that may be

malfunctioning, or in connection sampling and analysis under Article VI. above

Unless otherwise agreed in writing by the Parties, whichever Party is initiating the temporary installation shall be responsible for the installation, readings, and maintenance of the temporary installation. Each Party shall cooperate with and upon request, shall provide to the other Party any necessary authorizations and permits for temporary installations within each Party's respective facilities. The Parties shall promptly share any data or testing results obtained from temporary installations.

E. Non-Residential Water Flow Meters.

In the event a water meter is installed on the water source of a non-residential property in the District that does not pass through a wastewater meter for billing purposes, this section shall apply.

For sewer flow to be billed by a water meter read, the District and the City shall provide water meter readings to the other Party by the close of business on the 10th day of the following month for billing on a monthly or quarterly basis as may be mutually agreed upon between the City and the District. For purposes of this paragraph the City's Finance Director and the District President or their authorized representative are authorized to agree to changes in the timing of billing which agreement shall be reduced to writing and attached to Addendum A to this Agreement.

The District shall be responsible for all costs associated with the water meters, their installation, readings, and maintenance. The City will not install, inspect, test or participate in the installation, reading or maintenance of water meters without a separate agreement to provide payment for such services.

The District shall cause all water meters within the District to be calibrated or tested by the meter's manufacturer, the manufacturer's authorized representative or other company approved by the City at least once every 10 years or replaced every 20 years per a schedule approved by the Wisconsin Public Service Commission (WPSC). Further, within 90 days of the date of this Agreement, the District shall ensure that all existing District water meters are compliant with the terms of this agreement.

Any meter which cannot be calibrated within the manufacturer's specified

tolerances shall be repaired or replaced by the District within 90 calendar days of the District receiving notice of the inability to calibrate the meter. Repaired meters, replaced meters, and any additional new meters installed by the District or its contractors, shall be subject to the requirements and standards of the WPSC. The Districts shall annually submit documentation relating to the calibration and/or replacement of water meters, along with the engineering design plans for the installation of any new infrastructure, which shall be provided within 14 days.

F. Adjustments to Flow for District's Service of City Parcels.

The Parties acknowledge that due to past annexations and other events, the District may currently provide sanitary sewer and/or wastewater treatment service to parcels that are located within the City. Until such time as these parcels are serviced directly by the City as provided in Article III, the District shall continue to provide sanitary sewer service to the City parcels In the event that flow from City properties is combined with District flow prior to being measured by a wastewater flow meter, the flow attributable to the City properties, as measured by REC for residential properties, or water meter readings or otherwise by separate agreement of the Parties for non-residential properties, shall be deducted from the District's total flow to obtain a billable flow for the District. Each Party agrees to serve all customers in its territory in the same manner. Billing shall be as provided in Article VII or as may be separately agreed by the Parties and incorporated into Addendum D.

G. Time of Billing and Payment of Invoices.

The City shall issue bills quarterly to the District for the Services being provided pursuant to this Agreement. The District shall pay the City directly within 45 days of the date of the invoice. Late payments are subject to the then-existing late payment charges imposed by the City on other wastewater customers. The District shall be responsible to directly invoice its customers for wastewater services, and the District bears the risk of collection from any District customer. Failure of or delay by any District customer to pay the District shall not relieve the District of its obligation to pay City for the Services.

H. Remedies for Exceeding Allocated Capacity

The District, in Addendum B, has been allocated flow capacities. The Parties agree to the following tiered system to progressively enforce compliance with allocated capacity and encourage proactive planning.

1. **80% of Allocated Capacity**. Whenever the District has actually utilized 80% or more of any class of flow capacity allocation under this Agreement, the City shall promptly notify the District in writing. At such time, the District shall have the option of engaging with the City in a joint planning project, at the cost of the District, to determine whether and under what circumstances there is any reasonable possibility that the Wastewater discharged by the District will exceed the District's flow capacity allocation, and if so what actions can reasonably be taken by the District to eliminate any such reasonable possibility. The principal burden of formulating the plan shall be on the District, but the City shall fully cooperate with and assist in the formulation of the plan. In the event that the District and City agree upon a plan which will eliminate any such reasonable possibility of exceeding the District's allocated flow capacity (e.g. the elimination of excess Infiltration and Inflow, or the construction of an appropriately-sized equalization basin, or construction of an interceptor, or the purchase of additional allocated flow capacity), and the District satisfactorily implements such plan, the City shall waive any restrictions imposed under the following subsections unless and until the metered discharge data subsequently demonstrates that the plan is not working as anticipated or that there are unanticipated problems.

2. **90% of Allocated Capacity**. Whenever the District has actually utilized 90% or more of any class of flow capacity allocation under this Agreement the City shall promptly notify the District in writing. From and after that time, additional Sewer Extensions tributary to the particular facility in which the District has the flow capacity allocation in question shall not be permitted until such time as the District has satisfactorily demonstrated to the City that full use of any proposed Sewer Extension will not exceed the District's allocated flow capacity. Upon reasonable written notice, at any time after the District has discharged Wastewater to the Sewer Service Facilities at a level at or above 90% of such District's allocated flow capacity, the District shall survey or test its Collection Facilities for

excess Infiltration and Inflow, and the District shall submit its findings and a plan to address excess flow or any noted deficiencies in the District systems to the City for approval, which shall be granted unless there is a valid engineering rationale otherwise. Upon failure of the District to provide the testing results and a plan to address excess flow, or receive approval of the same from the City, the City may provide notice to the District of the City's intention to survey or test the collection facilities of the District for excess Infiltration and Inflow or other issues and the District shall grant access to the City to complete such review and testing. The District shall pay the City the cost of any such survey or testing within 60 days of written notice of such cost.

3. **95% of Allocated Capacity**. Whenever the District has actually utilized 95% or more of any class of flow capacity allocation under this Agreement (or of any associated flow limitation set out in this Agreement or in any associated exhibit), the City shall promptly notify the discharging the District in writing. From and after that time, no additional Sewer Extensions tributary to the facility in which the District has the flow capacity allocation in question shall be permitted by the City and no additional customer connections tributary to the particular facility in which the District has the flow capacity allocation in question shall be permitted by the District, until such time as the District has satisfactorily demonstrated to the City that full use of any proposed customer connection or Sewer Extension will not exceed the District's allocated flow capacity, including without limitation consideration of future connections of sewered properties that are currently vacant or underutilized. The City shall expeditiously consider any proposed demonstration by a Party that additional customer connections will not exceed the District's allocated flow capacity allocation.

4. **Exceeding Allocated Capacity**. Whenever the District has actually exceeded flow capacity allocation under this Agreement, the City shall notify the District in writing. From and after that time, no additional Sewer Extensions or customer connections tributary to the particular facility in which the District has the flow capacity allocation in question shall be allowed under any circumstances until such time as (1) modifications have been made to the District's sewerage system and/or operations, and the results of such

modifications have been in effect for a reasonable period of time to demonstrate satisfactorily that any reasonable possibility of exceeding the District's flow capacity allocation in the future has been eliminated, or (2) until such time as the District has acquired sufficient additional allocated flow capacity to accomplish the same result.

Notwithstanding the tiered structure above, in the event a District's exceedance of its allocated flow capacity results in damage to, impairment of, or interference with the City's Wastewater System, the District shall be liable to the City for any expense, loss, or damage occasioned by reason of such exceedance which the City suffers as a result thereof. The City may charge the District its proportionate share for any fine, penalty, or forfeiture incurred by the City, and may also charge the District for any cost incurred by the City (including, without limitation, for employees, equipment, or materials) as a result of such excessive discharge. For any costs claimed, the City shall provide an itemized invoice to the District and will provide information identifying that flow from the District(s) caused or contributed to said damage and/or penalty. The amounts recoverable by the City, if any, are net of grants, reimbursements or insurance proceeds actually recovered by the City.

The proportion of costs allocated to charges for exceeding flow is the share of costs that could be allocated to any District for damages that occur due to a District or the City exceeding its Allocated Capacity when the damage occurred and contributed to causing the damage. This cost would only apply to a District that was exceeding its Allocated Capacity when the damage occurred. The portion of cost allocated to each Party corresponds to each Party's proportion of the total volume of wastewater flow entering the wastewater facility(ies) sustaining the damage at the time the damage occurred.

I. Charges for Exceeding Pollutant Loadings.

The District wastewater flow shall not contain pollutant concentrations exceeding those specified in Chapter 24 of the City of Oshkosh Municipal Code. If the District's wastewater flow exceeds the pollutant concentration specified in Chapter 24 of the City of Oshkosh Municipal Code, WPDES regulations, or EPA regulations, the District shall be charged the resulting cost increase for the City to provide necessary treatment or other measures to remove the materials or substances or reduce concentrations to prevent

damage to the City's Wastewater System and maintain pollutant limits in compliance with the City's WPDES permit. The District acknowledges and agrees that the City may assess against the District the civil penalties as provided in Chapter 24 of the City of Oshkosh's Municipal Code for violation of that chapter where the District's wastewater flow exceeds the stated pollutant concentrations. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation. In addition to these civil penalties, the District shall be liable to the City for any expense, loss, or damage occasioned by reason of the District's wastewater flow which exceeds the pollutant concentrations specified in Chapter 24 of the City of Oshkosh Municipal Code, including, without limitation, any fines to which the City may be subject as a result for violation of its WPDES permit.

VIII. Records.

Each Party shall keep accurate books, records, and accounts of rate calculations and cases, fees, costs, disbursements, utilities maps, plans and as built drawings, inspections, state reports, and all other matters affecting the substance of this Agreement. Upon reasonable notice, any Party or its agent shall be entitled to examine and inspect the books, records and reports of any other Party for the purpose of verifying charges or credits; verifying inspections and condition of facilities or otherwise exercising or protecting any rights or responsibilities under this Agreement in relation to that Party's utility system; except that access to private third-party utility accounts shall be limited to non-identified information without a showing of necessity by the requesting Party or order of a court of competent jurisdiction.

IX. Audits.

A. Cooperation.

The Parties agree to cooperate in connection with any internal or governmental investigation or administrative, regulatory, or judicial proceeding (or governmental audit, with respect to matters relating to this Agreement). Such cooperation may include, but shall not be limited to, responding to requests for documents and/or other records, and making employees available to the other Party (or their respective insurers, attorneys or auditors) upon reasonable notice for: (i) interviews, factual investigations, depositions, and providing declarations or affidavits that

provide truthful information in connection with any litigation or audit; (ii) appearing at the request of the other Party to give testimony without requiring service of a subpoena or other legal process; (iii) volunteering all pertinent information related to any litigation or audit; and (iv) providing information and legal representations to auditors in a form and within a timeframe requested.

B. Expenses.

The Party requesting cooperation shall reimburse the other Party for reasonable direct expenses incurred in connection with providing documents and records required under this paragraph and may require such expenses to be documented by receipts or other appropriate documentation. Reasonable direct expenses include costs such as copying, postage and similar costs and witness fees; but do not include wages, salaries, benefits, and other employee compensation.

C. Third-Party Proceedings.

Notwithstanding the above, in the case of a third-party proceeding in which the Parties are both named as defendants the Parties may or may not elect to enter into a mutually acceptable joint defense agreement.

X. Default.

In the event that one Party commits a material breach of its obligations under this agreement, the other Party shall provide written Notice of Default to the Party which is deemed to have committed the material breach. The Notice of Default shall specify the Article(s) and Paragraph(s) of this Agreement that is alleged to have been breached, and an explanation of the breach. Unless emergency conditions exist, the Party receiving the Notice shall have 90 calendar days to cure the breach after receipt of the Notice. If the material breach is not cured within 90 calendar days, the Parties agree that Dispute Resolution under Article XII shall be initiated. If a breach is not capable of being cured within 90 days for causes or reasons beyond the breaching Party's control, the Party may remain in breach for an additional 90 days so long as it has commenced and is taking reasonable actions to cure such breach as promptly as practicable.

XI. Technical Standards Committee.

A. Creation of TSC.

The Parties acknowledge the value of ongoing communications for the purpose of consistently exchanging information about the Wastewater System, the Wastewater Treatment Facility, and the Collection System, as well as the administration of this Agreement (together, the "System"). Therefore, the Parties do hereby establish a committee identified as the Technical Standard Committee ("TSC"). The purpose of the TSC is to facilitate the exchange of information, and (a) to exchange reports and updates regarding the System; (b) to report on System improvements that are anticipated, in progress, or completed; (c) to report on Wisconsin DNR-required facilities plans or Regional Service Area Plan amendments that are anticipated, in progress, or completed; (d) to report on inflow/infiltration and clearwater issues; (e) to exchange and analyze data from water flow meters/dataloggers, sampling, and other operating sources ; (f) discuss reasonable protocols and access to collection systems for inspection, maintenance, testing or other matters; (g) to preview proposed System rates, fees, and billing budgets and initiatives ; (h) to facilitate dispute resolution before invoking the formal dispute resolution options set forth Article XII and (i) to establish and to maintain procedures and protocols for compliance with this Agreement. The Parties further acknowledge that to accomplish the preceding purposes it will be necessary to freely and consistently exchange information in a spirit of cooperation and transparency.

B. Composition of the TSC.

The TSC will consist of engineering or technical representatives from the City and each District.

C. TSC Meetings.

The TSC will meet as needed, but at least twice per year. The City's Director of Public Works, or his or her designee, will prepare and circulate the meeting agenda based on the items submitted by any Party. Except as required by law, the Parties do not contemplate their sessions to constitute a "meeting" under the Chapter 19 of the Wisconsin Statutes.

XII. Dispute Resolution.

A. Pre-formal Action.

Prior to the initiation of any formal action between the Parties, including but not limited to litigation, the Parties agree to meet and confer with regard to any disputes under this Agreement. This requirement may be initiated by either Party by written request delivered to the other Party as provided in Article XXIII. The Parties shall meet and confer within 30 calendar days of the Party receiving the request from the initiating Party.

B. Mediation/Arbitration.

As a condition precedent to the initiation of litigation the Parties shall engage in formal mediation conducted by a mutually-selected mediator experienced in the topic at issue. The costs of the mediator shall be shared equally. If the Parties are unable to agree on the mediator, the selection shall be made from a panel list submitted by the State of Wisconsin Department of Administration – Municipal Boundary Review by a process of alternate striking from the panel list.

C. Formal Action.

In the event the Parties are unable to resolve their dispute, either Party may file an action with a court of competent jurisdiction.

XIII. Reopeners, Amendments and Extensions of the Agreement

A. Amendments/ Reopening of the Agreement.

The Parties recognize that wastewater collection and treatment are a highly regulated industry and that capacity and legal requirements may change over the term of the Agreement potentially necessitating reopening of the Agreement. During the term of this Agreement, either Party may request that a section of the Agreement be reopened or amended. The Parties agree that if the request relates to the following, the Parties shall meet and confer on the request and that the Agreement shall be amended as may be agreed upon to adequately address the following conditions:

1. Substantial or material changes in the method for calculating rates for wastewater treatment and services

2. A change in law or permit requirements substantially and materially altering operations under the terms of this Agreement which cannot be adequately addressed within the rate model.
3. A substantial and continuing failure of the District to comply with loading, capacity and flow allocations, as set forth in this Agreement.
4. When significant and/or unforeseen events or circumstances arise substantially and materially affecting operations of either the District or City system which cannot be adequately addressed within the rate model.

Upon failure to reach an agreed upon amendment in relation to the above conditions, the Parties agree to engage a mediator to assist in resolution of the necessary amendment.

This Agreement may be otherwise amended by the Parties from time to time to address additional issues not within the above categories. However, except as otherwise provided in this Agreement, no amendment, variation or waiver of any term of this Agreement shall be enforceable by any Party unless it is in writing and signed by both Parties.

B. Extension of the Agreement.

This Agreement shall automatically extend in 5-year increments unless notice of the City's or District's desire to renegotiate the agreement shall be provided in writing to the other Party no later than 1 year prior to the original termination date or 1 year prior to the termination date of the extension.

C. Early Termination.

The District may terminate this Agreement prior to the original termination date or the termination date of any extension with two years prior notice to the City. The City may not terminate this Agreement prior to the original termination date or the termination date of any extension except in the case of material breach/default or failure of dispute resolution, then may only terminate by providing the District two years notice, or as a result of a court order.

D. No Reimbursement.

Upon termination of this Agreement for any reason, any and all fees, charges, and other payments made by the District to the City shall be non-refundable whether made under this Agreement or any other agreement

between the Parties relating to the provision of wastewater transmission or treatment services, whether those fees, charges, or other payments were made for capital investment or for operations and maintenance of the City's Wastewater System, or for any other reason related the provision of Services including, but not limited to the cost of permits or plan/document review.

XIV. Whole Agreement.

This Agreement including any written and duly executed amendments thereto contains the entire understanding of the Parties with respect to the subject matter hereof. There are no restrictions, promises, warranties, covenants, or understandings other than those expressly set forth in this Agreement and Amendments executed as provided in this Agreement. This Agreement supersedes all prior negotiations, agreements, and undertakings between the Parties with respect to the subject matter hereof.

XV. Liability.

The City shall not be responsible or liable to the District for any loss caused by any breakdown or failure of the Collection Systems, Wastewater Treatment Facility or any appurtenant or ancillary assets contemplated by this Agreement.

LIABILITY AND HOLD HARMLESS: Subject to any limitations contained in Secs. 893.80, 893.83, 345.05, and any similar statute, of the Wisconsin Statutes, each party (the indemnifying party) agrees to hold the other party, its officers, officials, employees and agents harmless from any and all liability, including claims, demands, losses, costs, damages, and expenses of every kind and description (including death), or damages to person or property arising out of the terms of this Agreement where such liability is founded upon or grows out of the acts or omission of any of the Indemnifying Party's officers, employees or agents while acting within the scope of their employment.

It is the intention of the parties to this Agreement that each party shall be solely responsible for its own actions and activities and the actions and activities of its own officers, employees and agents while acting within the scope of their employment.

Further, it is the intention of the parties to this Agreement that each party shall be entitled to rely upon the municipal limitations and immunities available

under Wisconsin law, including but not limited to section 345.05, 893.80 and 893.83 of the Wisconsin Statutes and that such damage limits, caps and immunities shall be used to govern all disputes, contractual or otherwise, as they apply to the parties, their agents, officers and employees.

XVI. Headings.

Headings contained in this Agreement are for convenience of reference only and are not intended to define, limit, or describe the scope or intent of any provision of this agreement.

XVII. Counterparts of Agreement.

This Agreement may be executed in several counterparts, each of which shall be deemed an original, but such counterparts shall together constitute but one in the same Agreement. Facsimile and electronic signatures shall be deemed original signatures for all purposes of this Agreement.

XVIII. Performance Standard.

This Agreement requires the Parties to act or to refrain from acting on a number of matters. The Parties hereby acknowledge that this Agreement imposes on them a duty of good faith and fair dealing. In addition, whenever consent or approval is required by a Party, the consent or approval shall not be unreasonably withheld, conditioned, or delayed.

In addition, each Party agrees to provide information to assist the other in obtaining the necessary permits from the Wisconsin Department of Natural Resources, or any other governmental authority, for the receipt and provision of wastewater conveyance and treatment service in accordance with this Agreement.

XIX. Not Construed Against Any Party.

This Agreement is the product of negotiation between the Parties hereto and no term, covenant, or provision herein or the failure to include a term, covenant or provision shall be construed against any Party hereto solely on the basis that one Party or the other drafted this Agreement or any term, covenant, or condition contained herein. The captions appearing in this Agreement are inserted solely for convenience but shall never be considered or given any effect in construing this Agreement if any questions of intent should arise. All terms and words used in this Agreement, whether singular or plural and regardless of the gender thereof, shall be deemed to include any other number and any other gender as the context may require. Unless otherwise explicitly

provided in this Agreement, any reference to laws, ordinances, rules, or regulations shall include such laws, ordinances, rules, or regulations as they may be amended or modified from time to time hereafter.

XX. No Waiver.

Failure of any Party to insist upon the strict performance of terms and provisions of this Agreement, or any of them, shall not constitute or be construed as a waiver or relinquishment of that Party's right to thereafter enforce such term or provision, and that term of the provisions shall continue in full force and effect.

XXI. Severability.

If any term, covenant, condition or provision of this Agreement shall be determined to be invalid or unenforceable by a court of competent jurisdiction, the remainder of this agreement shall not be affected thereby. The Parties, in good faith, shall meet and confer and will substitute a valid and enforceable provision as similar as possible to the provision at issue. The remainder of the Agreement shall be valid and enforceable to the fullest extent permitted by law.

XXII. Governing Law / Venue.

The laws of the State of Wisconsin shall govern the interpretation, construction and provisions relating to service under this Agreement. Winnebago County shall be the venue for all disputes arising under this Agreement.

All references to statutes, regulations and ordinances shall include any future renumberings, recodifications or amendments upon passage and publication in compliance with law.

XXIII. Notices.

All communications or notices required or permitted by this Agreement shall be in writing and shall be deemed to have been given: (i) upon delivery to an officer or the person entitled to such notice, if hand delivered, or (ii) two business days following deposit in the United States Mail, postage prepaid, or with a nationally recognized overnight commercial carrier that will certify as to the date and time of delivery, air bill prepaid, (iii) upon transmission if by facsimile or (iv) upon transmission by email. Any such communication or notice shall be addressed as follows, unless and until any such Party notifies the other in accordance with this section of any change of address:

If to the City:	City of Oshkosh Department of Public Works 215 Church Avenue Post Office Box 1130 Oshkosh, WI, 54903-1130 Attn: Director of Public Works
With a copy to:	City of Oshkosh City Attorney's Office 215 Church Avenue Post Office Box 1130 Oshkosh, WI, 54903-1130 Attn: City Attorney
If to the District:	_____ _____ _____
With a copy to:	Dempsey Law Firm, LLP 10 Forest Avenue, Suite 200 Fond du Lac, WI 54935

XXIV. Authority.

The persons signing this Agreement warrant that they have the authority to sign as, or on behalf of, the Party for whom they are signing.

IN WITNESS WHEREOF, the designated and authorized representatives of the City of Oshkosh and the District, by virtue of directions of their respective governing bodies, have executed this Agreement on the dates indicated below. This Agreement becomes effective as of the latest date of the signatures below.

Dated this _____ day of _____, 2025 for the City of Oshkosh, Wisconsin.

CITY OF OSHKOSH, WISCONSIN

_____
Rebecca Grill, City Manager

_____
Cheryl Pionke, Interim City Clerk

Approved

_____
Lynn A. Lorenson, City Attorney

Dated this _____ day of _____, 2025 for the _____Sanitary District.

SANITARY DISTRICT

_____
District President

_____
District Secretary

Addendum A – District Boundaries & Connection Points (Subject to Ongoing Discussion)
Addendum B – Contractual Flow and Pollutant Loading
Addendum C – Current Rate Structure
Addendum D – District Specific Terms and Conditions
Addendum E – Purchase of Additional Capacity

TO:	Honorable Mayor and Members of the Common Council
FROM:	Kimberly Gierach, Planning Services Manager
DATE:	September 23, 2025
SUBJECT:	Res 25-490 Approve General Development Plan and Specific Implementation plan for a building entrance landing and ramp at 608 Jefferson Street (Victory Baptist Church) and adjacent property located at the northeast corner of Jefferson Street and East Parkway Avenue (Plan Commission recommends approval)

BACKGROUND

The subject area included in this request consists of two parcels totaling 0.27 acres, with frontage on Jefferson Street and East Parkway Avenue. The property located at 608 Jefferson Street is home to Victory Baptist Church and the property located at the northeast corner of Jefferson Street and East Parkway Avenue (parcel 90401880000) is a vacant property that is also owned by Victory Baptist Church. The surrounding area consists of residential uses to the north, east, and south, and commercial uses to the west.

ANALYSIS

The applicant is proposing to construct a new elevated entrance to the building. According to the applicant, the proposed entrance will be designed to meet accessibility standards and will include both a staircase and ADA-compliant ramp to facilitate safe and convenient entry for all individuals. Staff is supportive of Base Standard Modifications (BSM) to allow the ramp/landing to extend within the front and street side setbacks.

FISCAL IMPACT

Approval of this project would not result in an increase in the assessed property value as the property is exempt. The applicant is anticipating spending approximately $50 thousand on the proposed project.

RECOMMENDATION

The Plan Commission recommended approval of the requested General Development Plan and Specific Implementation Plan on September 16, 2025. Please see the attached staff report for more information.

Attachments

Res 25-490
GDP SIP - 608 Jefferson St

09/23/2024 25-490 RESOLUTION

CARRIED 7-0

PURPOSE: APPROVE GENERAL DEVELOPMENT PLAN AND SPECIFIC IMPLEMENTATION PLAN FOR A BUILDING ENTRANCE LANDING AND RAMP AT 608 JEFFERSON STREET (VICTORY BAPTIST CHURCH) AND ADJACENT PROPERTY AT THE NORTHEAST CORNER OF JEFFERSON STREET AND EAST PARKWAY AVENUE

INITIATED BY: CHRIS BAUKNECHT

PLAN COMMISSION RECOMMENDATION: Approved

WHEREAS, the Plan Commission finds that the General Development Plan and Specific Implementation Plan for a building entrance landing and ramp at 608 Jefferson Street, is consistent with the criteria established in Section 30-387 of the Oshkosh Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oshkosh that a General Development Plan and Specific Implementation Plan for a building entrance landing and ramp at 608 Jefferson Street, per the attached, is hereby approved, with the following findings:

1. The proposed Planned Development project is consistent with the overall purpose and intent of this Chapter as the proposed landing/ramp will provide safe access to the building.
2. The proposed Planned Development project would maintain the desired relationships between land uses, land use densities and intensities, and land use impacts in the environs of the subject site as the use of the site and building area will remain unchanged.
3. The proposed Planned Development project will positively contribute to and not detract from the physical appearance and functional arrangement of development in the area as the applicant is providing additional landscaping along the landing/ramp and building to enhance the appearance of the site.
4. The proposed Planned Development project will produce significant benefits in terms of environmental design and significant alternative approaches to addressing development performance that relate to and more than compensate for any requested exceptions/base standard modifications variation of any standard or regulation of this Chapter.

BE IT FURTHER RESOLVED by the Common Council of the City of Oshkosh that the following are conditions of approval for General Development Plan and Specific Implementation Plan for a building entrance landing and ramp at 608 Jefferson Street:

1. Certified Survey Map (CSM) to combine the subject properties shall be approved and recorded at the Winnebago County Register of Deeds prior to building permit issuance.
2. Base Standard Modification (BSM) to allow reduced street side setback (Jefferson Street) to 7' 11".
3. BSM to allow reduced front setback (East Parkway Avenue) to 14' 4".
4. Final landscaping plan shall be reviewed and approved by the Department of Community Development.

ITEM: **GENERAL DEVELOPMENT PLAN AND SPECIFIC IMPLEMENTATION PLAN FOR A BUILDING ENTRANCE LANDING AND RAMP AT 608 JEFFERSON STREET (VICTORY BAPTIST CHURCH) AND ADJACENT PROPERTY LOCATED AT THE NORTHEAST CORNER OF JEFFERSON STREET AND EAST PARKWAY AVENUE**

Plan Commission Meeting of September 16, 2025

Applicant: Chris Bauknecht
Owner: Victory Baptist Church

Action Requested: The petitioner requests General Development Plan and Specific Implementation Plan approval for a building entrance landing and ramp.

Applicable Ordinance: Planned Development: Section 30-387 of the Zoning Ordinance.

Background Information Property Location and Type: The subject area included in this request consists of two parcels totaling 0.27 acres, with frontage on Jefferson Street and East Parkway Avenue. The property located at 608 Jefferson Street is home to Victory Baptist Church and the property located at the northeast corner of Jefferson Street and East Parkway Avenue (parcel 90401880000) is a vacant property that is also owned by Victory Baptist Church. The surrounding area consists of residential uses to the north, east, and south, and commercial uses to the west.

Existing Land Use	*Zoning*
Church & Vacant lot	I-PD

Adjacent Land Use and Zoning

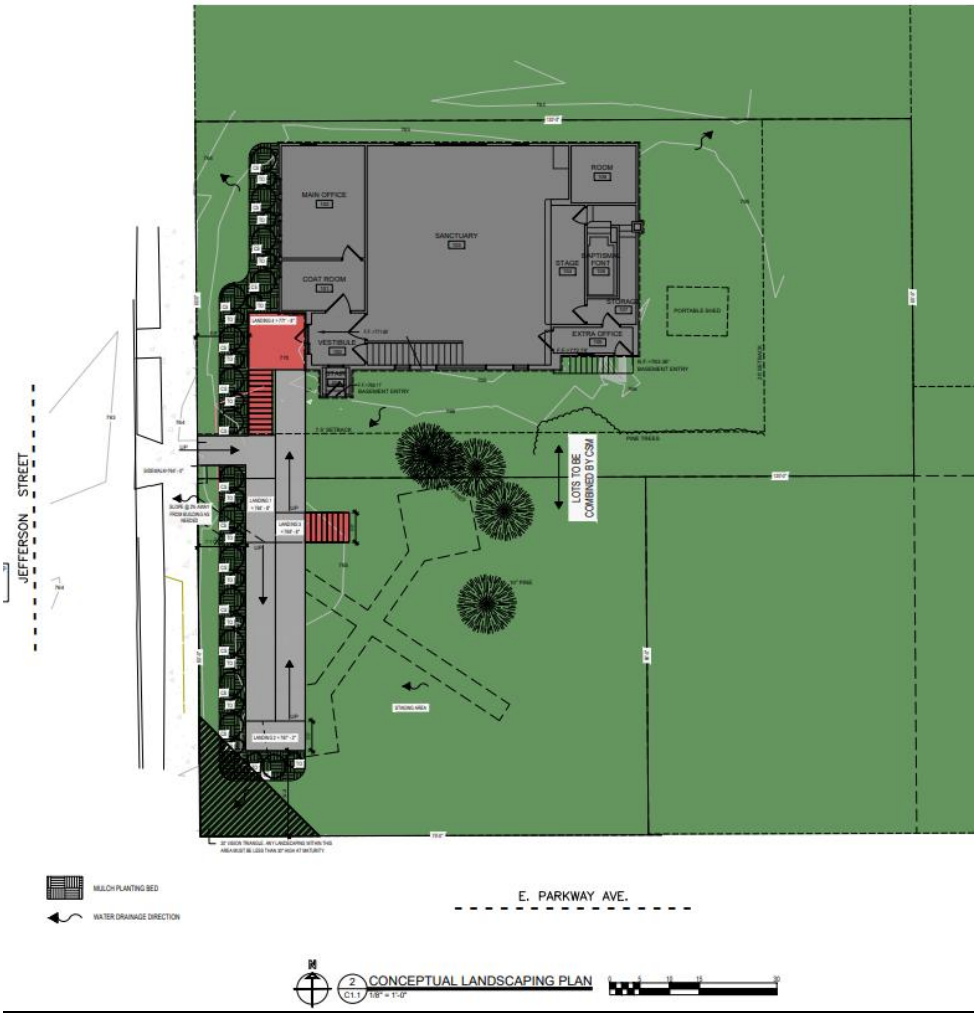
Existing Uses		*Zoning*
North	Residential	TR-10 PD
South	Vacant	TR-10 PD
East	Residential	TR-10 PD
West	Commercial	UMU

Recognized Neighborhood Organizations
Historic Fourth Ward

Comprehensive Plan Land Use Recommendation	*Land Use*
2040 Land Use Recommendation	Light Density Residential

The applicant is proposing to construct a new elevated entrance to the building. According to the applicant, the proposed entrance will be designed to meet accessibility standards and will include both a staircase and ADA-compliant ramp to facilitate safe and convenient entry for all individuals.

Site Design - The proposed ramp/landing will be accessed from the Jefferson Street sidewalk, with the ramp extending into the vacant property at the corner of Jefferson Street and East Parkway Avenue. The two subject properties will need to be combined into one property through a certified survey map (CSM) to allow the ramp as proposed.



As proposed, the landing/ramp will have a 7′11 ¾″ street side setback (Jefferson Street), where a 25′ street side setback is required in the I District. It will have a 14′ 4″ front setback (East Parkway Avenue), where a 30′ front setback is required. The site plan shows the ramp and bordering landscaping to be outside of the 20′ X 20′ corner vision clearance triangle.

Initial plans for the entrance ramp were brought to a Plan Commission workshop on May 16, 2023, with Plan Commission voicing support for the proposed plan with reduced front setback from Jefferson Street. The plan has since been modified and includes extension of the ramp further to the south (toward East Parkway Avenue). Staff is supportive of the requested Base Standard Modifications (BSM) for reduced front and street side setback as the proposed landing/ramp is intended to provide safe and accessible entrance to the church and is needed due to the elevated building entrance at 7′ 8″. The applicant is proposing landscape plantings bordering the landing/ramp to compensate for the BSM requests.



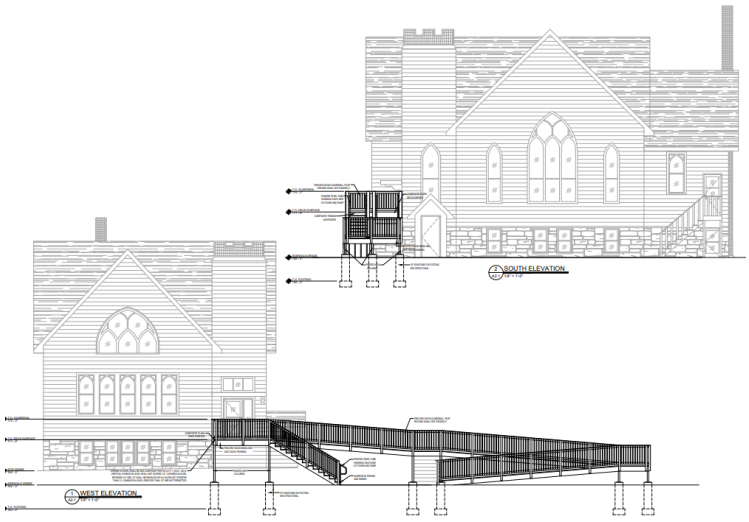
2024 Google Streetview of existing entrance

Storm Water Management/Utilities - The Department of Public Works has reviewed the plan and did not note any concerns, but noted that the new construction is immediately adjacent to the public right-of-way and therefore may need a right-of-way permit.

Landscaping - Additional landscaping is not required by code as no new building or paved areas are being added to the site. The applicant is proposing a combination of deciduous and evergreen shrubs, totaling 131 landscaping points, along the landing/ramp and front of the building. The new landscaping will serve to offset the setback reductions and enhance the appearance of the site.

LANDSCAPE SCHEDULE

SYM	MARK	COMMON NAME botanical name	SIZE		QTY
			INITIAL	MATURE	
⊙	CS	COTONEASTER Cotoneaster spp.	12"	4'	17
⊙	TO	EMERALD PETITE ARBORVITAE Thuja occidentalis 'emerald petite'	2 gal	5'-6"	16



Findings: In its review and recommendation to the Common Council on an application for a Planned Development district, staff recommends the Plan Commission make the following findings based on the criteria established by Chapter 30-387 (C)(6):

(a) The proposed Planned Development project is consistent with the overall purpose and intent of this Chapter as the proposed landing/ramp will provide safe access to the building.

(c) The proposed Planned Development project would maintain the desired relationships between land uses, land use densities and intensities, and land use impacts in the environs of the subject site as the use of the site and building area will remain unchanged.

(h) The proposed Planned Development project will positively contribute to and not detract from the physical appearance and functional arrangement of development in the area as the applicant is providing additional landscaping along the landing/ramp and building to enhance the appearance of the site.

(i) The proposed Planned Development project will produce significant benefits in terms of environmental design and significant alternative approaches to addressing development performance that relate to and more than compensate for any requested exceptions/base standard modifications variation of any standard or regulation of this Chapter.

Recommendation and Conditions: Staff recommends approval of the General Development Plan and Specific Implementation Plan with the findings listed above and with the proposed following conditions:

1. Certified Survey Map (CSM) to combine the subject properties shall be approved and recorded at the Winnebago County Register of Deeds prior to building permit issuance.
2. Base Standard Modification (BSM) to allow reduced street side setback (Jefferson Street) to 7′ 11″.
3. BSM to allow reduced front setback (East Parkway Avenue) to 14′ 4″.
4. Final landscaping plan shall be reviewed and approved by the Department of Community Development.

The Plan Commission recommended approval of the requested General Development Plan and Specific Implementation Plan on September 16, 2025. For a comprehensive record of the proceedings, the official minutes can be obtained by contacting Planning Services.

SUBMIT TO:
Dept. of Planning Services
215 Church Ave., P.O. Box 1130
Oshkosh, WI 54901
Room 204
PHONE: (920) 236-5059
Email: planning@oshkoshwi.gov

City of Oshkosh

Planned Development Application

For General Development Plan or Specific Implementation Plan

****PLEASE TYPE OR PRINT USING BLACK INK****

APPLICANT INFORMATION

Petitioner: Chris Bauknecht Date: 08-01-2025

Petitioner's Address: 1377 Midway Rd City: Menasha State: WI Zip: 54952

Telephone #: (920) 731-0381 Email: chrisb@martenson-eisele.com Contact preference: ☐ Phone ☒ Email

Status of Petitioner (Please Check): ☐ Owner ☒ Representative ☐ Tenant ☐ Prospective Buyer

Petitioner's Signature (required): Date: 08-01-2025

OWNER INFORMATION

Owner(s): Mat Dvorachek Date:

Owner(s) Address: 608 Jefferson St. City: Oshkosh State: WI Zip: 54901

Telephone #: (920) 203-0557 Email: pastor@victorybaptistoshkosh.com Contact preference: ☐ Phone ☒ Email

Ownership Status (Please Check): ☐ Individual ☐ Trust ☐ Partnership ☒ Corporation

Property Owner Consent: (required)
By signature hereon, I/We acknowledge that City officials and/or employees may, in the performance of their functions, enter upon the property to inspect or gather other information necessary to process this application. I also understand that all meeting dates are tentative and may be postponed by the Planning Services Division for incomplete submissions or other administrative reasons.

Property Owner's Signature: Mat Dvorachek Date: 08/03/2025

TYPE OF REQUEST:

☒ General Development Plan (GDP) ☐ General Development Plan (GDP) Amendment
☐ Specific Implementation Plan (SIP) ☐ Specific Implementation Plan (SIP) Amendment

SITE INFORMATION

Address/Location of Proposed Project: 608 Jefferson Street, Oshkosh, WI 54901

Proposed Project Type: Exterior Ramp

Estimated Cost: $50,000

Current Use of Property: Church (Parcel class is Exempt Other) Zoning: I-PD

Land Uses Surrounding Your Site: North: Residential
South: Residential (empty lot)
East: Residential
West: Commercial

- **It is recommended that the applicant meet with Planning Services staff prior to submittal to discuss the proposal.**
- **Application fees are due at time of submittal. Make check payable to City of Oshkosh.**
- **Please refer to the fee schedule for appropriate fee. FEE IS NON-REFUNDABLE**

For more information please visit the City's website at https://www.oshkoshwi.gov/PlanningServices/

<u>SUBMITTAL REQUIREMENTS</u> – Must accompany the application to be complete.
(Submit only digital files. If file size exceeds 10 mb, please send through a file transfer. Please note at the discretion of Community Development staff may request a hard copy)
The following information must be provided in order for the application to be considered complete and able to be scheduled for Plan Commission Review. Please use the checklist below to determine the required information to be submitted at the time of application. If all information below cannot be provided at the time of application, please request a waiver in writing to the Division's Director or designee.

☒ **A General Development Plan (GDP) submittal, per Section 30-387(C)(4), shall include the following items (Submit only digital files. Please note at the discretion of Community Development staff may request a hard copy):**
- ☒ General location map of the subject site depicting:
  - All lands for which the Planned Development is proposed and other lands within 100 feet of the boundaries of the subject property.
  - Current zoning of the subject site and abutting properties, and the jurisdiction(s) that maintains that control.
  - A graphic scale and north arrow.
- ☒ Generalized site plan showing the pattern or proposed land uses, including:
  - General size, shape, and arrangement of lots and specific use areas.
  - N/A Basic street pattern and pattern of internal drives.
  - N/A General site grading plan showing preliminary road grades.
  - Basic storm drainage pattern, including proposed on-site stormwater detention.
  - General location of recreational and open space areas, including designation of any such areas to be classified as common open space.
- ☒ Statistical data, including:
  - Minimum lot sizes in the development.
  - Approximate areas of all lots.
  - Density/intensity of various parts of the development.
  - Building coverage.
  - Landscaping surface area ratio of all land uses.
  - Expected staging.
- ☒ Conceptual landscaping plan.
- N/A ❑ General signage plan.
- N/A ❑ General outline of property owners association, covenants, easements, and deed restrictions.
- ☒ A written description of the proposed Planned Development, including:
  - General project themes and images.
  - The general mix of dwelling unit types and/or land uses.
  - Approximate residential densities and nonresidential intensities.
  - General treatment of natural features.
  - General relationship to nearby properties and public streets.
  - General relationship of the project to the Comprehensive Plan or other area plans.
  - Proposed exceptions from the requirements of the Zoning Ordinance and enhancements that will be provided to compensate for them.
- N/A ❑ Traffic Impact Analysis (TIA), if deemed necessary by the Director of Planning Services, or designee.

❑ **A Specific Implementation Plan (SIP) submittal, per Section 30-387(C)(5), shall include the following items. Note that the area included in an SIP may be only a portion of the area included in a previously approved GDP (Submit only digital files. Please note at the discretion of Community Development staff may request a hard copy):**
- ❑ An existing conditions map of the subject site depicting the following:
  - All lands for which the Planned Development is proposed and other lands within 100 feet of the boundaries of the subject site.
  - Current zoning of the subject property and all abutting properties, and the jurisdiction(s) that maintains that control.
  - Existing utilities and recorded easements.
  - All lot dimensions of the subject site.
  - A graphic scale and a north arrow.
- ❑ An SIP map of the proposed site showing at least the following:
  - All property lines and existing and proposed right-of-way lines with bearings and dimensions clearly labeled
  - All required and proposed building setback and offset lines
  - Impervious surface ratio (percentage)

- All existing and proposed buildings, structures, and paved areas, including building entrances, walks, drives, decks, patios, fences, walls
- Location of all outdoor storage and refuse disposal areas and the design and materials used for construction
- Location and dimension of all on-site parking (and off-site parking provisions if they are to be utilized), including a summary of the number of parking stalls provided per the requirements of Section 30-175 City of Oshkosh Zoning Ordinance
- Location and dimension of all loading and service areas on the subject property
- Location, height, design, illumination power and orientation of all exterior lighting on the property including a photometrics plan
- Location of all exterior mechanical equipment and utilities and elevations of proposed screening devices where applicable (i.e. visible from a public street or residential use or district). Mechanical equipment includes, but is not limited to; HVAC equipment, electrical transformers and boxes, exhaust flues, plumbing vents, gas regulators, generators

❑ Proposed grading plan.

❑ Specific landscaping plan for the subject site, specifying the location, species, and installation size of plantings. The landscaping plans shall include a table summarizing all proposed species and required and provided landscaping points for all applicable landscaping components (building foundation, paved areas, street frontages, yards, bufferyards).

❑ Architectural plans for any nonresidential buildings, multi-family structures, or building clusters, other than conventional single-family or two-family homes on individual lots, in sufficient detail to indicate the floor area, bulk, and visual character of such buildings. The architectural plans shall include a percentage breakdown of exterior materials applied to each building façade.

❑ Conceptual Engineering plans for all water and sewer systems, stormwater systems, roads, parking areas, and walkways.

❑ Signage plan for the project, including all project identification signs, concepts for public fixtures and signs, and group development signage themes that may or may not vary from City standards or common practices.

❑ Any other necessary information as determined during pre-submittal meeting with City staff.

❑ Specific written description of the proposed SIP including:
- Specific project themes and images.
- Specific mix of dwelling unit types and/or land uses.
- Specific residential densities and nonresidential intensities as described by dwelling units per acre, and landscaping surface area ratio and/or other appropriate measures of density and intensity.
- Specific treatment of natural features, including parkland.
- Specific relationship to nearby properties and public streets.
- Statistical data on minimum lot sizes in the development, the precise areas of all development lots and pads; density/intensity of various parts of the development; building coverage, and landscaping surface area ratio of all land uses; proposed staging; and any other plans required by Plan Commission.
- A statement of rationale as to why PD zoning is proposed. This statement shall list the standard zoning requirements that, in the applicant's opinion, would inhibit the development project and the opportunities for community betterment that are available through the proposed PD project.
- A complete list of zoning standards that would not be met by the proposed SIP and the location(s) in which such exceptions/base standard modifications would occur and enhancements that will be provided to compensate for them.
- Phasing schedule, if more than one development phase is intended.

❑ Agreements, bylaws, covenants, and other documents relative to the operational regulations of the development and particularly providing for the permanent preservation and maintenance of common open areas and amenities.

❑ A written description that demonstrates how the SIP is consistent with the approved GDP and any and all differences between the requirements of the approved GDP and the proposed SIP.

Planning Staff may waive certain requirements if deemed not applicable to the project review.

I hereby certify that to the best of my knowledge all required application materials are included with this application. I am aware that failure to submit the required completed application materials may result in denial or delay of the application request.

Applicant's Signature (required): _____ Date: 08-01-2025

Project Narrative – Victory Baptist Church

The primary objective of the project is to enhance accessibility and safety at the existing church by constructing a new elevated entrance, approximately 7 feet 8 inches above grade. The entrance will be designed to meet accessibility standards and will include both a staircase and an ADA-compliant ramp to facilitate safe and convenient entry for all individuals. This proposal also involves the consolidation of two existing parcels into a single lot through the use of a Certified Survey Map (CSM).

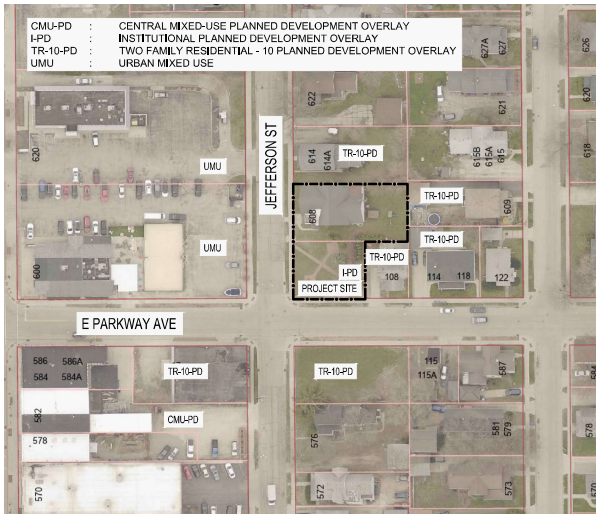
The proposed improvements will not impact existing natural features on the site, as all mature trees will remain undisturbed; the location of the new ramp and stair avoids these elements entirely. However, the existing brick walkway in the area of the new entrance will need to be partially or fully removed to accommodate the structure.

The surrounding context includes residential properties directly adjacent on two sides, with other neighboring uses located across public streets. The streets that border the site experience moderate traffic volumes. Directly across Jefferson Street is a large parking area that serves a few commercial establishments. Across East Parkway Avenue lies a vacant lot that is currently undeveloped.

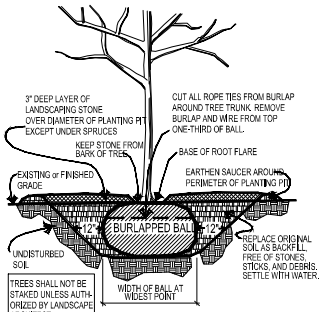
Although the proposed ramp does not meet the required front setback per the institutional zoning ordinance, this application requests a zoning exception to allow the encroachment. In lieu of full compliance, the project includes enhanced landscaping in front of the ramp to provide visual screening, soften the structure's appearance, and restore green space displaced by construction. These enhancements are intended to mitigate the impact of the setback reduction and improve the overall integration of the project with the surrounding environment.

The general land use remains as an Institutional Planned Development Overlay (I-PD), consistent with the church's current function, and the project aligns with the intent and policies of the Comprehensive Plan by promoting accessibility, safety, and inclusive community use. No changes in land use intensity or residential density are proposed.

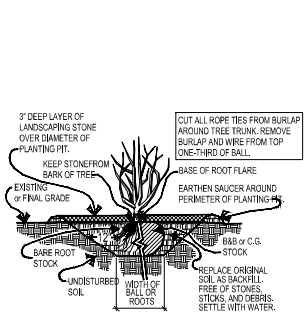
In summary, this project seeks to respectfully improve the site by providing an accessible and safer entrance to the church, while maintaining compatibility with surrounding land uses and contributing positively to the community.



1 C1.1 GENERAL LOCATION MAP
NTS



TREE PLANTING DETAIL
NO SCALE



SHRUB PLANTING DETAIL
NO SCALE

LANDSCAPE SCHEDULE

SYM	MARK	COMMON NAME / botanical name	SIZE INITIAL	SIZE MATURE	QTY
⊙	CS	COTONEASTER Cotoneaster spp.	12"	4'	17
○	TO	EMERALD PETITE ARBORVITAE Thuja occidentalis 'smaragd petite'	2 gal	5'-0"	16

STATISTICAL DATA

MINIMUM LOT SIZES IN THE DEVELOPMENT:
MAIN LOT: 120' x 60'
SECONDARY LOT: 75' x 60'
APPROXIMATE AREAS OF ALL LOTS:
MAIN LOT: 7,200 SF
SECONDARY LOT: 4,500 SF
TOTAL AREA: 11,700 SF
BUILDING COVERAGE:
BUILDING AREA: 2,244 SF
TOTAL SITE AREA: 11,700 SF
LANDSCAPING SURFACE AREA RATIO OF ALL LAND USES:
LANDSCAPING: 3/8 SF
GREENSPACE: 8,104 SF
TOTAL SITE AREA: 11,700 SF
LANDSCAPING RATIO: 1:1
IMPERVIOUS AREAS:
BEFORE DEVELOPMENT: 500 SF
AFTER DEVELOPMENT: 804 SF
DISTURBED AREA: 1,353 SF



MULCH PLANTING BED
WATER DRAINAGE DIRECTION

2 C1.1 CONCEPTUAL LANDSCAPING PLAN
1/8" = 1'-0"
0 5 10 15 30

Martenson & Eisele, Inc.
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Engineering
Architecture
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920.731.0381 1.800.236.0381

NO.	DATE	REVISION	CHECKED	APPROVED

DRAWN BY

EXTERIOR RAMP
VICTORY BAPTIST CHURCH
608 JEFFERSON ST | OSHKOSH, WI, 54901

SCALE	DATE
1/8" = 1'-0"	07-30-2025

PROJECT NUMBER
1-2008-001

LOCATION MAP + LANDSCAPING PLAN AND NOTES

DRAWING NO.
C1.1



608 JEFFERSON ST NOTICE MAP

N

1 in = 0.02 mi

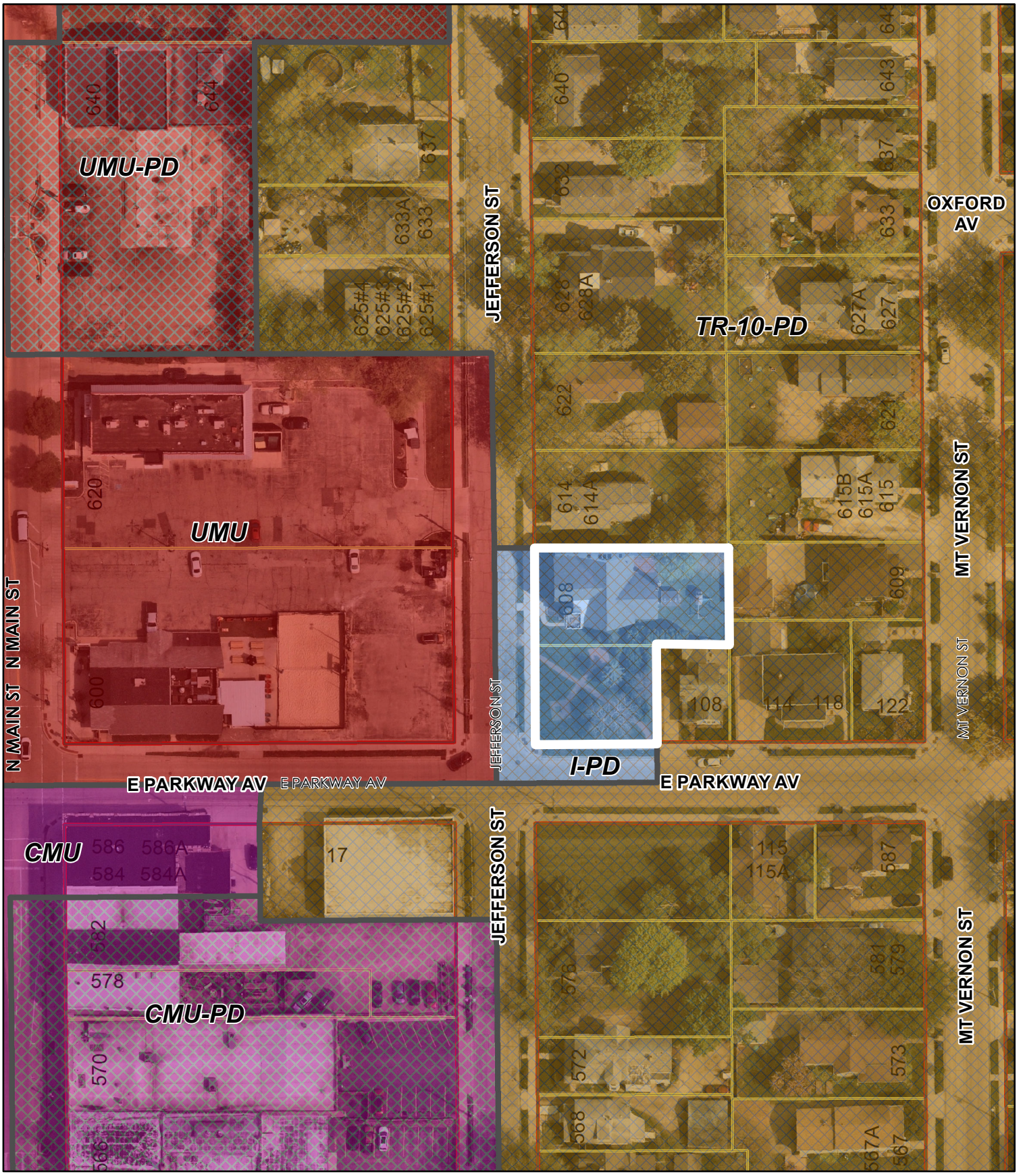
1 in = 80 ft

Printing Date: 8/25/2025

Prepared by: City of Oshkosh, WI

City of Oshkosh

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608 JEFFERSON ST
ZONING & AERIAL MAP

N

1 in = 0.02 mi

1 in = 80 ft

Printing Date: 8/25/2025

Prepared by: City of Oshkosh, WI

City of Oshkosh

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TO:	Honorable Mayor and Members of the Common Council
FROM:	Kimberly Gierach, Planning Services Manager
DATE:	September 23, 2025
SUBJECT:	Res 25-491 Approve Specific Implementation Plan for a drive-through car wash at 1700 South Koeller Street (Plan Commission recommends approval)

BACKGROUND

The subject site consists of a 1.65-acre lot at the southeast corner of South Koeller Street and Osborn Avenue, and contains a former restaurant building (Applebee's) and associated parking area. The site is zoned Suburban Mixed-Use District with a Planned Development Overlay (SMU-PD). The surrounding area consists primarily of commercial uses.

On April 22, 2025, Common Council approved a General Development Plan (GDP) for a drive-through car wash at the subject site with a condition that all Base Standard Modifications (BSM) will be addressed as part of the Specific Implementation Plan.

ANALYSIS

The applicant is proposing an approximately 5,270 sq. ft. drive-through car wash, which will also include 20 vacuum stations within the parking lot. In the future, the owner intends to utilize the eastern area of the site for a small commercial business. Staff is supportive of BSMs for increased parking, reduced setback, landscaping placement, a drive-through window between the building and public right-of-way, and reduced Class I materials.

FISCAL IMPACT

Approval of this may result in an increase in the assessed property value for the site. The applicant is anticipating spending approximately $2.9 million on the proposed project.

RECOMMENDATION

The Plan Commission recommended approval of the requested Specific Implementation Plan on September 16, 2025. Please see the attached staff report for more information.

Attachments

Res 25-491
1700 S Koeller St

9/23/2025 25-491 RESOLUTION

CARRIED 7-0

PURPOSE: APPROVE SPECIFIC IMPLEMENTATION PLAN FOR A DRIVE-THROUGH CAR WASH AT 1700 SOUTH KOELLER STREET

INITIATED BY: PETER SCHWABE INC

PLAN COMMISSION RECOMMENDATION: Approved

WHEREAS, the Plan Commission finds that the Specific Implementation Plan for a drive-through car wash at 1700 South Koeller Street, is consistent with the criteria established in Section 30-387 of the Oshkosh Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oshkosh that a Specific Implementation Plan for a drive-through car wash at 1700 South Koeller Street, per the attached, is hereby approved, with the following findings:

1. The proposed Planned Development project is consistent with the overall purpose and intent of the Zoning Ordinance as the proposed drive-through car wash use of the site will not have a negative impact on the public because it is a permitted use in the SMU District and is compatible with neighboring commercial uses.
2. The proposed Planned Development project is consistent with the City's Comprehensive Plan as the proposed drive-through car wash is consistent with the 2040 Comprehensive Land Use Plan recommendation of Interstate Commercial.
3. The proposed Planned Development project would maintain the desired relationships between land uses, land use densities and intensities, and land use impacts because the commercial use of the property is consistent with neighboring commercial uses.
4. The proposed Planned Development project will produce significant benefits in terms of environmental design and significant alternative approaches to addressing development performance that relate to and more than compensate for any requested exceptions/base standard modifications variation of any standard or regulation of this Chapter. The applicant has exceeded the paved area landscaping requirement by 61% and has exceeded the street frontage landscaping point requirement along Osborne Avenue by 28% to compensate for increased parking, slightly reduced pavement setback, and reduced Class I materials on the west and north facades. The applicant has also provided increased landscaping along the South Koeller Street side of the drive-through lane to offset the BSM request for a drive-through window between the principal building and street right-of-way.

BE IT FURTHER RESOLVED by the Common Council of the City of Oshkosh that the following are conditions of approval for a drive-through car wash at 1700 South Koeller Street:

1. Base Standard Modification (BSM) to allow increased number of parking spaces to 50.
2. BSM to allow reduced side yard (east) setback for existing pavement to 4.67 ft.
3. BSM to allow street frontage landscaping with the drip line, at maturity, located further than ten feet from the public right-of-way.
4. BSM to allow reduced Class I materials on the west (South Koeller Street) façade to 43%
5. BSM to allow reduced Class I materials on the north (Osborn Avenue) façade to 7%.
6. BSM to allow a drive-through window located between the principal building and the street right-of-way.
7. Final landscaping, lighting, and signage plans shall be reviewed and approved by the Department of Community Development.

ITEM: **Specific Implementation Plan for a Drive-through Car Wash at 1700 South Koeller Street**

Plan Commission Meeting of September 16, 2025

Applicant: Peter Schwabe Inc
Property Owner: MP Development 18, LLC

Action Requested: The applicant requests approval of a Specific Implementation Plan (SIP) for a drive-through car wash development.

Applicable Ordinance: Planned Development, Section 30-387 of the Zoning Ordinance.

The subject site consists of a 1.65-acre vacant lot at the southeast corner of South Koeller Street and Osborn Avenue, and contains a former restaurant building (Applebee's) and associated parking area. The site is zoned Suburban Mixed Use District with a Planned Development Overlay (SMU-PD). The surrounding area consists primarily of commercial uses.

On April 22, 2025, Common Council approved a General Development Plan (GDP) for a drive-through car wash at the subject site with a condition that all Base Standard Modifications (BSM) will be addressed as part of the Specific Implementation Plan.

On September 2, 2025, Plan Commission approved a Specific Implementation Plan (SIP) for a drive-through car wash, which included BSMs for increased parking, reduced setback, landscaping placement, and reduced Class I materials. Following the Plan Commission approval, the applicant had further discussions with City staff where it was determined that an additional BSM is needed for a drive-through window on the street side (South Koeller Street) of the building. The SIP request was subsequently removed from the September 9 Common Council agenda and the applicant has resubmitted the SIP request to include the additional BSM for the drive-through window placement.

Existing Land Use	***Zoning***
Vacant Commercial	SMU-PD

Existing Uses		***Zoning***
North	Commercial	SMU-PD
South	Commercial	SMU-PD
East	Commercial	SMU-PD
West	HWY-41	SMU

Comprehensive Plan Land Use Recommendation	*Land Use*
2040 Comprehensive Land Use Recommendation	Interstate Commercial

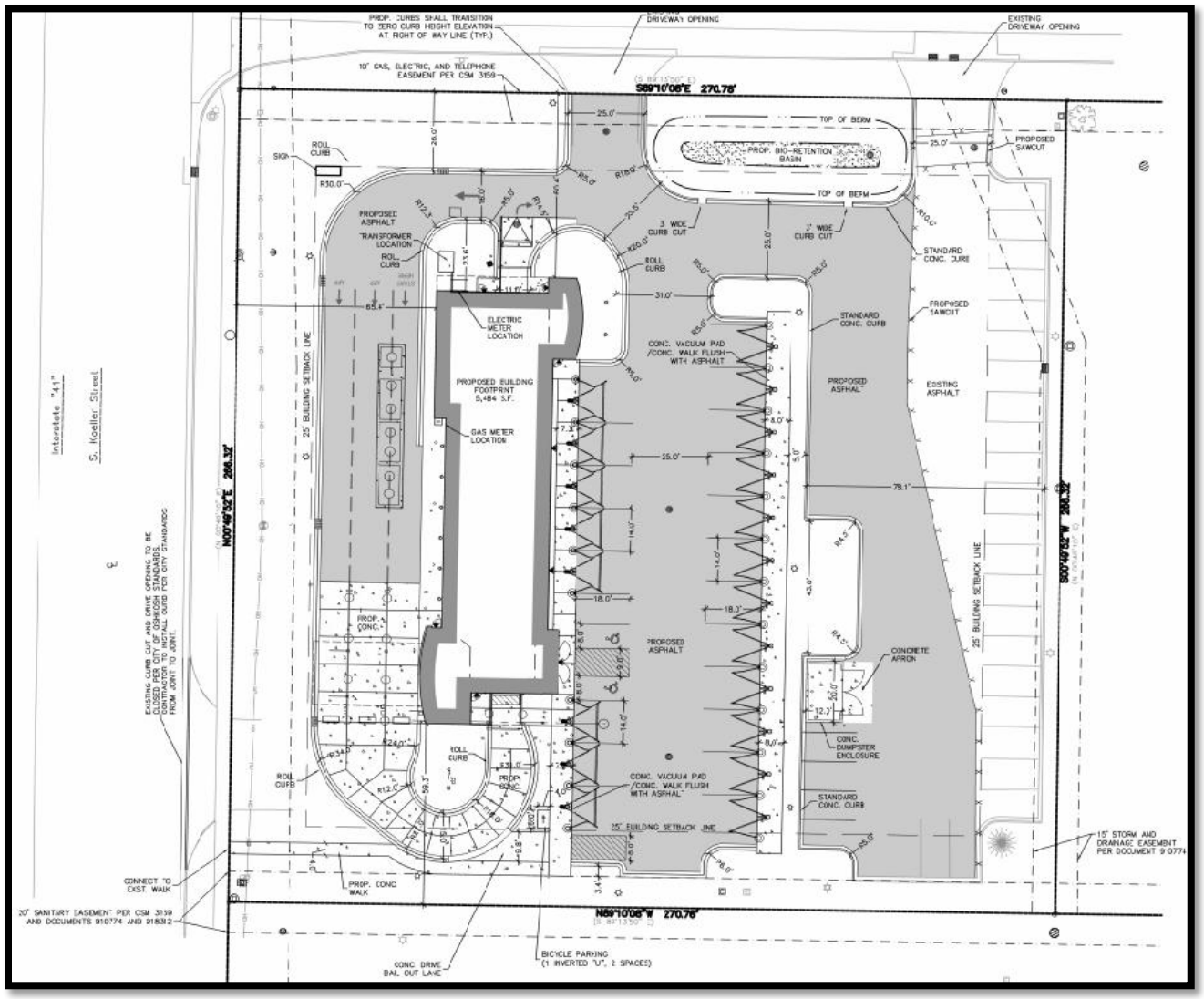
The applicant is proposing an approximately 5,270 sq. ft. drive-through car wash, which will also include 20 vacuum stations within the parking lot. The proposed use is considered drive-through and in-vehicle sales or service under the zoning ordinance. In the future, the owner intends to utilize the eastern area of the site for a small commercial business.

Site Design/Access - The proposed site will utilize two existing driveway accesses on Osborn Avenue and will remove the existing driveway access on South Koeller Street. The plan includes 20 vacuum stations to the east of the building as well as 30 parking spaces, for a total of 50 parking spaces where code allows a maximum of 25 parking spaces. The applicant intends to leave the existing, eastern-most parking row in its current footprint. A BSM is needed to allow the increased parking. Staff does not have concerns with allowing the excess parking to remain as it is abutting a commercial property and will likely be redeveloped for a commercial use in the future.

The proposed plan meets all setback requirements, with the exception of the existing pavement along the east property line, which extends slightly into the five-foot setback. Staff is supportive of a BSM to allow this setback reduction (0.33 ft.). The applicant is exceeding the paved area landscape point requirement and existing trees are being maintained, to the east of the pavement, to compensate for the slight setback reduction.

	Required	Provided
Parking Spaces	Minimum: 18 Maximum: 25	50 (including 20 vacuum stations)
Impervious Surface	Maximum: 70% of lot	69% of lot

	Minimum	Provided
Front Setback (north)	25 ft.	26 ft.
Street Side Setback (west)	25 ft.	27 ft. +/-
Side Setback (east)	25 ft. building 5 ft. pavement	150 ft. +/- building 4.67 ft. pavement
Rear Setback (south)	25 ft. building 5 ft. pavement	59.3 ft. building 10 ft. +/- pavement



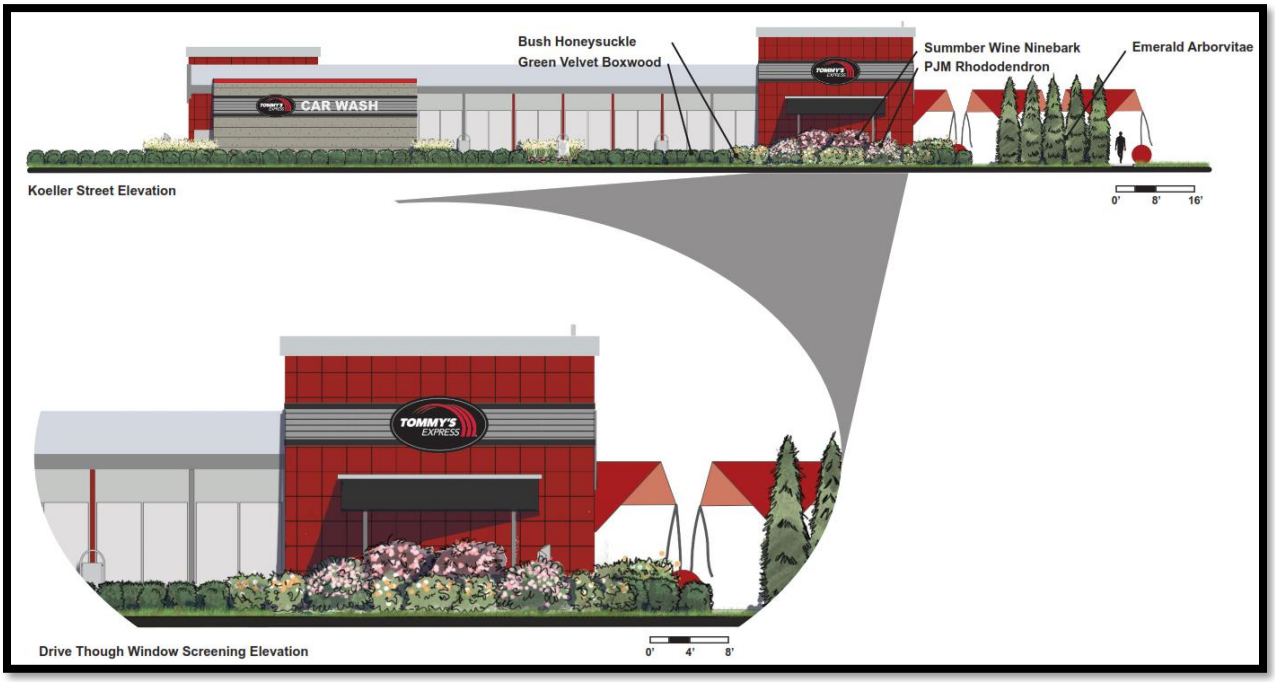
Site Plan

The proposed plan is within the maximum impervious surface ratio of 70% of the lot, for the SMU district. The plan includes a refuse enclosure within the eastern parking area, which will be constructed of six-foot tall composite wood material to meet refuse screening requirements.

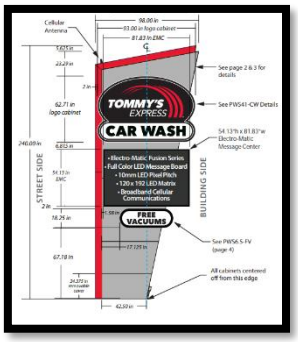
The zoning ordinance states that drive-through windows shall not be located between the principal building and the street right-of-way. The proposed plan shows a drive-through customer service window on the west façade, facing South Koeller Street. The applicant is requesting a BSM to allow the window in this location. According to the applicant, positioning the building in the current configuration allows for abandonment of the existing South Koeller Street entrance. The South Koeller Street entrance would need to remain open if the building was positioned without the drive-through window facing the road.

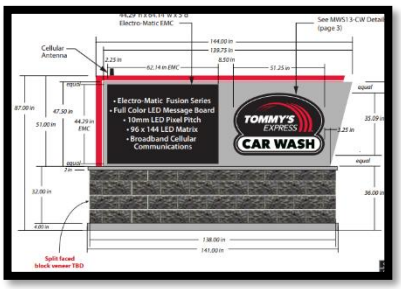
Staff is supportive of the BSM request as the proposed drive-through window location allows for proper circulation through the site, with access only from Osborn Avenue. The proposed site layout is also appropriate as it allows for the vacuum stations to be placed to the east of the building, outside of the front yard areas.

To offset the requested BSM, the applicant is proposing additional shrubs of varying heights, slightly exceeding the street frontage landscape point requirement, between the drive-through lane and South Koeller Street. The additional landscaping will further buffer the pick-up window from the public right-of-way.



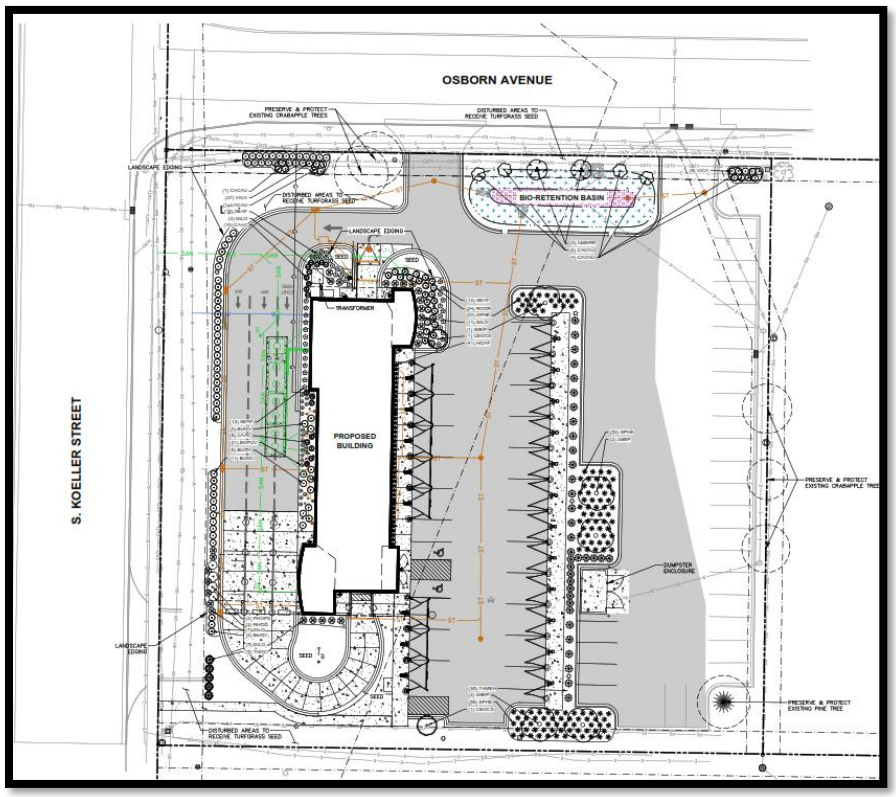
Signage - The proposed site plan includes a ground sign located to the northwest of the building, which is placed at the 25' front and street side setbacks. The applicant has provided a standard sign package for Tommy's Express Car Wash sites which includes a pylon sign or monument sign. Both of these sign options are within the maximum area of one square foot per linear foot of street frontage and maximum height of 35' for pylon signs and 15' for monument signs; also, within the maximum area of 100 sq. ft. for electronic message boards.





Wall signage is limited to one square foot of signage per linear foot of building frontage in the SMU District, or 50 sq. ft., whichever is greater. The proposed building elevations include wall signage on all facades which appear to be within the maximum wall sign area for the SMU District. Final signage plans will be reviewed under a separate building permit.

Landscaping – The applicant has provided a landscaping plan with the point calculations for the required landscaping categories.



30-253(A) BUILDING FOUNDATION (405 Linear Feet)

Landscape Requirement:	*40 landscaping points per 100 LF of building foundation*
Calculation:	*405 / 100 x 40 Points = 162*
Total Points Required:	***162 Landscape Points***
Total Points Provided:	***167 Landscape Points***
Provisions:	*Landscaping to be placed so that at maturity, drip lines are within 10 feet of building foundation.* *A miniumn of 25% of points on side facing public street and 50% of points on side of main entrance.* *Shade Trees and Tall Trees not allowed.*

Species: Scientific Name	*Species: Common Name*	*QTY*	*POINTS*	*TOTAL POINTS*
MEDIUM DECIDUOUS SHRUBS				
Diervilla lonicera	Bush Honeysuckle	18	3.3	*59.4*
Rosa x 'NOA168098F'	Flower Carpet Pink Supreme Groundcover Rose	24	3.3	*79.2*
LOW EVERGREEN SHRUBS				
Buxus x 'Green Velvet'	Green Velvet Boxwood	12	2	*24*
PERENNIAL PLANTINGS				
Calamagrostis x acutiflora 'Karl Foerster'	Karl Foerster Feather Reed Grass	12	0.05	*0.6*
Echinacea purpurea 'Virgin'	Virgin Coneflower	21	0.055	*1.155*
Hosta x 'Autumn Frost'	Autumn Frost Plantain Lily	41	0.05	*2.05*
Sedum x 'Autumn Fire'	Autumn Fire Sedum	16	0.055	*0.88*
			Total Points =	***167.3***

30-253(B) PAVED AREA (45,544 Square Feet)

Landscape Requirement:	*50 landscaping points per 10 parking stalls OR 10,000 SF of paved area (whichever is greater)*
Calculation:	*44,262 / 10,000 x 50 Points = 221*
Total Points Required:	***228 Landscape Points***
Total Points Provided:	***230 Landscape Points***
Provisions:	*Landscaping to be placed so that at maturity, drip lines are within 10 feet of paved area or within paved area.* *A minimum of 30% of points devoted to Meduim or Tall Trees and 40% to Shrubs.* *Shrubs to be no taller than 2 feet in areas that could affect driver visibility.* *Landscape planter islands with a Shade Tree or Tall Tree required at the ends of all parking rows and driveway entrances.*

Species: Scientific Name	*Species: Common Name*	*QTY*	*POINTS*	*TOTAL POINTS*
SHADE OR TALL TREE				
Ginkgo biloba 'Princeton Sentry'	Princeton Sentry Maidenhair Tree	5	30	150
Celtis occidentalis 'JFS-KSU1'	Prairie Sentinal Hackberry	2	33	66
TALL-MEDIUM EVERGREEN SHRUBS				
Taxus x media 'Hicksii'	Hicks Anglo-Japanese Yew	36	5	*180*
Perendial & Grasses				
Sporobolus heterolepis	Prairie Dropseed	132	0.05	*6.6*
Seadum x 'Autumn Fire'	Autumn Fire Sedum	12	0.055	*0.66*
			Total Points =	***403***

30-253(C) STREET FRONTAGE

Landscape Requirement:	*100 landscaping points per 100 LF of street ROW frontage*
Calculation:	*Osborn Ave. 271/100 x 100 Points =271 points, Koeller St. 266/ 100 x 100 Points = 266 points*
Total Points Required:	***271 points for Osborn Ave Landscape Points, 266 points for Koeller St***
Total Points Provided:	***271 points for Osborn Ave Landscape Points, 267 points for Koeller St***
Provisions:	*Landscaping to be placed within so that at maturity, drip lines are witin 10 feet of street ROW.* *A minimum of 50% of points devoted to Decorative or Medium Trees.*

Osborn Ave

Species: Scientific Name	*Species: Common Name*	*QTY*	*POINTS*	*TOTAL POINTS*
MEDIUM DECIDUOUS TREES				
Amelanchier x grandiflora 'Robin Hill'	Robin Hill Apple Serviceberry	3	16.5	*49.5*
Carpinus caroliniana 'J.N. Upright'	Firespire American Hornbeam	8	16.5	*132*
LOW DECIDUOUS TREES				
Malus spp.	Flowering crabapple (Existing)	2	20	*40*
MEDIUM DECIDUOUS SHRUBS				
Viburnu carlesii 'SMVCB' TM	Spice Baby Koreanspice Viburnum	38	3.3	*125.4*
			Total Points =	***346.9***

Koeller St

Species: Scientific Name	*Species: Common Name*	*QTY*	*POINTS*	*TOTAL POINTS*
MEDIUM EVERGREE TREE				
Thuja occidentalis 'Emerald'	Emerald Arborvitae	5	33	*165*
MEDIUM DECIDUOUS SHRUBS				
Viburnu carlesii 'SMVCB' TM	Spice Baby Koreanspice Viburnum	51	2	*102*
			Total Points =	***267***

30-253(D) YARD (5,303 Square Feet)

Landscape Requirement:	*20 landscaping points per 1,000 SF of gross floor area*
Calculation:	*5,303 / 1,000 x 20 Points = 106.1*
Total Points Required:	***107 Landscape Points***
Total Points Provided:	***108 Landscape Points***
Provisions:	*Any type of landscaping allowed in any location.*

Species: Scientific Name	*Species: Common Name*	*QTY*	*POINTS*	*TOTAL POINTS*
LOW DECIDUOUS TREES				
Malus spp.	Flowering crabapple (Existing)	1	20	*20*
TALL EVERGREEN TREES				
Pinus spp.	Pine (Existing)	1	88	*88*
			Total Points =	***108***

Building Foundation - A minimum of 40 landscaping points per 100 linear feet of building foundation is required for the car wash building. The landscape plan is meeting this requirement.

Paved Area - A minimum of 50 landscaping points per ten parking stalls or 10,000 sq. ft. of paved area is required. The code further specifies 30% of all points will be devoted to tall trees and 40% will be devoted to shrubs. The proposed plan is meeting both of these requirements and the applicant has provided a tree at all parking row ends, per paved area landscaping requirements.

Street Frontage - Code requires 100 landscaping points per 100 feet of right-of-way. Street frontage landscaping shall be placed so that at maturity, the plant's drip line is located within ten feet of the public right-of-way. Code further specifies that 50% of the required points shall be devoted to medium trees. The landscape plan meets the point requirement along both Osborn Avenue and South Koeller Street. However, the street frontage points along South Koeller Street are located further than ten feet from the public right-of-way. A BSM is needed to place these plantings further than ten feet from the public right-of-way; the Department of Public Works has requested that no plantings be placed along the public right-of-way to avoid conflicts with existing City utility easements. The proposed alternative planting location on the west side of the drive-through lane meets the intent of the street-frontage landscaping requirement as it is placed between the public right-of-way at the development.

Yards - Code requires 20 landscaping points per 1,000 sq. ft. of gross floor area. The proposed plan is meeting this requirement.

Storm Water Management/Utilities - The Department of Public Works has reviewed the plans and noted that final submitted plans are required to be in full compliance with

the requirements of the City of Oshkosh Municipal Code Chapter 14 for storm water management.

Site Lighting - The applicant has submitted a photometric plan for the proposed development. The plan utilizes 20 ft. tall light poles and meets the minimum lighting requirement of 0.4 fc for all parking and drive areas. Lighting levels do not exceed the maximum of 1.0 fc at the public right-of-way and 0.5 fc at the property lines, with the exception of lighting at the west property line of up to 0.9 fc. This will need to be reduced to 0.5 fc and will be addressed during Site Plan Review.

Building Facades - The applicant has provided building elevations for the car wash building. The elevations include a combination of prefinished metal panel, Nichiha fiber cement panel, brick, and storefront glazing. Commercial building design standards require facades to consist of at least 50% Class I materials. The applicant is meeting this requirement on the east (side) elevation, but is requesting BSMs to allow reduced Class I materials to 43% on the west (South Koeller Street) and 7% on the north (Osborn Avenue) façades. The rear (south) elevation is exempt for the Class I material requirement.

Front Elevation (including roof)		
Material	% Coverage	Area (SF)
Metal	44%	1452
Masonry	9%	311
Cementitious	13%	418
Glazing	34%	1102
Total	**100%**	**3283**

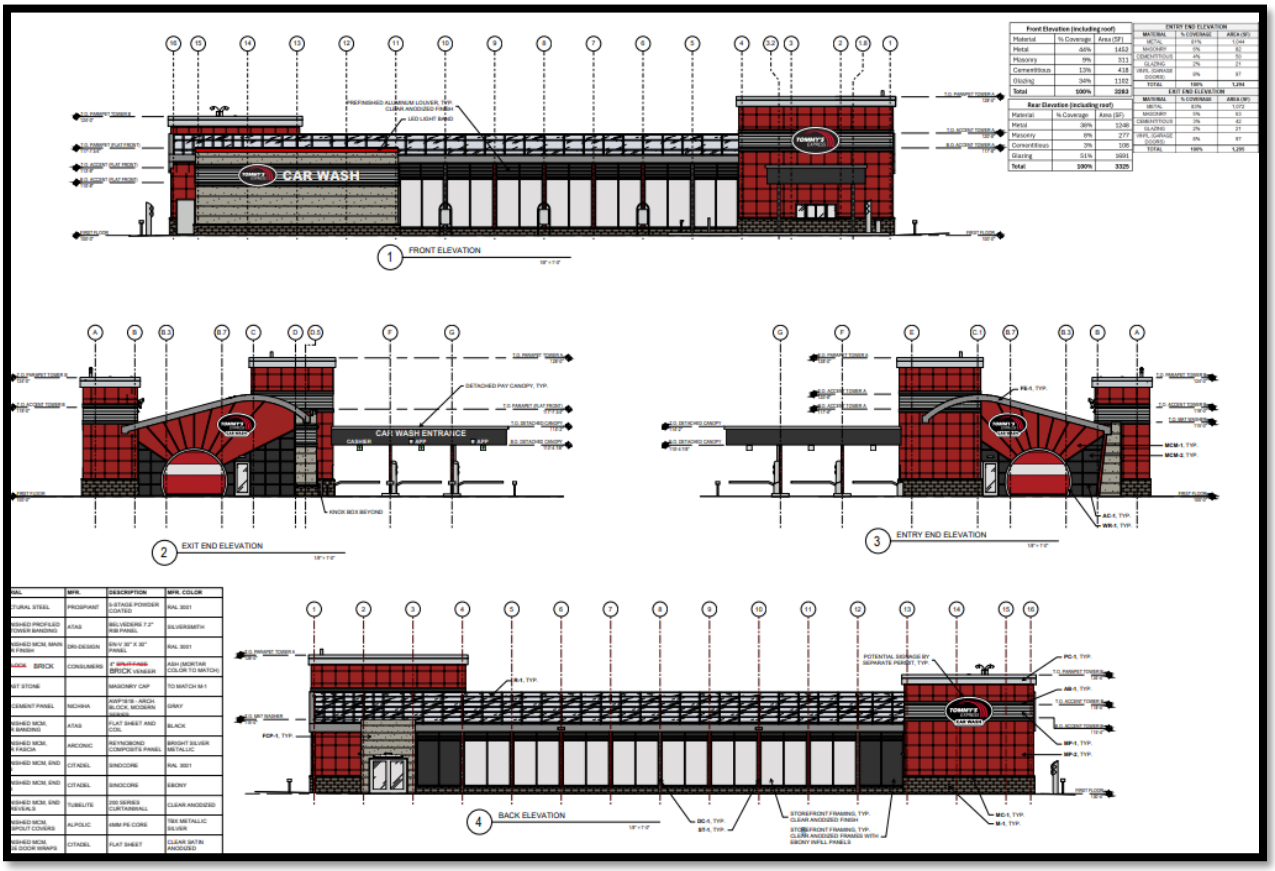
Rear Elevation (including roof)		
Material	% Coverage	Area (SF)
Metal	38%	1248
Masonry	8%	277
Cementitious	3%	108
Glazing	51%	1691
Total	**100%**	**3325**

ENTRY END ELEVATION		
MATERIAL	**% COVERAGE**	**AREA (SF)**
METAL	81%	1,044
MASONRY	6%	82
CEMENTITIOUS	4%	50
GLAZING	2%	21
VINYL (GARAGE DOORS)	8%	97
TOTAL	**100%**	**1,294**

EXIT END ELEVATION		
MATERIAL	**% COVERAGE**	**AREA (SF)**
METAL	83%	1,072
MASONRY	5%	63
CEMENTITIOUS	3%	42
GLAZING	2%	21
VINYL (GARAGE DOORS)	8%	97
TOTAL	**100%**	**1,295**

Staff is supportive of the reduced Class I material requirement on the west (South Koeller Street) façade, it is only slightly deficient of the Class I material requirement and also utilizes Nichiha fiber cement siding. Although Nichiha fiber cement is considered a Class III material, staff feels that it is a high quality, durable material, which is comparable with other Class I materials. The combination of Class I materials (brick/glazing) and Nichiha fiber cement comprises 56% of this façade.

Staff is also supportive of the Class I material reduction on the north (Osborn Avenue) facade. The applicant is exceeding the street frontage landscaping point requirement, as well as the medium tree requirement, along the Osborn Avenue frontage to compensate for the Class I material reduction.



Findings: In its review and recommendation to the Common Council on an application for a Planned Development district, staff recommends the Plan Commission consider findings based on the criteria established by Chapter 30-387 (C)(6):

(a) The proposed Planned Development project is consistent with the overall purpose and intent of the Zoning Ordinance as the proposed drive-through car wash use of the site will not have a negative impact on the public because it is a permitted use in the SMU District and is compatible with neighboring commercial uses.

(b) The proposed Planned Development project is consistent with the City's Comprehensive Plan as the proposed drive-through car wash is consistent with the 2040 Comprehensive Land Use Plan recommendation of Interstate Commercial.

(c) The proposed Planned Development project would maintain the desired relationships between land uses, land use densities and intensities, and land use impacts because the commercial use of the property is consistent with neighboring commercial uses.

(i) The proposed Planned Development project will produce significant benefits in terms of environmental design and significant alternative approaches to addressing development performance that relate to and more than compensate for any requested exceptions/base standard modifications

variation of any standard or regulation of this Chapter. The applicant has exceeded the paved area landscaping requirement by 61% and has exceeded the street frontage landscaping point requirement along Osborne Avenue by 28% to compensate for increased parking, slightly reduced pavement setback, and reduced Class I materials on the west and north facades. The applicant has also provided increased landscaping along the South Koeller Street side of the drive-through lane to offset the BSM request for a drive-through window between the principal building and street right-of-way.

Recommendation/Conditions: Staff recommends approval of the Specific Implementation Plan with the findings listed above and the proposed following conditions:

1. Base Standard Modification (BSM) to allow increased number of parking spaces to 50.
2. BSM to allow reduced side yard (east) setback for existing pavement to 4.67 ft.
3. BSM to allow street frontage landscaping with the drip line, at maturity, located further than ten feet from the public right-of-way.
4. BSM to allow reduced Class I materials on the west (South Koeller Street) façade to 43%
5. BSM to allow reduced Class I materials on the north (Osborn Avenue) façade to 7%.
6. BSM to allow a drive-through window located between the principal building and the street right-of-way.
7. Final landscaping, lighting, and signage plans shall be reviewed and approved by the Department of Community Development.

The Plan Commission recommended approval of the requested Specific Implementation Plan on September 16 2025. For a comprehensive record of the proceedings, the official minutes can be obtained by contacting Planning Services.

SUBMIT TO:
Dept. of Planning Services
215 Church Ave P.O. Box 1130
Oshkosh WI 54901
Room 204
PHONE (920) 236-5059
Email planning@oshkoshwi.gov

City of Oshkosh

Planned Development Application

For General Development Plan or Specific Implementation Plan

PLEASE TYPE OR PRINT USING BLACK INK

APPLICANT INFORMATION

Petitioner: Peter Schwabe, Inc Date: 7/2/25

Petitioner's Address: N16W23233 Stone Ridge Dr. Suite 250 City: Waukesha State: WI Zip: 53188

Telephone #: (262) 853-3332 Email: pschwabe@pschwabe.com Contact preference: ☐ Phone ☐ Email

Status of Petitioner (Please Check): Owner X Representative Tenant Prospective Buyer

Petitioner's Signature (required): Date: 7/20/25

OWNER INFORMATION

Owner(s): MP Development 18, LLC Date:

Owner(s) Address: 1660 Oshkosh Ave. Suite 100 City: Oshkosh State: WI Zip: 54902

Telephone #: (920) 267-2558 Email: ed@themorganpartners.com Contact preference: ☐ Phone ☑ Email

Ownership Status (Please Check): Individual Trust Partnership x Corporation

Property Owner Consent: (required)
By signature hereon, I/We acknowledge that City officials and/or employees may, in the performance of their functions, enter upon the property to inspect or gather other information necessary to process this application. I also understand that all meeting dates are tentative and may be postponed by the Planning Services Division for incomplete submissions or other administrative reasons.

Property Owner's Signature: Date: 7/16/25

TYPE OF REQUEST:

☐ General Development Plan (GDP) ☐ General Development Plan (GDP) Amendment
☒ Specific Implementation Plan (SIP) ☐ Specific Implementation Plan (SIP) Amendment

SITE INFORMATION

Address/Location of Proposed Project: 1700 S Koeller St. Oshkosh, WI 54902

Proposed Project Type: Car Wash

Estimated Cost: $2,900,000 Construction Cost

Current Use of Property: Closed Applebees Restaurant Zoning: SMU-PD

Land Uses Surrounding Your Site: North: Side Stree & Commercial
South: Commercial
East: Commercial
West: Frontage Street and Interstate Highway

- **It is recommended that the applicant meet with Planning Services staff prior to submittal to discuss the proposal.**
- **Application fees are due at time of submittal. Make check payable to City of Oshkosh.**
- **Please refer to the fee schedule for appropriate fee. FEE IS NON-REFUNDABLE**

For more information please visit the City's website at https://www.oshkoshwi.gov/PlanningServices/

March 2025

Sign_____ Staff _____ Date Rec'd _____

SUBMIT TO:
Dept. of Planning Services
215 Church Ave P.O. Box 1130
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March 2025

Sign_____ Staff _____ Date Rec'd _____

SUBMITTAL REQUIREMENTS – Must accompany the application to be complete.
(Submit only digital files. If file size exceeds 10 mb, please send through a file transfer. Please note at the discretion of Community Development staff may request a hard copy)
The following information must be provided in order for the application to be considered complete and able to be scheduled for Plan Commission Review. Please use the checklist below to determine the required information to be submitted at the time of application. If all information below cannot be provided at the time of application, please request a waiver in writing to the Division's Director or designee.

☐ **A General Development Plan (GDP) submittal, per Section 30-387(C)(4), shall include the following items (Submit only digital files. Please note at the discretion of Community Development staff may request a hard copy):**
- ☐ General location map of the subject site depicting:
  - All lands for which the Planned Development is proposed and other lands within 100 feet of the boundaries of the subject property.
  - Current zoning of the subject site and abutting properties, and the jurisdiction(s) that maintains that control.
  - A graphic scale and north arrow.
- ☐ Generalized site plan showing the pattern or proposed land uses, including:
  - General size, shape, and arrangement of lots and specific use areas.
  - Basic street pattern and pattern of internal drives.
  - General site grading plan showing preliminary road grades.
  - Basic storm drainage pattern, including proposed on-site stormwater detention.
  - General location of recreational and open space areas, including designation of any such areas to be classified as common open space.
- ☐ Statistical data, including:
  - Minimum lot sizes in the development.
  - Approximate areas of all lots.
  - Density/intensity of various parts of the development.
  - Building coverage.
  - Landscaping surface area ratio of all land uses.
  - Expected staging.
- ☐ Conceptual landscaping plan.
- ☑ General signage plan.
- ☐ General outline of property owners association, covenants, easements, and deed restrictions.
- ☐ A written description of the proposed Planned Development, including:
  - General project themes and images.
  - The general mix of dwelling unit types and/or land uses.
  - Approximate residential densities and nonresidential intensities.
  - General treatment of natural features.
  - General relationship to nearby properties and public streets.
  - General relationship of the project to the Comprehensive Plan or other area plans.
  - Proposed exceptions from the requirements of the Zoning Ordinance and enhancements that will be provided to compensate for them.
- ☐ Traffic Impact Analysis (TIA), if deemed necessary by the Director of Planning Services, or designee.

☑ **A Specific Implementation Plan (SIP) submittal, per Section 30-387(C)(5), shall include the following items. Note that the area included in an SIP may be only a portion of the area included in a previously approved GDP (Submit only digital files. Please note at the discretion of Community Development staff may request a hard copy):**
- ☑ An existing conditions map of the subject site depicting the following:
  - All lands for which the Planned Development is proposed and other lands within 100 feet of the boundaries of the subject site.
  - Current zoning of the subject property and all abutting properties, and the jurisdiction(s) that maintains that control.
  - Existing utilities and recorded easements.
  - All lot dimensions of the subject site.
  - A graphic scale and a north arrow.
- ☑ An SIP map of the proposed site showing at least the following:
  - All property lines and existing and proposed right-of-way lines with bearings and dimensions clearly labeled
  - All required and proposed building setback and offset lines
  - Impervious surface ratio (percentage)

- All existing and proposed buildings, structures, and paved areas, including building entrances, walks, drives, decks, patios, fences, walls
- Location of all outdoor storage and refuse disposal areas and the design and materials used for construction
- Location and dimension of all on-site parking (and off-site parking provisions if they are to be utilized), including a summary of the number of parking stalls provided per the requirements of Section 30-175 City of Oshkosh Zoning Ordinance
- Location and dimension of all loading and service areas on the subject property
- Location, height, design, illumination power and orientation of all exterior lighting on the property including a photometrics plan
- Location of all exterior mechanical equipment and utilities and elevations of proposed screening devices where applicable (i.e. visible from a public street or residential use or district). Mechanical equipment includes, but is not limited to; HVAC equipment, electrical transformers and boxes, exhaust flues, plumbing vents, gas regulators, generators

☑ Proposed grading plan.

☑ Specific landscaping plan for the subject site, specifying the location, species, and installation size of plantings. The landscaping plans shall include a table summarizing all proposed species and required and provided landscaping points for all applicable landscaping components (building foundation, paved areas, street frontages, yards, bufferyards).

☑ Architectural plans for any nonresidential buildings, multi-family structures, or building clusters, other than conventional single-family or two-family homes on individual lots, in sufficient detail to indicate the floor area, bulk, and visual character of such buildings. The architectural plans shall include a percentage breakdown of exterior materials applied to each building façade.

☑ Conceptual Engineering plans for all water and sewer systems, stormwater systems, roads, parking areas, and walkways.

☑ Signage plan for the project, including all project identification signs, concepts for public fixtures and signs, and group development signage themes that may or may not vary from City standards or common practices.

☐ Any other necessary information as determined during pre-submittal meeting with City staff.

☑ Specific written description of the proposed SIP including:

- Specific project themes and images.
- Specific mix of dwelling unit types and/or land uses.
- Specific residential densities and nonresidential intensities as described by dwelling units per acre, and landscaping surface area ratio and/or other appropriate measures of density and intensity.
- Specific treatment of natural features, including parkland.
- Specific relationship to nearby properties and public streets.
- Statistical data on minimum lot sizes in the development, the precise areas of all development lots and pads; density/intensity of various parts of the development; building coverage, and landscaping surface area ratio of all land uses; proposed staging; and any other plans required by Plan Commission.
- A statement of rationale as to why PD zoning is proposed. This statement shall list the standard zoning requirements that, in the applicant's opinion, would inhibit the development project and the opportunities for community betterment that are available through the proposed PD project.
- A complete list of zoning standards that would not be met by the proposed SIP and the location(s) in which such exceptions/base standard modifications would occur and enhancements that will be provided to compensate for them.
- Phasing schedule, if more than one development phase is intended.

☐ Agreements, bylaws, covenants, and other documents relative to the operational regulations of the development and particularly providing for the permanent preservation and maintenance of common open areas and amenities.

☑ A written description that demonstrates how the SIP is consistent with the approved GDP and any and all differences between the requirements of the approved GDP and the proposed SIP.

Planning Staff may waive certain requirements if deemed not applicable to the project review.

I hereby certify that to the best of my knowledge all required application materials are included with this application. I am aware that failure to submit the required completed application materials may result in denial delay of the application request.

Applicant's Signature (required): _____ Date: 7-18-2025

Tommy's Express Car Wash
1700 Koeller St
Oshkosh, WI

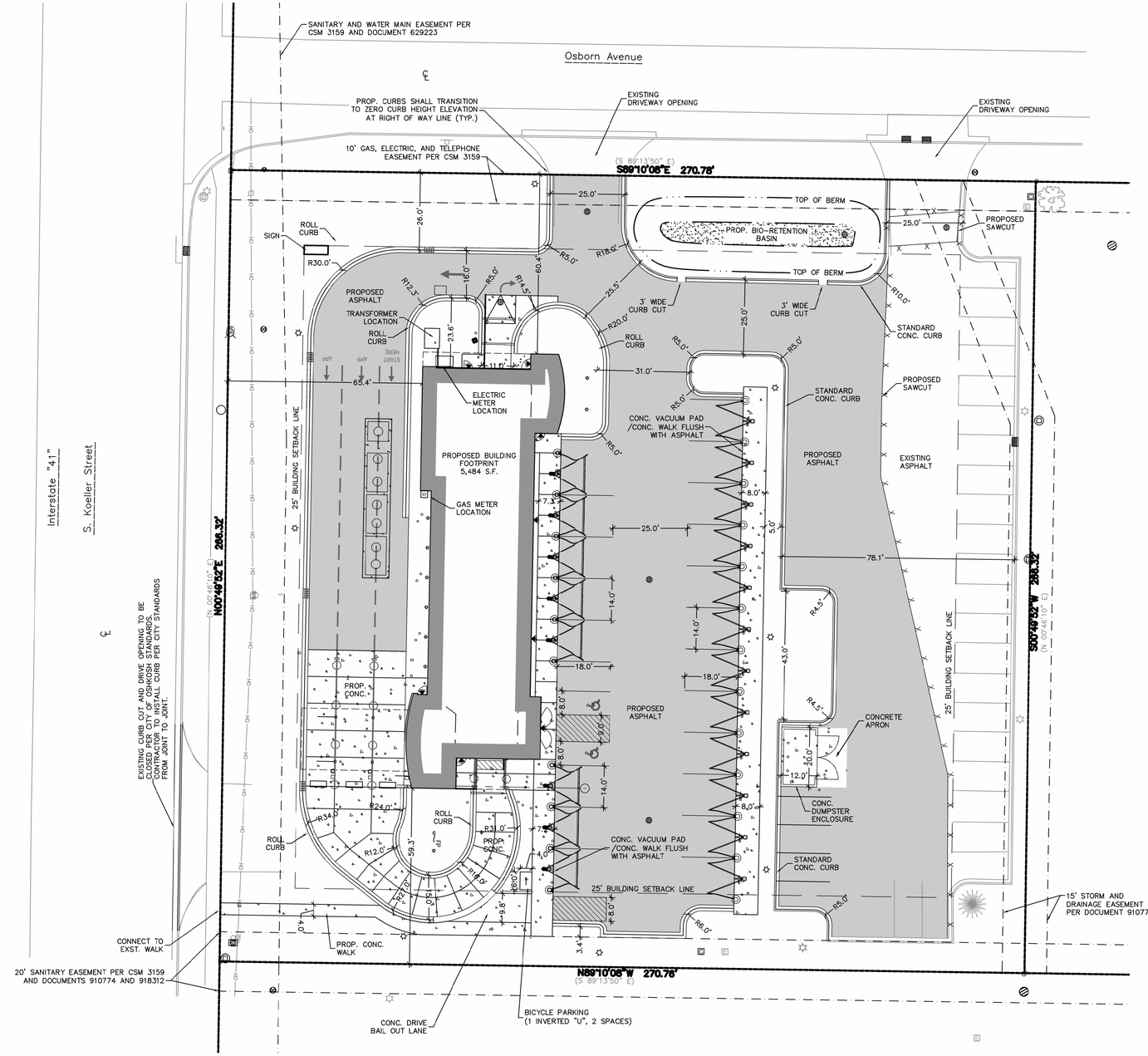
BUILDING DESCRIPTION

The proposed car wash building will include a 130-foot-long tunnel design, with a building footprint square footage of approximately 5,270 square feet. Site access to the property will be from Osborn Ave. A Tunnel entry at the North end of the property and tunnel exit at the South end of the property. The car wash building will house standard wash bay and drying areas, mechanical support spaces, storage areas, employee, customer service, and support areas including restroom facilities and employee-only work areas.

Exterior materials of the car wash will consist of many prefinished metal materials including metal panels of Tommy Car Wash's signature Cardinal Red color on featured tower elements that flank the North and South ends of the building, prefinished aluminum composite panels in a complementing Red color over the tunnel entry and exit with Ebony panels at the bases, and prefinished aluminum Metallic Silver parapet fascia and cornice features. Additional complimentary exterior materials to contrast the prefinished metals include fiber cement textured panels in Gray color at offsetting facade locations opposite corners of the metal panel tower features and split face CMU wainscot around the base of the building in Ash color. Lastly, the tunnel design is highlighted with a high percentage of storefront glazing, as well as an arching glass roof design, to provide the signature appearance of the car wash structure skinned over a structural steel frame.

Note that the owner's intension is to eventually utilize the adjoining area to the east of the car wash for a small commercial business that would be in keeping with land use and zoning requirements. It is understood such would require additional approvals and a CSM. Note also that the owner has worked with the appropriate authorities to confirm that the "vision easement" previously shown on the survey is no longer in force, and hence it has been removed from the plan documents.

This SIP submittal has not been materially modified from the approved GDP.



LEGEND

- PROPERTY LINE
- RIGHT-OF-WAY
- EASEMENT LINE
- BUILDING OUTLINE
- BUILDING OVERHANG
- EDGE OF PAVEMENT
- STANDARD CURB AND GUTTER
- ASPHALT PAVEMENT
- CONCRETE PAVEMENT

GENERAL NOTES

1. REFER TO THE EXISTING CONDITIONS SURVEY FOR EXISTING CONDITIONS NOTES AND LEGENDS.
2. EXISTING GRADE SPOT ELEVATIONS SHOWN FOR INFORMATIONAL PURPOSES. DURING CONSTRUCTION MATCH EXISTING GRADES AT CONSTRUCTION LIMITS.
3. NO SITE GRADING CUTSIDE OR DOWNSLOPE OF PROPOSED SILT FENCE LOCATION.
4. JSD SHALL BE HELD HARMLESS AND DOES NOT WARRANT ANY DEVIATIONS BY THE OWNER/CONTRACTOR FROM THE APPROVED CONSTRUCTION PLANS THAT MAY RESULT IN DISCIPLINARY ACTIONS BY ANY OR ALL REGULATORY AGENCIES.
5. CONTRACTOR SHALL RESTORE ALL BUILDINGS, PAVEMENT, PIPES, SLOPES, AND STRUCTURES DAMAGED BY THE CONTRACTOR TO PRE-EXISTING OR BETTER CONDITIONS.
6. THE RIGHT-OF-WAY IS THE SOLE JURISDICTION OF THE JURISDICTIONAL AUTHORITY AND IS SUBJECT TO CHANGE AT ANY TIME.
7. CONTRACTOR SHALL BE RESPONSIBLE FOR SITE SAFETY DURING THE CONSTRUCTION OF THESE IMPROVEMENTS.
8. ANY REFERENCES TO THE TERMS OR ENTITY ABBREVIATIONS IN THE FOLLOWING NOTES AND SPECIFICATIONS SHALL BE UNDERSTOOD AS FOLLOWS:
   - 8.1. "JURISDICTION " - THE LOCAL GOVERNMENTAL AGENCY (I.E., CITY, VILLAGE, TOWN, COUNTY, STATE, OR UTILITY SERVICE PROVIDER) HAVING AUTHORITY.
   - 8.2. "STATE HIGHWAY SPECIFICATIONS" - STATE OF WISCONSIN STANDARD SPECIFICATIONS FOR HIGHWAY AND STRUCTURE CONSTRUCTION, CURRENT EDITION AND SUPPLEMENTS
   - 8.3. "STANDARD SPECIFICATIONS" - STANDARD SPECIFICATIONS FOR SEWER AND WATER CONSTRUCTION IN WISCONSIN, CURRENT EDITION AND SUPPLEMENTS
   - 8.4. WISCONSIN DEPARTMENT OF TRANSPORTATION - "WISDOT"
   - 8.5. WISCONSIN DEPARTMENT OF NATURAL RESOURCES - "WDNR"
   - 8.6. DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES - "DSPS" OR "SPS"
9. A PUBLIC RIGHT-OF-WAY PERMIT SHALL BE OBTAINED PRIOR TO AN WORK OCCURRING WITHIN A PUBLIC RIGHT-OF-WAY, VACATED RIGHT-OF-WAY, OR MUNICIPAL EASEMENT. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE MOST CURRENT ADDITION OF THE STANDARD SPECIFICATIONS FOR THE CITY OF OSHKOSH.

PAVING NOTES

1. GENERAL:
   - 1.1. PAVING SHALL CONFORM TO STATE HIGHWAY SPECIFICATIONS AND APPLICABLE JURISDICTIONAL SPECIFICATIONS.
   - 1.2. ALL SPOT GRADES ARE TO EDGE OF PAVEMENT UNLESS SPECIFIED OTHERWISE.
   - 1.3. SURFACE PREPARATION - NOTIFY ENGINEER/OWNER OF UNSATISFACTORY CONDITIONS. DO NOT BEGIN PAVING WORK UNTIL DEFICIENT SUBBASE AREAS HAVE BEEN CORRECTED AND ARE READY TO RECEIVE PAVING.
2. CRUSHED AGGREGATE BASE COURSE SPECIFICATIONS:
   - 2.1. THE TOP LAYER OF BASE COURSE SHALL CONFORM TO SECTIONS 301 AND 305 OF THE STATE HIGHWAY SPECIFICATIONS.
   - 2.2. RECLAIMED OR RECYCLED ASPHALT MAY NOT BE USED AS CRUSHED AGGREGATE BASE COURSE UNLESS SPECIFICALLY APPROVED BY THE ENGINEER OF RECORD. USE OF ANY OTHER REPROCESSED OR BLENDED MATERIAL MUST FIRST BE APPROVED BY ENGINEER OF RECORD.
   - 2.3. DO NOT PLACE BASE ON FROZEN FOUNDATIONS UNLESS THE ENGINEER APPROVES OTHERWISE.
   - 2.4. DO NOT PLACE BASE ON FOUNDATIONS THAT ARE SOFT, SPONGY, OR COVERED BY ICE OR SNOW.
3. HOT MIXED ASPHALT (HMA) PAVING SPECIFICATIONS:
   - 3.1. THE PLACING, CONSTRUCTION, AND COMPOSITION OF THE BASE COURSE AND HMA SURFACE COURSE SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 450, 455, 460, AND 465 OF THE STATE HIGHWAY SPECIFICATIONS.
   - 3.2. WEATHER LIMITATIONS:
     - 3.2.1. DO NOT PLACE HMA WHEN BASE IS WET OR CONTAINS EXCESS MOISTURE.
     - 3.2.2. DO NOT PLACE ASPHALTIC MIXTURE WHEN THE AIR TEMPERATURE IS APPROXIMATELY 3° ABOVE GRADE, IN SHADE, AND AWAY FROM ARTIFICIAL HEAT SOURCES IS LESS THAN 40°F UNLESS A VALID ENGINEER-ACCEPTED COLD WEATHER PAVING PLAN IS IN EFFECT.
     - 3.2.3. PLACE ASPHALTIC MIXTURE ONLY ON A PREPARED, FIRM, AND COMPACTED BASE, FOUNDATION LAYER, OR EXISTING PAVEMENT SUBSTANTIALLY SURFACE-DRY AND FREE OF LOOSE AND FOREIGN MATERIAL. DO NOT PLACE OVER FROZEN SUBGRADE OR BASE, OR WHERE THE ROADBED IS UNSTABLE.
     - 3.2.4. APPLY TACK COAT ONLY WHEN THE AIR TEMPERATURE IS 32°F OR MORE UNLESS THE ENGINEER APPROVES OTHERWISE IN WRITING.
     - 3.2.5. ALL ASPHALT (BOTH UPPER AND LOWER LAYERS) SHALL BE DELIVERED TO THE PROJECT SITE AT A TEMPERATURE NOT LOWER THAN 250°F.
   - 3.3. CONTRACTOR SHALL ESTABLISH AND MAINTAIN REQUIRED LINES AND ELEVATIONS FOR EACH COURSE DURING CONSTRUCTION.
   - 3.4. BINDER COURSE AGGREGATE:
     - 3.4.1. THE AGGREGATE FOR THE BINDER COURSE SHALL CONFORM TO SECTION 460 OF THE STATE HIGHWAY SPECIFICATIONS.
   - 3.5. SURFACE COURSE AGGREGATE
     - 3.5.1. THE AGGREGATE FOR THE SURFACE COURSE SHALL CONFORM TO SECTIONS 460 AND 465 OF THE STATE HIGHWAY SPECIFICATIONS.
   - 3.6. ASPHALTIC MATERIALS
     - 3.6.1. THE ASPHALTIC MATERIALS SHALL CONFORM TO SECTIONS 455, 460, AND 465 OF THE STATE HIGHWAY SPECIFICATIONS.
4. CONCRETE PAVING SPECIFICATIONS:
   - 4.1. CONCRETE PAVING SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 405, 415, AND 416 OF THE STATE HIGHWAY SPECIFICATIONS.
   - 4.2. CURING COMPOUNDS SHALL CONFORM TO SECTION 415 OF THE STATE HIGHWAY SPECIFICATIONS.
   - 4.3. CONTRACTOR SHALL PROVIDE EXPANSION JOINTS IN SIDEWALKS AT A MAXIMUM 100' APART.
   - 4.4. EXTERIOR CONCRETE SURFACES SHALL BE BROOM FINISHED.
   - 4.5. CONTRACTOR SHALL INSTALL TRUNCATED DOME WARNING DETECTION FIELD SHALL BE PLACED AT ALL ADA RAMPS AS SPECIFIED ON PLANS AND IN ACCORDANCE WITH STATE AND FEDERAL REQUIREMENTS.
5. PAVEMENT MARKING SPECIFICATIONS:
   - 5.1. ALL PARKING STALL LINES SHALL BE 4" WIDE, HIGH VISIBILITY YELLOW LATEX PAINT.
   - 5.2. ALL PAVEMENT MARKINGS INCLUDING STOP BARS, CROSSWALKS, DIRECTIONAL ARROWS, PARKING STALL LINES, ADA STALL MARKINGS, NO PARKING ZONES, AND DROP-OFF/PICK-UP ZONES SHALL BE PAINTED WITH LATEX PAINT PER SPECIFICATIONS.

NUMBER OF PARKING STALLS	
SURFACE	
EXISTING STANDARD TO REMAIN	23
PROPOSED STANDARD	6
PROPOSED ACCESSIBLE	1
VACUUM STALLS	20
TOTAL SURFACE	50

SITE INFORMATION

PARCEL NO.	91307440402
SITE AREA	72,113 S.F. (1.655 ACRES)
SITE COVERAGE ANALYSIS	
EXISTING IMPERVIOUS SURFACE AREA	53,389 SF (1.111 ACRES)
EXISTING PERVIOUS SURFACE AREA	18,724 SF (0.430 ACRES)
PROPOSED PAVED AREA	44,559 SF (1.023 ACRES)
PROPOSED BUILDING FOOTPRINT	5,484 SF (0.126 ACRES)
PROPOSED IMPERVIOUS SURFACE AREA	50,043 SF (1.149 ACRES)
PROPOSED IMPERVIOUS SITE PERCENTAGE	69%
PROPOSED PERVIOUS SURFACE AREA	22,070 SF (0.507 ACRES)
PROPOSED PERVIOUS SITE PERCENTAGE	31%
PROPOSED NET IMPERVIOUS DECREASE	3,346 SF (0.077 ACRES)
PROPOSED CN VALUE	91
DISTURBED AREA	53,850 SF (1.236 ACRES)

north

SCALE IN FEET

20' 0 20'

DIGGERS HOTLINE
Toll Free (800) 242-8511

JSD
CREATE THE VISION TELL THE STORY
jsdinc.com
MILWAUKEE REGIONAL OFFICE
W238 N1610 BUSSE ROAD, SUITE 100
WAUKESHA, WISCONSIN 53188
P. 262.513.0666

CLIENT:
PETER SCHWABE, INC.

CLIENT ADDRESS:
N16W23233 STONE RIDGE DR.
WAUKESHA, WI 53188

PROJECT:
TOMMY'S CARWASH
OSHKOSH

PROJECT LOCATION:
1700 S KOELLER STREET
OSHKOSH, WINNEBAGO COUNTY
WISCONSIN, 54902

PLAN MODIFICATIONS:

#	Date:	Description:
1	02.25.25	GDP SUBMITTAL
2	07.17.25	SIP SUBMITTAL
3	08.12.25	SIP SUBMITTAL - REVISIONS
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		

Designed By:	A.R.P.
Reviewed By:	C.A.J.
Approved By:	C.A.J.

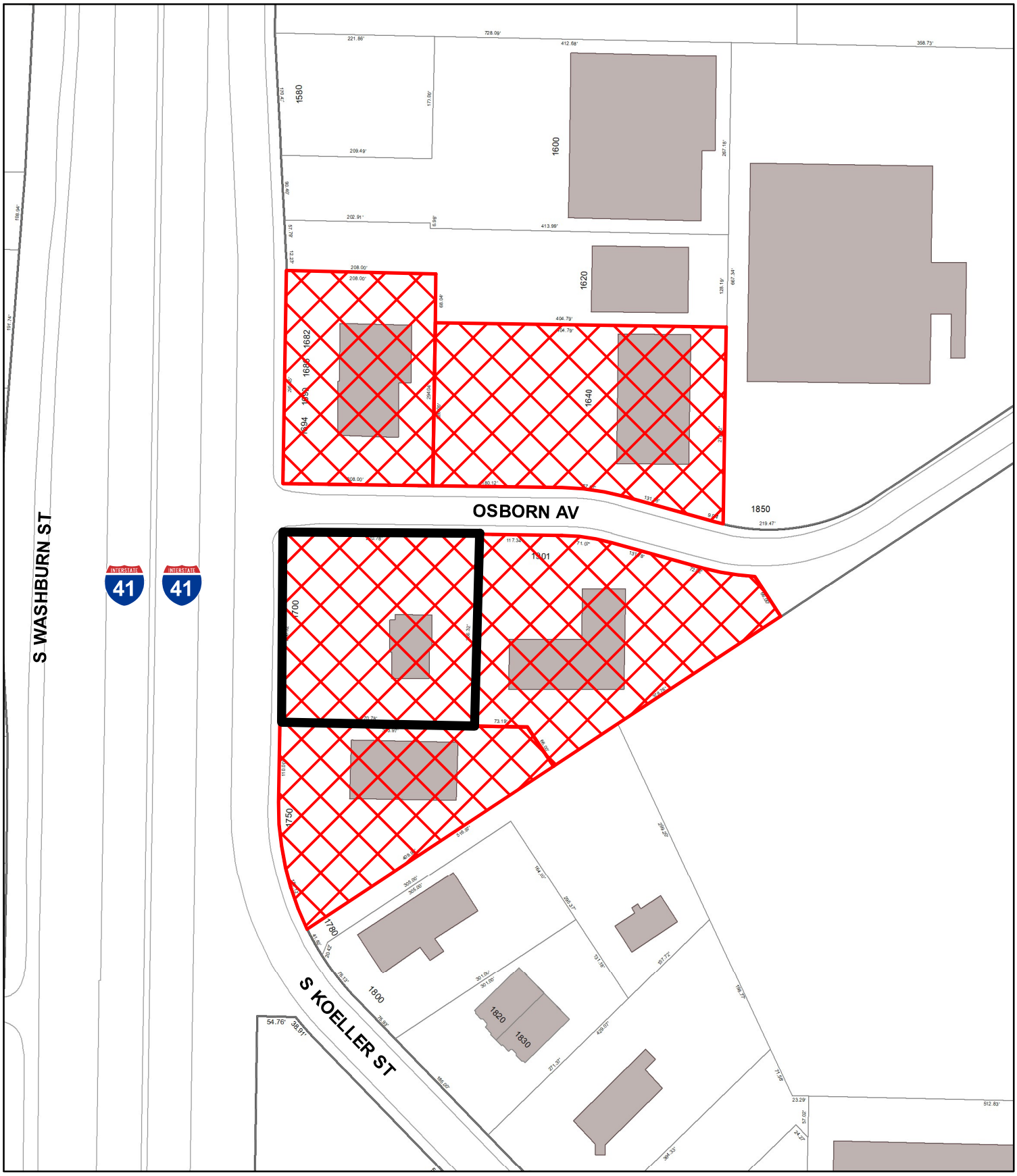
SHEET TITLE:
SITE PLAN

SHEET NUMBER:
C2.0

JSD PROJECT NO: 25-15159

THESE PLANS AND DESIGNS ARE COPYRIGHT PROTECTED AND MAY NOT BE USED IN WHOLE OR IN PART WITHOUT THE WRITTEN CONSENT OF JSD PROFESSIONAL SERVICES, INC.

File: \\JSDINC\new projects\2025\25159\DWG\Civil Sheets\25-15159 Civil Set (Condocs).dwg Layout: C2.0-SITE User: alexis.habernehl Plotted: Aug 11, 2025 - 1:25pm Xref's:



1700 S KOELLER ST NOTICE MAP

N

1 in = 0.03 mi

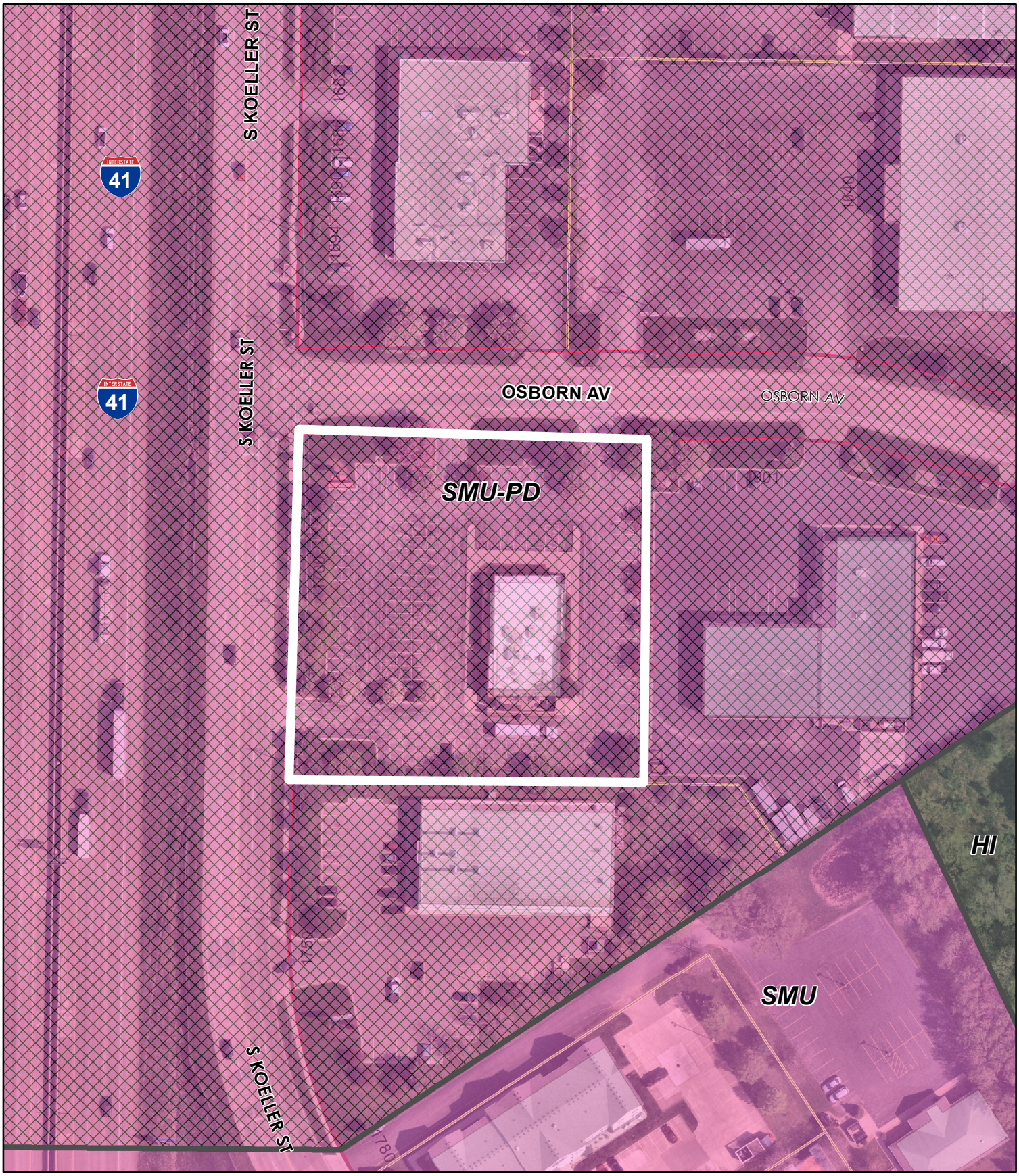
1 in = 180 ft

Printing Date: 3/13/2025

Prepared by: City of Oshkosh, WI

City of Oshkosh

City of Oshkosh maps and data are intended to be used for general identification purposes only, and the City of Oshkosh assumes no liability for the accuracy of the information. Those using the information are responsible for verifying accuracy. For full disclaimer please go to www.ci.oshkosh.wi.us/GISdisclaimer



1700 S KOELLER ST
ZONING & AERIAL MAP

N

1 in = 0.02 mi
1 in = 100 ft

Printing Date: 8/11/2025

Prepared by: City of Oshkosh, WI

City of Oshkosh

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TO:	Honorable Mayor and Members of the Common Council
FROM:	Kathy Snell, Special Events Coordinator
DATE:	September 23, 2025
SUBJECT:	Res 25-492 Approve Block Party - Jen Sullivan to utilize 12th Avenue for their neighborhood block party, October 25, 2025

Attachments

Res 25-492
Sullivan Block Party attachment

09/23/2025 25-492 RESOLUTION

CARRIED 7-0

PURPOSE: APPROVE BLOCK PARTY - JEN SULLIVAN TO UTILIZE 12TH AVENUE FOR THEIR NEIGHBORHOOD BLOCK PARTY, OCTOBER 25, 2025

INITIATED BY: CITY ADMINISTRATION

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oshkosh that approval is granted to Jen Sullivan to utilize 12th Avenue between Rugby Street and Georgia Street on Saturday, October 25, 2025, from 9:00 a.m. to 4:00 p.m. to hold their neighborhood block party in accordance with the municipal code and the attached application, with the following exceptions/conditions:
A.
B.
C.

BE IT FURTHER RESOLVED that as a condition of approval, the Event Organizer shall pay the City's actual costs for extraordinary services. Approval of this request shall not be interpreted as approval to conduct the block party during any period of emergency order or declaration prohibiting such an event. Approval of this block party shall not be interpreted to supersede any emergency order or declaration applicable to such block parties and all block parties shall remain subject to all applicable ordinances, orders, declarations and requirements for public gatherings.

Cost Estimates for Extraordinary Services
None

Rec'd 8/26/25

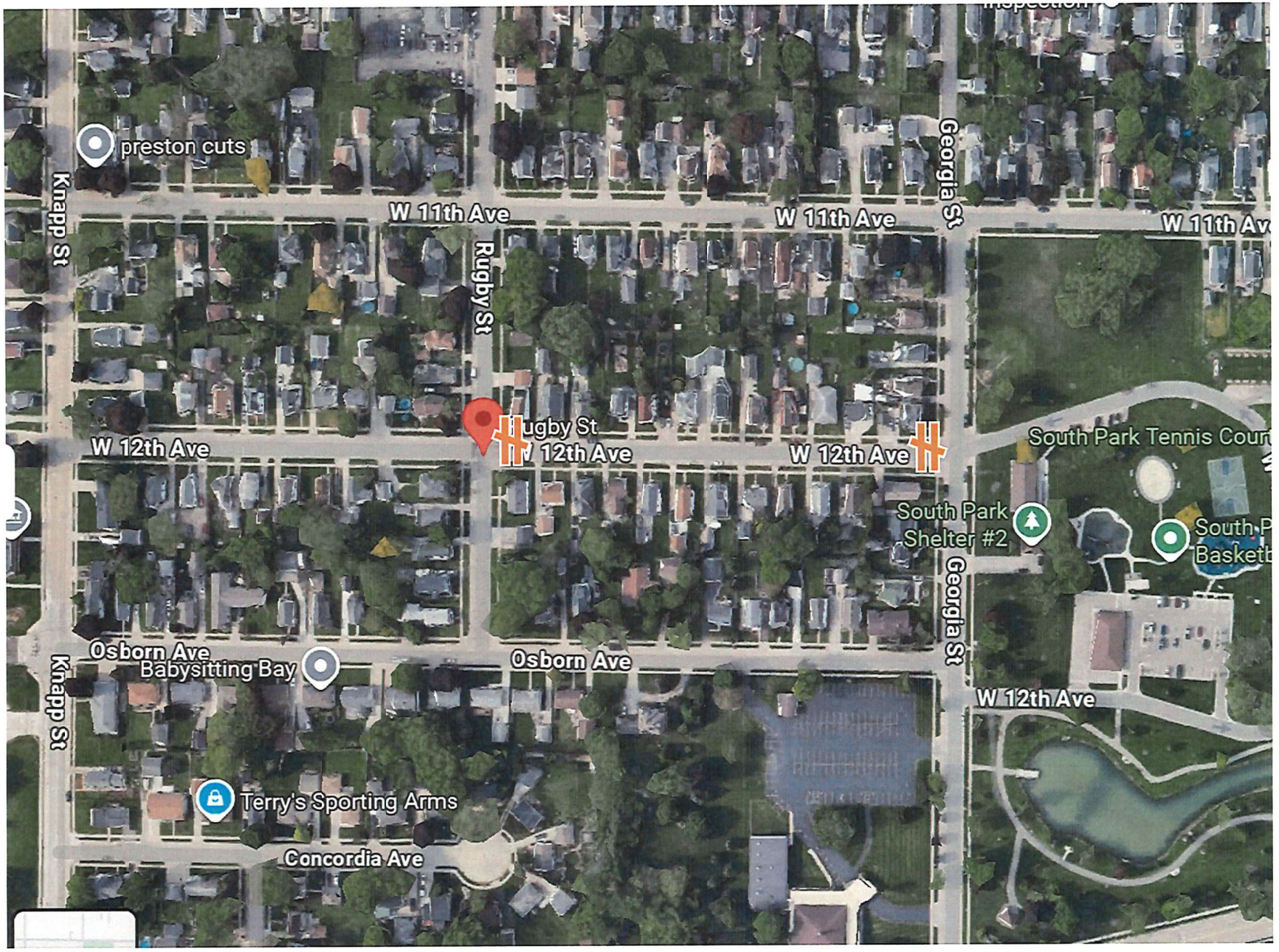
Block Party Request Form

The completed application can be mailed to: Oshkosh Seniors Center, Special Events Coordinator, 805 Witzel Ave., Oshkosh, WI 54902; or emailed to: ksnell@oshkoshwi.gov. (Emailed documents must be submitted as a pdf file.)For more information contact the Special Events Coordinator at (920) 232-5304.

EVENT INFORMATION	
Date of Event: 10-25-25	Time Requested: From 9 a.m. to 4 P.m. *(Example 10:00 a.m. to 2:00 p.m.)*
Street to be Closed: 12th Ave From Rugby *(Street)* to Georgia *(Street)* *(Example: N. Campbell Rd. from Witzel Avenue to Dempsey Trail)*	
Estimated Attendance: 50 PPl	Have all residents been notified? ☒ Yes ☐ No
If NO, who has not been contacted and why?	
Did any residents indicate an objection? ☐ Yes ☒ No	
If YES, what was the nature of that objection?	
Briefly describe any activities planned with the block party: Music, food, tables w/games *(Note: No food or beverages may be sold and no tents or other structures may be placed within the right-of way – street or terrace areas)*	
Are you affliatied with a recognized City of Oshkosh Neighborhood Association? ☐ Yes ☒ No *(Note if "yes" your information will be provided to GOHNI for additional activity options.)*	
Will there be amplified music or sound associated with the events? ☐ Yes ☒ No	
APPLICANT INFORMATION	
Applicant Name: Jen Sullivan	
Daytime Phone #: 920-420-1985	Cell Phone #: Same
Email Address: jenbkuehn@gmail.com	
Address: 856w 12th Ave	ZIP: 54902

The information contained in this application is true, correct, and complete to the best of my knowledge. If there are any changes to the proposed block party, I agree that I will promptly notify the City of Oshkosh of these changes and request approval of them.

Applicant Signature — Date: 8-26-25


preston cuts
Knapp St
W 11th Ave
Rugby St
W 11th Ave
Georgia St
W 11th Av
Rugby St
W 12th Ave
W 12th Ave
W 12th Ave
South Park Tennis Court
South Park
Shelter #2
South P
Basketb
Georgia St
Osborn Ave
Babysitting Bay
Osborn Ave
Knapp St
W 12th Ave
Terry's Sporting Arms
Concordia Ave

TO:	Honorable Mayor and Members of the Common Council
FROM:	Kathy Snell, Special Events Coordinator
DATE:	September 23, 2025
SUBJECT:	Res 25-493 Approve Special Event - Downtown Oshkosh Business Improvement District (BID) to utilize City streets, parking lots and Opera House Square for the Downtown Oshkosh Holiday Parade & Tree Lighting, December 4, 2025

Attachments

Res 25-493

09/23/2025 25-493 RESOLUTION

CARRIED 7-0

PURPOSE: APPROVE SPECIAL EVENT - DOWNTOWN OSHKOSH BUSINESS IMPROVEMENT DISTRICT (BID) TO UTILIZE CITY STREETS, PARKING LOTS AND OPERA HOUSE SQUARE FOR THE DOWNTOWN OSHKOSH HOLIDAY PARADE & TREE LIGHTING, DECEMBER 4, 2025

INITIATED BY: CITY ADMINISTRATION

the Vietnam Veterans of America Chapter 437 is requesting, per Section VII (C)(d)(iii), that the Council waive all costs for the application and extraordinary services provided by the City for the event; and

WHEREAS, the Common Council has considered the list of criteria listed in the Municipal Code pertaining to a request for a waiver of fees, including but not limited to:

1) benefit to the quality of life to the City as a whole;
2) tradition of the event in the City; and
3) culture and/or historical significance of the Special Event.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oshkosh that approval is granted to Downtown BID (Jessica Lomena) to utilize City streets, parking lots and Opera House Square to hold the Downtown Oshkosh Holiday Parade on Thursday, December 4, 2025, from 3:00 p.m. - 10 p.m. (actual parade start time 6:30 p.m.), in accordance with the municipal code and the attached application, with the following exceptions/conditions:

A. A waiver of the cost of Special Events application and extraordinary services fees per Section VII(D) considerations of the Municipal Code
B. An exception to the provisions of section 6-6 of the Oshkosh Municipal Code is granted to allow horses in the City during this event, reasonable set up and clean up and during transport to and from the event. Horses shall not be stabled in, or otherwise remain in, the City except as provided in this paragraph.

BE IT FURTHER RESOLVED that per section VII(C)(1)(d)(ii) of the Municipal Code, the City is waiving the costs for extraordinary services listed below. Approval of this request shall not be interpreted as approval to conduct the event during any period of emergency order or declaration prohibiting such an event. Approval of this event shall not be interpreted to supersede any emergency order or declaration applicable to such an event and all events shall remain subject to all applicable ordinances, orders, declarations and requirements for public gatherings.

Cost Estimates for Special Events Extraordinary Services
Police
Staffing $4,894.40 (preliminary estimate includes 17.5 CSO hrs., 45 Officer hrs., and 7 Sgt. Supervisor hrs.)
Equipment/Vehicles $159.12 (preliminary estimate includes use of vehicles)
Supplies/Materials $33.00 (preliminary estimate includes dedicated use of supplies)

Public Works
Staffing $1072.12 (preliminary estimate includes 28 hrs. street personnel)
Equipment/Vehicles $890.68 (preliminary estimate includes dedicated use of equipment and vehicles)
Supplies/Materials $495 (preliminary estimate includes dedicated use of supplies)

TO:	Honorable Mayor and Members of the Common Council
FROM:	Kathy Snell, Special Events Coordinator
DATE:	September 23, 2025
SUBJECT:	Res 25-494 Approve Special Event - Corner Bar & Grill to host their 5th Anniversary Celebration in the 2090 W. 9th Avenue parking lot, October 4, 2025

Attachments

Res 25-494
Corner Bar & Grill Attachment

09/23/25 25-494 RESOLUTION

CARRIED 7-0

PURPOSE: APPROVE SPECIAL EVENT - CORNER BAR & GRILL TO HOST THEIR 5TH ANNIVERSARY CELEBRATION IN THE 2090 W 9TH AVENUE PARKING LOT, OCTOBER 4, 2025

INITIATED BY: CITY ADMINISTRATION

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oshkosh that approval is granted to Corner Bar & Grill (Anthony Mirek) to host their 5th Anniversary Celebration in the 2090 W. 9th Avenue parking lot on Saturday, October 4, 2025, from 3:00 p.m. to 10:30 p.m., in accordance with the municipal code and the attached application, with the following exceptions/conditions:
A.
B.
C.

BE IT FURTHER RESOLVED that as a condition of approval, the Event Organizer shall pay the City's actual costs for extraordinary services. Approval of this request shall not be interpreted as approval to conduct the event during any period of emergency order or declaration prohibiting such an event. Approval of this event shall not be interpreted to supersede any emergency order or declaration applicable to such an event and all events shall remain subject to all applicable ordinances, orders, declarations and requirements for public gatherings.

Cost Estimates for Extraordinary Services
None

City of Oshkosh

Date Filed: 8/27/25

Application Fee Paid: _____

Oshkosh Parks
805 Witzel Ave.
Oshkosh, WI 54902

SPECIAL EVENT PERMIT APPLICATION

Applications shall be submitted no later than 60 days prior to the event.
Application fees are $25 for a single day event or $35 for a multi-day event.
An Expedite Fee of $50 will be applied to late applications.

GENERAL INFORMATION

Official Name of Event: Corner Bar 5 year anniversary celebration

Start Date: 10/04/2025 End Date: 10/04/2025

List times for each day:

	MON	TUES	WED	THURS	FRI	SAT	SUN
SET UP TIME					10:00 pm		
START TIME						3:00 pm	
END TIME						10:30 pm	
CLEAN UP TIME							7:00 am

LOCATION OF THE EVENT

City Park:

Public Property (list street(s), building(s), etc.)

County Park / Property:

Other:
Private Parking Lot 2090 W 9th Ave. Oshkosh WI, 54904

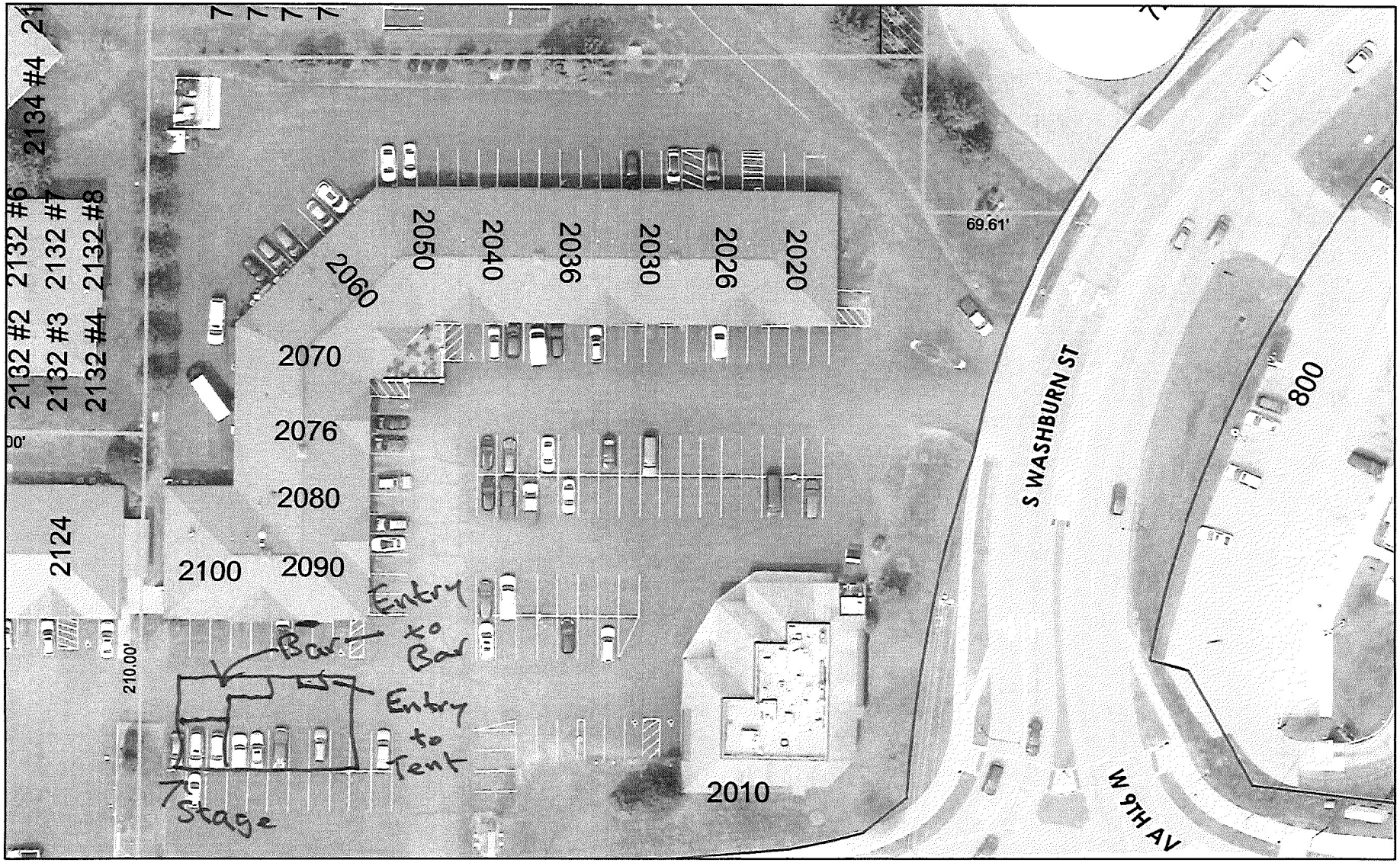
ORGANIZATION SPONSOR

Name: Corner Bar & Grill

Address: 2090 W 9th Ave

City: Oshkosh State: WI Zip: 54904

☐ Check this box if this organization is tax exempt (a copy of Wisconsin Sales & Use Tax Exempt form is required)



2090 W 9th Ave

1 inch equals 60 feet

1 inch equals 0.011 miles

30 15 0 30 60

Feet

N

Printing Date: 8/26/2025

City of Oshkosh

Prepared by: City of Oshkosh, WI
Department of Community Development

City of Oshkosh maps and data are intended to be used for general identification purposes only, and the City of Oshkosh assumes no liability for the accuracy of the information. Those using the information are responsible for verifying accuracy; full disclaimer please go to www.ci.oshkosh.wi.us/GISdisclaimer

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User: commdev

TO:	Honorable Mayor and Members of the Common Council
FROM:	Kathy Snell, Special Events Coordinator
DATE:	September 23, 2025
SUBJECT:	Res 25-495 Approve Special Event - VenuWorks of Oshkosh, LLC to host the Broadway Rock of Ages concert at their facility (1212 N. Main St.), October 18, 2025

Attachments

Res 25-495
Broadway Rock of Ages Attachment

09/23/2025 25-495 RESOLUTION

CARRIED 7-0

PURPOSE: APPROVE SPECIAL EVENT - OSHKOSH ARENA - VENUWORKS OF OSHKOSH, LLC TO HOLD THE BROADWAY ROCK OF AGES CONCERT AT THEIR FACILITY (1212 S MAIN ST), OCTOBER 18, 2025

INITIATED BY: CITY ADMINISTRATION

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oshkosh that approval is granted to VenuWorks of Oshkosh, LLC (Andy Linton) to hold the Broadway Rock of Ages concert at the Oshkosh Arena, Saturday, October 28, 2025, from 6:30 p.m. to 10:30 p.m. in accordance with the municipal code and the attached application, with the following exception/conditions:
A.
B.
C.

BE IT FURTHER RESOLVED that as a condition of approval, the Event Organizer shall pay the City's actual costs for extraordinary services. Approval of this request shall not be interpreted as approval to conduct the event during any period of emergency order or declaration prohibiting such an event. Approval of this event shall not be interpreted to supersede any emergency order or declaration applicable to such ane event and all events shall remain subject to all applicable ordinances, orders, declarations and requirements for public gatherings.

Cost Estimates for Extraordinary Services
Police
Staffing $733.01 (preliminary estimate includes 9 officer hrs.)

City of Oshkosh

Date Filed: _____

Application Fee Paid: _____

Oshkosh Parks
805 Witzel Ave.
Oshkosh, WI 54902

SPECIAL EVENT PERMIT APPLICATION

Applications shall be submitted no later than 60 days prior to the event.
Application fees are $25 for a single day event or $35 for a multi-day event.
An Expedite Fee of $50 will be applied to late applications.

GENERAL INFORMATION

Official Name of Event: BROADWAY ROCK OF AGES

Start Date: Oct. 18th 2025 End Date: Oct. 18, 2025

List times for each day:

	MON	TUES	WED	THURS	FRI	SAT	SUN
SET UP TIME							
START TIME						6:30 PM	
END TIME						10:30 PM	
CLEAN UP TIME							

LOCATION OF THE EVENT

City Park:

Public Property (list street(s), building(s), etc.)

County Park / Property:

Other: OSHKOSH ARENA

ORGANIZATION SPONSOR

Name: ANDY LINTON

Address: 1212 S. MAIN STREET

City: OSHKOSH State: WI Zip: 54902

☐ Check this box if this organization is tax exempt (a copy of Wisconsin Sales & Use Tax Exempt form is required)

TO:	Honorable Mayor and Members of the Common Council
FROM:	Kathy Snell, Special Events Coordinator
DATE:	September 23, 2025
SUBJECT:	Res 25-496 Approve Special Event - VenuWorks of Oshkosh, LLC to host the Kansas w/Blue Oyster Cult concert, November 8, 2025

Attachments

Res 25-496
Kansas w/Blue Oyster Cult Attachment

09/23/2025 25-496 RESOLUTION

CARRIED 7-0

PURPOSE: APPROVE SPECIAL EVENT - VENUWORKS OF OSHKOSH, LLC TO HOLD THE KANSAS W/BLUE OYSTER CULT CONCERT AT THEIR FACILITY (1212 S MAIN STREET), NOVEMBER 8, 2025

INITIATED BY: CITY ADMINISTRATION

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oshkosh that approval is granted to VenuWorks of Oshkosh, LLC (Andy Linton) to hold the Kansas w/Blue Oyster Cult concert at the Oshkosh Arena, Saturday, November 8, 2025, from 7:00 p.m. to 10:00 p.m. in accordance with the municipal code and the attached application, with the following exceptions/conditions:
A.
B.
C.

BE IT FURTHER RESOLVED that as a condition of approval, the Event Organizer shall pay the City's actual costs or extraordinary services. Approval of this request shall not be interpreted as approval to conduct the event during any period of emergency order or declaration prohibiting such an event. Approval of this event shall not be interpreted to supersede any emergency order or declaration applicable to such an event and all events shall remain subject to all applicable ordinances, orders, declarations and requirements for public gatherings.

Cost Estimates for Extraordinary Services
Police
Staffing $773.01 (preliminary estimate includes 9 officer hrs.)

City of Oshkosh

Date Filed: _____

Application Fee Paid: _____

Oshkosh Parks
805 Witzel Ave.
Oshkosh, WI 54902

SPECIAL EVENT PERMIT APPLICATION

Applications shall be submitted no later than 60 days prior to the event.
Application fees are $25 for a single day event or $35 for a multi-day event.
An Expedite Fee of $50 will be applied to late applications.

GENERAL INFORMATION

Official Name of Event: KANSAS w/ BLUE OYSTER CULT

Start Date: Nov. 8th, 2025 End Date: Nov. 8th, 2025

List times for each day:

	MON	TUES	WED	THURS	FRI	SAT	SUN
SET UP TIME						11:00AM	
START TIME						7:00PM	
END TIME						10:00PM	
CLEAN UP TIME							

LOCATION OF THE EVENT

City Park: N/A

Public Property (list street(s), building(s), etc.)

N/A

County Park / Property:

N/A

Other:

OSHKOSH ARENA

ORGANIZATION SPONSOR

Name: ANDY LINTON

Address: 1212 S. MAIN STREET

City: OSHKOSH State: WI Zip: 54902

☐ Check this box if this organization is tax exempt (a copy of Wisconsin Sales & Use Tax Exempt form is required)

TO:	Honorable Mayor and Members of the Common Council
FROM:	Kathy Snell, Special Events Coordinator
DATE:	September 23, 2025
SUBJECT:	Res 25-497 Approve Special Event - VenuWorks of Oshkosh, LLC to host the Crazy Train - The Ozzy Experience concert, December 3, 2025

Attachments

Res 25-497
Crazy Train - The Ozzy Experience Attachment

09/23/2025 25-497 RESOLUTION

CARRIED 7-0

PURPOSE: APPROVE SPECIAL EVENT - VENUWORKS OF OSHKOSH, LLC TO HOLD CRAZY TRAIN -THE OZZY EXPERIENCE CONCERT AT THEIR FACILITY (1212 S MAIN STREET), DECEMBER 3, 2025

INITIATED BY: CITY ADMINISTRATION

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oshkosh that approval is granted to VenuWorks of Oshkosh, LLC (Andy Linton) to hold Crazy Train - The Ozzy Experience concert at the Oshkosh Arena on Wednesday, December 3, 2025, from 7:30 p.m. to 10:30 p.m. in accordance wit the municipal code and the attached application, with the following exceptions/conditions:
A.
B.
C.

BE IT FURTHER RESOLVED that as a condition of approval, the Event Organizer shall pay the City's actual costs for extraordinary services. Approval of this request shall not be interpreted as approval to conduct the event during any period of emergency order or declaration prohibiting such an event. Approval of this event shall not be interpreted to supersede any emergency order or declaration applicable to such an event and all events shall remain subject to all applicable ordinances, orders, declarations and requirements for public gatherings.

Cost Estimates for Extraordinary Services
Police
Staffing $773.01 (preliminary estimate includes 9 officer hrs.)

City of Oshkosh

Date Filed: _____

Application Fee Paid: _____

Oshkosh Parks
805 Witzel Ave.
Oshkosh, WI 54902

SPECIAL EVENT PERMIT APPLICATION

Applications shall be submitted no later than 60 days prior to the event.
Application fees are $25 for a single day event or $35 for a multi-day event.
An Expedite Fee of $50 will be applied to late applications.

GENERAL INFORMATION

Official Name of Event: CRAZY TRAIN - THE OZZY EXPERIENCE

Start Date: DEC 3, 2025 End Date: DEC. 3, 2025

List times for each day:

	MON	TUES	WED	THURS	FRI	SAT	SUN
SET UP TIME							
START TIME			7:30 PM				
END TIME			10:30 PM				
CLEAN UP TIME							

LOCATION OF THE EVENT

City Park: N/A

Public Property (list street(s), building(s), etc.)

N/A

County Park / Property:

N/A

Other:

OSHKOSH ARENA

ORGANIZATION SPONSOR

Name: ANDY LINTONS

Address: 1212 S. MAIN STREET

City: OSHKOSH State: WI Zip: 54902

☐ Check this box if this organization is tax exempt (a copy of Wisconsin Sales & Use Tax Exempt form is required)

TO:	Honorable Mayor and Members of the Common Council
FROM:	Kathy Snell, Special Events Coordinator
DATE:	September 23, 2025
SUBJECT:	Res 25-498 Approve Special Event - VenuWorks of Oshkosh, LLC to host the Harlem Globetrotters, December 31, 2025

Attachments

Res 25-498
Harlem Globetrotters Attachment

09/23/2025 25-498 RESOLUTION

CARRIED 7-0

PURPOSE: APPROVE SPECIAL EVENT - VENUWORKS OF OSHKOSH, LLC TO HOST THE HARLEM GLOBETROTTERS EVENT AT THEIR FACILITY (1212 N MAIN STREET), DECEMBER 31, 2025

INITIATED BY: CITY ADMINISTRATION

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oshkosh that approval is granted to the VenuWorks of Oshkosh, LLC (Andy Linton) to host the Harlem Globetrotters event at the Oshkosh Arena on Wednesday, December 31, 2025, from 2:00 p.m. to 6:00 p.m. in accordance with the municipal code and the attached application, with the following exceptions/conditions:
A.
B.
C.

BE IT FURTHER RESOLVED that as a condition of approval, the Event Organizer shall pay the City's actual costs for extraordinary services. Approval of this request shall not be interpreted as approval to conduct the event during any period of emergency order or declaration prohibiting such an event. Approval of this event shall not be interpreted to supersede any emergency order or declaration applicable to such an event and all events shall remain subject to all applicable ordinances, orders, declarations and requirements for public gatherings.

Cost Estimates for Extraordinary Services
Police
Staffing $687.12 (preliminary estimate includes 8 officer hrs.)

Oshkosh

Date Filed: _____

Application Fee Paid: _____

Oshkosh Parks
805 Witzel Ave.
Oshkosh, WI 54902

SPECIAL EVENT PERMIT APPLICATION

Applications shall be submitted no later than 60 days prior to the event.
Application fees are $25 for a single day event or $35 for a multi-day event.
An Expedite Fee of $50 will be applied to late applications.

GENERAL INFORMATION

Official Name of Event: HARLEM GLOBETROTTERS : THE 100 YEAR TOUR

Start Date: DEC. 31, 2025 End Date: DEC. 31, 2025

List times for each day:

	MON	TUES	WED	THURS	FRI	SAT	SUN
SET UP TIME							
START TIME			2:00PM				
END TIME			6:00 PM				
CLEAN UP TIME							

LOCATION OF THE EVENT

City Park: N/A

Public Property (list street(s), building(s), etc.)

N/A

County Park / Property:

N/A

Other:

OSHKOSH ARENA

ORGANIZATION SPONSOR

Name: ANDY LINTON

Address: 1212 S MAIN STREET

City: OSHKOSH State: WI Zip: 54902

☐ Check this box if this organization is tax exempt (a copy of Wisconsin Sales & Use Tax Exempt form is required)

TO:	Honorable Mayor and Members of the Common Council
FROM:	Cheryl Pionke, Interim City Clerk
DATE:	September 23, 2025
SUBJECT:	Res 25-499 Approve agent change for R-Store Nos. 4520, 4521, 4522, 4523 Class A Combination Agent: Regina Nievinski Addresses: R-Store #4520 (305 Ohio St); R-Store #4521 (708 W Murdock Ave); R-Store #4522 (1623 Bowen St); and R-Store #4523 (208 Bowen St)

Attachments

Res 25-499
Rstore#4522
Rstore#4521
Rstore#4520
Rstore#4523

09/23/2025 25-499 RESOLUTION

CARRIED 7-0

PURPOSE: APPROVE AGENT CHANGE FOR GPM SOUTHEAST, LLC (RSTORE#4522,1623 Bowen St, Oshkosh, WI 54901) (RSTORE#4523, 208 Bowen St, Oshkosh, WI 54901) (RSTORE#4520 305 Ohio St, Oshkosh, WI 54902) (RSTORE#4521 708 W MurdockAve, Oshkosh, WI 54901) (Current License, Combination "Class A")

INITIATED BY: CITY CLERK

WHEREAS, an application and all required documentation for an agent change have been submitted, fees deposited, and all reviews and inspections required by city ordinance have been completed.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oshkosh hereby finds all reviews and inspections required by city ordinance have been completed for the applicant, and no violations or other issues have been noted that would prevent the agent change at this time.

AGENT CHANGE (Sept 23, 2025–June 30, 2026)
GPM Southeast, LLC
RSTORE#4522, 1623 Bowen St, Oshkosh, WI 54901
RSTORE#4523, 208 Bowen St, Oshkosh, WI 54901
RSTORE#4520, 305 Ohio St, Oshkosh, WI 54902
RSTORE#4521, 708 W Murdock Ave, Oshkosh, WI 54901
Agent: Regina Nievinski

Form
AB-100

Alcohol Beverage Individual Questionnaire

Date

All individuals involved in the alcohol beverage business must complete this form, including:

- sole proprietor
- all partners of a partnership
- all officers, directors, and agent of a corporation or nonprofit organization
- members and agent of a limited liability company

Your alcohol beverage application or renewal is not complete until all required Individual Questionnaires are submitted.

Part A: Business Information

1. Legal Business Name (individual name if sole proprietor)
GPM Southeast, LLC

2. Business Trade Name or DBA
Please See Attached List of Stores.

3. Entity Type *(check one)*
☐ Sole Proprietor ☐ Partnership ☒ Limited Liability Company ☐ Corporation ☐ Nonprofit Organization

Part B: Individual Information

1. Last Name	2. First Name	3. M.I.
Nievinski	Regina	A.

4. Relationship to Business (Title)	5. Email	6. Phone
Agent	RNievinski@gpminvestments.com	715-571-4580

7. Home Address
4504 Ross Ave

8. City	9. State	10. Zip Code	11. Date of Birth
Weston	WI	54476	08/18/1969

12. Drivers License/State ID Number	13. Drivers License/State ID State of Issuance
N152-7216-9798-07	WI

Part C: Address History

1. Do you currently live in Wisconsin? ☒ Yes ☐ No

If yes, provide the month and year when you permanently moved to Wisconsin (MM/YYYY): **1969**

2. List in chronological order all of your addresses within the last 5 years. Attach additional sheets if necessary.

Previous Address	City	State	Zip Code
1: 3202 Foxtail Court	Weston	WI	54476
2:			
3:			
4:			
5:			

3. List all states and counties you have lived in as an adult. Attach additional sheets if necessary.

State	County	State	County	State	County	State	County
WI	Marathon						

Continued →

Part D: Criminal History

1. Have you ever been convicted of any offenses (excluding traffic offenses unless related to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or of any county or municipal ordinances? . . . . . ☐ Yes ☒ No

If yes to question 1, please list details of each conviction below. Attach additional sheets as needed.

Law/Ordinance Violated	Location	Conviction Date

Penalty Imposed	Was sentence completed? . . . . . ☐ Yes ☐ No

Law/Ordinance Violated	Location	Conviction Date

Penalty Imposed	Was sentence completed? . . . . . ☐ Yes ☐ No

Law/Ordinance Violated	Location	Conviction Date

Penalty Imposed	Was sentence completed? . . . . . ☐ Yes ☐ No

2. Are charges for any offenses currently pending against you (excluding traffic offenses unless related to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or any county or municipal ordinances? . . . . . ☐ Yes ☒ No

If yes to question 2, describe nature and status of pending charges using the space below. Attach additional sheets as needed.

Part E: Attestation

READ CAREFULLY BEFORE SIGNING: Under penalty of law, I have answered each of the above questions completely and truthfully. I certify that I am not prohibited from participating in this business due to any involvement in another tier of the alcohol beverage industry as a restricted investor. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000 if convicted.

Signature	Date
Regina Niewinski	**June 26, 2025**

Attachment to Alcohol Beverage Appointment of Agent

Store	Brand	Street Address	City	State	Zip Code	County
4473	Rstore	1108 Western Ave.	Mosinee	WI	54455	Marathon
4474	Rstore	2300 Grand Ave.	Wausau	WI	54403	Marathon
4475	Rstore	103 North 6th Street	Wausau	WI	54403	Marathon
4476	Rstore	2007 Stewart Avenue	Wausau	WI	54401	Marathon
4477	Rstore	1511 North 3rd Street	Wausau	WI	54403	Marathon
4478	Rstore	W5375 Granberg Rd.	Prentice	WI	54556	Price
4479	Rstore	2900 Village Park Drive	Plover	WI	54467	Portage
4480	Rstore	1790 County Rd XX	Rothschild	WI	54474	Marathon
4481	Rstore	124 Main Street	Mosinee	WI	54455	Marathon
4482	Rstore	1137 East Grand Avenue	Rothschild	WI	54474	Marathon
4483	Rstore	396 N. Lake Avenue	Phillips	WI	54555	Price
4484	Rstore	4057 County Road CP	Pound	WI	54161	Marinette
4485	Rstore	200 N. McKenzie St.	Gillett	WI	54124	Oconto
4486	Rstore	112 US Hwy 45 N	Tigerton	WI	54486	Shawano
4487	Rstore	5485 US Hwy 10 East	Stevens Point	WI	54482	Portage
4488	Rstore	N357 Brandenburg Ave.	Merrill	WI	54452	Lincoln
4489	Rstore	1727 E. Somo Avenue	Tomahawk	WI	54487	Lincoln
4490	Rstore	401 Main Street	Marathon	WI	54448	Marathon
4491	Rstore	403 S. Third Avenue	Edgar	WI	54426	Marathon
4493	Rstore	10201 Park Plaza	Rothschild	WI	54474	Marathon
4494	Rstore	3001 Village Park Drive	Plover	WI	54467	Portage
4495	Rstore	2601 N. 20th Avenue	Wausau	WI	54401	Marathon
4496	Rstore	401 State Road	Hatley	WI	54440	Marathon
4497	Rstore	1310 1st Ave.	Woodruff	WI	54568	Oneida
4498	Rstore	7488 US Hwy 51 South	Minocqua	WI	54548	Oneida
4499	Rstore	W17256 Red Oak Lane	Wittenberg	WI	54499	Shawano
4500	Rstore	6773 State Hwy 13 34	Rudolph	WI	54475	Wood
4501	Rstore	151400 County Road NN	Wausau	WI	54401	Marathon
4502	Rstore	14048 State Hwy 32 64	Mountain	WI	54149	Oconto
4503	Rstore	307 N. 4th Avenue	Park Falls	WI	54552	Price
4504	Rstore	4101 Schofield Ave	Weston	WI	54476	Marathon
4505	Rstore	1229 S. Main St	West Bend	WI	53095	Washington
4506	Rstore	1211 W. Washington St.	West Bend	WI	53095	Washington
4507	Rstore	1512 W. Washington St.	West Bend	WI	53095	Washington
4508	Rstore	1650 N. Main St.	West Bend	WI	53090	Washington
4509	Rstore	1100 S. Spring St	Port Washington	WI	53074	Ozaukee
4510	Rstore	1605 N. Wisconsin Ave	Port Washington	WI	53074	Ozaukee
4511	Rstore	1304 Old County Road V	Fond Du Lac	WI	54935	Fond Du Lac
4512	Rstore	351 Fond Du Lac Ave	Fond Du Lac	WI	54935	Fond Du Lac
4513	Rstore	565 N. Pioneer Rd.	Fond Du Lac	WI	54937	Fond Du Lac
4514	Rstore	510 E. Rhine Street	Elkhart Lake	WI	53020	Sheboygan
4515	Rstore	209 Madison Avenue (Mail: PO Box 168)	Cascade	WI	53011	Sheboygan
4516	Rstore	211 W. Main Street	Glenbeulah	WI	53023	Sheboygan
4517	Rstore	9294 State Highway 144	Kewaskum	WI	53040	Washington
4518	Rstore	1232 County Road O	Plymouth	WI	53073	Sheboygan
4519	Rstore	103 N Milwaukee Street	Plymouth	WI	53073	Sheboygan
4520	Rstore	305 Ohio Street	Oshkosh	WI	54902	Winnebago
4521	Rstore	708 W. Murdock Ave.	Oshkosh	WI	54901	Winnebago
4522	Rstore	1623 Bowen Street	Oshkosh	WI	54901	Winnebago
4523	Rstore	208 Bowen Street	Oshkosh	WI	54901	Winnebago
4524	Jetz	1425 N. Farwell Ave.	Milwaukee	WI	53202	Milwaukee
4525	Jetz	607 S. 70th Street	Milwaukee	WI	53214	Milwaukee
4526	Jetz	6101 S. 108th St.	Hales Corners	WI	53130	Milwaukee
4527	Jetz	S69W15461 Janesville Rd	Muskego	WI	53150	Waukesha
4528	Bread & Butter Shop	539 S Central Ave.	Marshfield	WI	54449	Wood
4529	Bread & Butter Shop	1727 N. Central Ave.	Marshfield	WI	54449	Wood
4530	Bread & Butter Shop	100 Market St.	Nekoosa	WI	54457	Wood
4531	Bread & Butter Shop	1000 N. Central Ave	Marshfield	WI	54449	Wood
4532	Bread & Butter Shop	2130 8th Street South	Wisconsin Rapids	WI	54494	Wood
4533	Bread & Butter Shop	1740 17th Avenue South	Wisconsin Rapids	WI	54495	Wood
4534	Bread & Butter Shop	1502 S. Central Ave	Marshfield	WI	54449	Wood
4535	Bread & Butter Shop	212825 State Hwy. 97	Stratford	WI	54484	Marathon

Form
AB-101

Alcohol Beverage Appointment of Agent

Date

Agent Type *(check one)*

☐ Original (no fee) ☒ Successor ($10 fee for municipal licensees only)

Part A: Business Information

1. Legal Business Name (individual name if sole proprietor)
GPM Southeast, LLC

2. Business Trade Name or DBA
Please See Attached List of Stores.

3. Entity Type *(check one)*
☒ Limited Liability Company ☐ Corporation ☐ Nonprofit Organization

4. Alcohol Beverage Business Authorization *(check one)*
☒ Municipal Retail License ☐ State Permit

5. If successor agent, provide State Permit or Municipal Retail License Number

6. Describe the reason for appointing a successor agent, if successor is checked above.
Transitioning agent functions to new manager.

Part B: Agent Information

1. Last Name	2. First Name	3. M.I.
Nievinski	Regina	A.

4. Email	5. Phone
RNievinski@gpminvestments.com	715-571-4580

6. Home Address
4054 Ross Ave

7. City	8. State	9. Zip Code	10. Date of Birth
Weston	WI	54476	08/18/1969

11. Drivers License/State ID Number	12. Drivers License/State ID State of Issuance
N152-7216-9798-07	WI

Part C: Agent Questions

1. Have you satisfied the responsible beverage server training requirement? Submit proof of completion. ☒ Yes ☐ No

2. Have you completed Form AB-100, *Alcohol Beverage Individual Questionnaire* (licensee) or Form AB-300, *Alcohol Beverage Personal Questionnaire* (permittee)? ☒ Yes ☐ No

3. Have you been a Wisconsin resident for at least 90 continuous days? See instructions for exceptions. ☒ Yes ☐ No

Continued →

Part D: Business Attestation

READ CAREFULLY BEFORE SIGNING: I, the **Undersigned**, authorize the above-named individual to act for the above-named corporation, nonprofit organization, or limited liability company with full authority and control of the premises and of all alcohol beverage activities on such premises. I certify that I am authorized by the above-named entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000 if convicted.

Last Name	First Name	M.I.
Kotler	**Arie**	

Title	Email	Phone
CEO/Manager of Sole Member	**ak@gpminvestments.com**	**313-779-0906**

Signature	Date
	June 24, 2025

Part E: Agent Attestation

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, hereby accept this appointment as agent for the above-named corporation, nonprofit organization, or limited liability company and assume full responsibility for the conduct of all alcohol beverage activities on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000 if convicted.

Last Name	First Name	M.I.
Nievinski	**Regina**	**A.**

Signature	Date
Regina Nievinski	**June 26, 2025**

SERVERlicense.com

Wisconsin Responsible Beverage Seller/Server Training

REGINA NIEVINSKI

has met all training requirements and successfully completed the above course and/or exam.

Certification Number: SL185946

Date of Completion: 06/19/2024

Kelly Bailey

Authorized Signature

This certificate represents the successful completion of an approved Wisconsin Department of Revenue Responsible Beverage Server Course in compliance with secs. 125.04(5)(a)5., 125.17(6), and 134.66(2m), Wis. Stats. Present this certificate to your local municipal clerk's office to receive your Operator's or Retail license.

Diversys Learning, Inc.
1101 Arrow Point Drive, Suite 302
Cedar Park, TX 78613

Form
CTV-102

Cigarette, Tobacco, and Electronic Vaping Device Appointment of Agent

Date

Agent Type (check one): ☐ Original ☒ Change

Part A: Agent Information

1. Last Name	2. First Name	3. M.I.
Nievinski	Regina	A.

4. Email	5. Phone
RNievinski@gpminvestments.com	715-571-4580

6. Home Address
4504 Ross Ave

7. City	8. State	9. Zip Code
Weston	WI	54476

10. Date of Birth	11. Drivers License/State ID Number	12. Drivers License/State ID State of Issuance
08/18/1969	N152-7216-9798-07	WI

Part B: Questions

1. Have you completed Form CTV-101, *Cigarette, Tobacco, and Electronic Vaping Device - Individual Questionnaire*? Submit a completed Form CTV-101 with this form. ☒ Yes ☐ No

2. If this is a change of agent, please describe the reason for the agent change. Attach additional sheets if necessary.
Transitioning agent functions to new manager.

Part C: Business Information

1. Legal Business Name (individual name if sole proprietor)
GPM Southeast, LLC

2. Business Trade Name or DBA
Rstore #4522

3. Entity Type (check one)
☒ Limited Liability Company ☐ Corporation

4. Premises Address
1623 Bowen Street

5. City	6. State	7. Zip Code
Oshkosh	WI	54901

Part D: Attestations

READ CAREFULLY BEFORE SIGNING: I, the **Licensee or Permittee**, authorize the above-named individual to act for the above-named corporation or limited liability company with full authority and control of the premises and of all business relative to cigarettes, tobacco products, and/or electronic vaping devices conducted therein. I certify that I am authorized by the entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000 if convicted.

Signature of Licensee or Permittee (officer, member, or authorized signatory)	Date
	06/24/2025

Name of Person Signing	Title
Arie Kotler	CEO/Manager of Sole Member

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, herby accept this appointment as agent for the above-named corporation or limited liability company and assume full responsibility for the conduct of all business relative to sales of cigarettes, tobacco products, and/or electronic vaping devices conducted on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this form, and that any person who knowingly provides materially false information on this form may be required to forfeit not more than $1,000 if convicted.

Signature of Agent	Date
Regina Nievinski	06/26/2025

Date

Form
CTV-101

Cigarette, Tobacco, and Electronic Vaping Device - Individual Questionnaire

Part A: Business Information

1. Legal Business Name (individual name if sole proprietor)
GPM Southeast, LLC

2. Business Trade Name or DBA
Please See Attached List of Stores.

3. Entity Type *(check one)*
☐ Sole Proprietor ☐ Partnership ☒ Limited Liability Company ☐ Corporation

Part B: Individual Information

1. Name (Last)	2. Name (First)	3. Name (M.I.)
Nievinski	Regina	A.

4. Relationship to Business (Title)	5. Email	6. Phone
Agent	RNievinski@gpminvestments.com	715-571-4580

7. Home Address
4504 Ross Ave

8. City	9. State	10. Zip Code	11. Date of Birth
Weston	WI	54476	08/18/1969

12. Drivers License/State ID Number	13. Drivers License/State ID State of Issuance
N152-7216-9798-07	WI

Part C: Individual's Address History

List in chronological order all of your addresses within the last 5 years. Attach additional sheets if necessary.

Previous Address 1: 3202 Foxtail Court	City: Weston	State: WI	Zip Code: 54476
Previous Address 2	City	State	Zip Code
Previous Address 3	City	State	Zip Code
Previous Address 4	City	State	Zip Code
Previous Address 5	City	State	Zip Code
Previous Address 6	City	State	Zip Code

If applicable, list all states and counties you have lived in as an adult. Attach additional sheets if necessary.

State	County	State	County	State	County	State	County
WI	Marathon						

Continued →

Part D: Individual's Criminal History

1. Have you ever been convicted of any offenses (other than traffic offenses) for violation of any federal, Wisconsin, or another state's laws, or of any county or municipal ordinances? . . . . . ☐ Yes ☒ No

If yes to question 1, please list details of each conviction below:

Law/Ordinance Violated	Location	Trial Date

Penalty Imposed	Was sentence completed? . . . . . ☐ Yes ☐ No

Law/Ordinance Violated	Location	Trial Date

Penalty Imposed	Was sentence completed? . . . . . ☐ Yes ☐ No

Law/Ordinance Violated	Location	Trial Date

Penalty Imposed	Was sentence completed? . . . . . ☐ Yes ☐ No

2. Are charges for any offenses currently pending against you (other than traffic offenses) for violation of any federal, Wisconsin, or another state's laws or any county or municipal ordinances? . . . . . ☐ Yes ☒ No

If yes to question 2, describe nature and status of pending charges using the space below. Attach additional sheets as needed.

Part E: Attestation by Individual

READ CAREFULLY BEFORE SIGNING: I understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on an application for cigarette, electronic vaping devices, and tobacco products retail license may be required to forfeit not more than $1,000 if convicted. I declare under penalties of the law that I have examined this information and, to the best of my knowledge, it is true, correct, and complete to the best of my knowledge and belief.

Signature	Date
Regina Mussher	**06/26/2025**

Part F: Licensing Authority Approval

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, this individual does not have a criminal record that would disqualify them from having an interest in a cigarette, tobacco product, or electronic vaping device retailer license according to sec. 134.65(1m), Wis. Stats.

Name of Local Official	Title
MATTHEW A. MARKS	CAPTAIN - Police Department

Signature of Local Official	Date
	8-28-25

* checked by office Assistant Jackie Souza

Attachment to Cigarette, Tobacco, and Electronic Vaping Device Questionnaire - Agent

Store	Brand	Street Address	City	State	Zip Code	County
4473	Rstore	1108 Western Ave.	Mosinee	WI	54455	Marathon
4474	Rstore	2300 Grand Ave.	Wausau	WI	54403	Marathon
4475	Rstore	103 North 6th Street	Wausau	WI	54403	Marathon
4476	Rstore	2007 Stewart Avenue	Wausau	WI	54401	Marathon
4477	Rstore	1511 North 3rd Street	Wausau	WI	54403	Marathon
4478	Rstore	W5375 Granberg Rd.	Prentice	WI	54556	Price
4479	Rstore	2900 Village Park Drive	Plover	WI	54467	Portage
4480	Rstore	1790 County Rd XX	Rothschild	WI	54474	Marathon
4481	Rstore	124 Main Street	Mosinee	WI	54455	Marathon
4482	Rstore	1137 East Grand Avenue	Rothschild	WI	54474	Marathon
4483	Rstore	396 N. Lake Avenue	Phillips	WI	54555	Price
4484	Rstore	4057 County Road CP	Pound	WI	54161	Marinette
4485	Rstore	200 N. McKenzie St.	Gillett	WI	54124	Oconto
4486	Rstore	112 US Hwy 45 N	Tigerton	WI	54486	Shawano
4487	Rstore	5485 US Hwy 10 East	Stevens Point	WI	54482	Portage
4488	Rstore	N357 Brandenburg Ave.	Merrill	WI	54452	Lincoln
4489	Rstore	1727 E. Somo Avenue	Tomahawk	WI	54487	Lincoln
4490	Rstore	401 Main Street	Marathon	WI	54448	Marathon
4491	Rstore	403 S. Third Avenue	Edgar	WI	54426	Marathon
4493	Rstore	10201 Park Plaza	Rothschild	WI	54474	Marathon
4494	Rstore	3001 Village Park Drive	Plover	WI	54467	Portage
4495	Rstore	2601 N. 20th Avenue	Wausau	WI	54401	Marathon
4496	Rstore	401 State Road	Hatley	WI	54440	Marathon
4497	Rstore	1310 1st Ave.	Woodruff	WI	54568	Oneida
4498	Rstore	7488 US Hwy 51 South	Minocqua	WI	54548	Oneida
4499	Rstore	W17256 Red Oak Lane	Wittenberg	WI	54499	Shawano
4500	Rstore	6773 State Hwy 13 34	Rudolph	WI	54475	Wood
4501	Rstore	151400 County Road NN	Wausau	WI	54401	Marathon
4502	Rstore	14048 State Hwy 32 64	Mountain	WI	54149	Oconto
4503	Rstore	307 N. 4th Avenue	Park Falls	WI	54552	Price
4504	Rstore	4101 Schofield Ave	Weston	WI	54476	Marathon
4505	Rstore	1229 S. Main St	West Bend	WI	53095	Washington
4506	Rstore	1211 W. Washington St.	West Bend	WI	53095	Washington
4507	Rstore	1512 W. Washington St.	West Bend	WI	53095	Washington
4508	Rstore	1650 N. Main St.	West Bend	WI	53090	Washington
4509	Rstore	1100 S. Spring St	ort Washingtc	WI	53074	Ozaukee
4510	Rstore	1605 N. Wisconsin Ave	ort Washingtc	WI	53074	Ozaukee
4511	Rstore	1304 Old County Road V	Fond Du Lac	WI	54935	Fond Du Lac
4512	Rstore	351 Fond Du Lac Ave	Fond Du Lac	WI	54935	Fond Du Lac
4513	Rstore	565 N. Pioneer Rd.	Fond Du Lac	WI	54937	Fond Du Lac
4514	Rstore	510 E. Rhine Street	Elkhart Lake	WI	53020	Sheboygan
4515	Rstore	209 Madison Avenue (Mail: PO Box 168)	Cascade	WI	53011	Sheboygan
4516	Rstore	211 W. Main Street	Glenbeulah	WI	53023	Sheboygan
4517	Rstore	9294 State Highway 144	Kewaskum	WI	53040	Washington
4518	Rstore	1232 County Road O	Plymouth	WI	53073	Sheboygan
4519	Rstore	103 N Milwaukee Street	Plymouth	WI	53073	Sheboygan
4520	Rstore	305 Ohio Street	Oshkosh	WI	54902	Winnebago
4521	Rstore	708 W. Murdock Ave.	Oshkosh	WI	54901	Winnebago
4522	Rstore	1623 Bowen Street	Oshkosh	WI	54901	Winnebago
4523	Rstore	208 Bowen Street	Oshkosh	WI	54901	Winnebago
4524	Jetz	1425 N. Farwell Ave.	Milwaukee	WI	53202	Milwaukee
4525	Jetz	607 S. 70th Street	Milwaukee	WI	53214	Milwaukee
4526	Jetz	6101 S. 108th St.	Hales Corners	WI	53130	Milwaukee
4527	Jetz	S69W15461 Janesville Rd	Muskego	WI	53150	Waukesha
4528	Bread & Butter Shop	539 S Central Ave.	Marshfield	WI	54449	Wood
4529	Bread & Butter Shop	1727 N. Central Ave.	Marshfield	WI	54449	Wood
4530	Bread & Butter Shop	100 Market St.	Nekoosa	WI	54457	Wood
4531	Bread & Butter Shop	1000 N. Central Ave	Marshfield	WI	54449	Wood
4532	Bread & Butter Shop	2130 8th Street South	Visconsin Rapi	WI	54494	Wood
4533	Bread & Butter Shop	1740 17th Avenue South	Visconsin Rapi	WI	54495	Wood
4534	Bread & Butter Shop	1502 S. Central Ave	Marshfield	WI	54449	Wood
4535	Bread & Butter Shop	212825 State Hwy. 97	Stratford	WI	54484	Marathon


DRIVER LICENSE
REGULAR
WISCONSIN
USA
4d N152-7216-9798-07
9 CLASS DM
1 NIEVINSKI
2 REGINA ANN
8 4504 ROSS AVE
WESTON, WI 54476
15 SEX F
16 HGT 5'-04"
17 WGT 140 lb
18 EYES BRO
19 HAIR BRO
3 DOB 08/18/1969
9a END NONE
4a ISS 08/13/2024
5 DD OTWJW2024081315572771
4b EXP 08/18/2032

Form
AB-100

Alcohol Beverage Individual Questionnaire

Date

All individuals involved in the alcohol beverage business must complete this form, including:

- sole proprietor
- all partners of a partnership
- all officers, directors, and agent of a corporation or nonprofit organization
- members and agent of a limited liability company

Your alcohol beverage application or renewal is not complete until all required Individual Questionnaires are submitted.

Part A: Business Information

1. Legal Business Name (individual name if sole proprietor)
GPM Southeast, LLC

2. Business Trade Name or DBA
Please See Attached List of Stores.

3. Entity Type *(check one)*
☐ Sole Proprietor ☐ Partnership ☒ Limited Liability Company ☐ Corporation ☐ Nonprofit Organization

Part B: Individual Information

1. Last Name	2. First Name	3. M.I.
Nievinski	Regina	A.

4. Relationship to Business (Title)	5. Email	6. Phone
Agent	RNievinski@gpminvestments.com	715-571-4580

7. Home Address
4504 Ross Ave

8. City	9. State	10. Zip Code	11. Date of Birth
Weston	WI	54476	08/18/1969

12. Drivers License/State ID Number	13. Drivers License/State ID State of Issuance
N152-7216-9798-07	WI

Part C: Address History

1. Do you currently live in Wisconsin? ☒ Yes ☐ No

If yes, provide the month and year when you permanently moved to Wisconsin (MM/YYYY) **1969**

2. List in chronological order all of your addresses within the last 5 years. Attach additional sheets if necessary.

Previous Address 1	City	State	Zip Code
3202 Foxtail Court	Weston	WI	54476
Previous Address 2	City	State	Zip Code
Previous Address 3	City	State	Zip Code
Previous Address 4	City	State	Zip Code
Previous Address 5	City	State	Zip Code

3. List all states and counties you have lived in as an adult. Attach additional sheets if necessary.

State	County	State	County	State	County	State	County
WI	Marathon						
State	County	State	County	State	County	State	County

Continued →

Part D: Criminal History

1. Have you ever been convicted of any offenses (excluding traffic offenses unless related to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or of any county or municipal ordinances?..... ☐ Yes ☒ No

If yes to question 1, please list details of each conviction below. Attach additional sheets as needed.

Law/Ordinance Violated	Location	Conviction Date

Penalty Imposed	Was sentence completed?..... ☐ Yes ☐ No

Law/Ordinance Violated	Location	Conviction Date

Penalty Imposed	Was sentence completed?..... ☐ Yes ☐ No

Law/Ordinance Violated	Location	Conviction Date

Penalty Imposed	Was sentence completed?..... ☐ Yes ☐ No

2. Are charges for any offenses currently pending against you (excluding traffic offenses unless related to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or any county or municipal ordinances?..... ☐ Yes ☒ No

If yes to question 2, describe nature and status of pending charges using the space below. Attach additional sheets as needed.

Part E: Attestation

READ CAREFULLY BEFORE SIGNING: Under penalty of law, I have answered each of the above questions completely and truthfully. I certify that I am not prohibited from participating in this business due to any involvement in another tier of the alcohol beverage industry as a restricted investor. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000 if convicted.

Signature	Date
Regina Newmish	**June 26, 2025**

Attachment to Alcohol Beverage Appointment of Agent

Store	Brand	Street Address	City	State	Zip Code	County
4473	Rstore	1108 Western Ave.	Mosinee	WI	54455	Marathon
4474	Rstore	2300 Grand Ave.	Wausau	WI	54403	Marathon
4475	Rstore	103 North 6th Street	Wausau	WI	54403	Marathon
4476	Rstore	2007 Stewart Avenue	Wausau	WI	54401	Marathon
4477	Rstore	1511 North 3rd Street	Wausau	WI	54403	Marathon
4478	Rstore	W5375 Granberg Rd.	Prentice	WI	54556	Price
4479	Rstore	2900 Village Park Drive	Plover	WI	54467	Portage
4480	Rstore	1790 County Rd XX	Rothschild	WI	54474	Marathon
4481	Rstore	124 Main Street	Mosinee	WI	54455	Marathon
4482	Rstore	1137 East Grand Avenue	Rothschild	WI	54474	Marathon
4483	Rstore	396 N. Lake Avenue	Phillips	WI	54555	Price
4484	Rstore	4057 County Road CP	Pound	WI	54161	Marinette
4485	Rstore	200 N. McKenzie St.	Gillett	WI	54124	Oconto
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4487	Rstore	5485 US Hwy 10 East	Stevens Point	WI	54482	Portage
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4499	Rstore	W17256 Red Oak Lane	Wittenberg	WI	54499	Shawano
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4507	Rstore	1512 W. Washington St.	West Bend	WI	53095	Washington
4508	Rstore	1650 N. Main St.	West Bend	WI	53090	Washington
4509	Rstore	1100 S. Spring St	Port Washington	WI	53074	Ozaukee
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4511	Rstore	1304 Old County Road V	Fond Du Lac	WI	54935	Fond Du Lac
4512	Rstore	351 Fond Du Lac Ave	Fond Du Lac	WI	54935	Fond Du Lac
4513	Rstore	565 N. Pioneer Rd.	Fond Du Lac	WI	54937	Fond Du Lac
4514	Rstore	510 E. Rhine Street	Elkhart Lake	WI	53020	Sheboygan
4515	Rstore	209 Madison Avenue (Mail: PO Box 168)	Cascade	WI	53011	Sheboygan
4516	Rstore	211 W. Main Street	Glenbeulah	WI	53023	Sheboygan
4517	Rstore	9294 State Highway 144	Kewaskum	WI	53040	Washington
4518	Rstore	1232 County Road O	Plymouth	WI	53073	Sheboygan
4519	Rstore	103 N Milwaukee Street	Plymouth	WI	53073	Sheboygan
4520	Rstore	305 Ohio Street	Oshkosh	WI	54902	Winnebago
4521	Rstore	708 W. Murdock Ave.	Oshkosh	WI	54901	Winnebago
4522	Rstore	1623 Bowen Street	Oshkosh	WI	54901	Winnebago
4523	Rstore	208 Bowen Street	Oshkosh	WI	54901	Winnebago
4524	Jetz	1425 N. Farwell Ave.	Milwaukee	WI	53202	Milwaukee
4525	Jetz	607 S. 70th Street	Milwaukee	WI	53214	Milwaukee
4526	Jetz	6101 S. 108th St.	Hales Corners	WI	53130	Milwaukee
4527	Jetz	S69W15461 Janesville Rd	Muskego	WI	53150	Waukesha
4528	Bread & Butter Shop	539 S Central Ave.	Marshfield	WI	54449	Wood
4529	Bread & Butter Shop	1727 N. Central Ave.	Marshfield	WI	54449	Wood
4530	Bread & Butter Shop	100 Market St.	Nekoosa	WI	54457	Wood
4531	Bread & Butter Shop	1000 N. Central Ave	Marshfield	WI	54449	Wood
4532	Bread & Butter Shop	2130 8th Street South	Wisconsin Rapids	WI	54494	Wood
4533	Bread & Butter Shop	1740 17th Avenue South	Wisconsin Rapids	WI	54495	Wood
4534	Bread & Butter Shop	1502 S. Central Ave	Marshfield	WI	54449	Wood
4535	Bread & Butter Shop	212825 State Hwy. 97	Stratford	WI	54484	Marathon

Form
AB-101

Alcohol Beverage Appointment of Agent

Date

Agent Type *(check one)*

☐ Original (no fee) ☒ Successor ($10 fee for municipal licensees only)

Part A: Business Information

1. Legal Business Name (individual name if sole proprietor)
GPM Southeast, LLC

2. Business Trade Name or DBA
Please See Attached List of Stores.

3. Entity Type *(check one)*
☒ Limited Liability Company ☐ Corporation ☐ Nonprofit Organization

4. Alcohol Beverage Business Authorization *(check one)*
☒ Municipal Retail License ☐ State Permit

5. If successor agent, provide State Permit or Municipal Retail License Number

6. Describe the reason for appointing a successor agent, if successor is checked above.
Transitioning agent functions to new manager.

Part B: Agent Information

1. Last Name	2. First Name	3. M.I.
Nievinski	Regina	A.

4. Email	5. Phone
RNievinski@gpminvestments.com	715-571-4580

6. Home Address
4054 Ross Ave

7. City	8. State	9. Zip Code	10. Date of Birth
Weston	WI	54476	08/18/1969

11. Drivers License/State ID Number	12. Drivers License/State ID State of Issuance
N152-7216-9798-07	WI

Part C: Agent Questions

1. Have you satisfied the responsible beverage server training requirement? Submit proof of completion. ☒ Yes ☐ No

2. Have you completed Form AB-100, *Alcohol Beverage Individual Questionnaire* (licensee) or Form AB-300, *Alcohol Beverage Personal Questionnaire* (permittee)? ☒ Yes ☐ No

3. Have you been a Wisconsin resident for at least 90 continuous days? See instructions for exceptions. ☒ Yes ☐ No

Continued →

Part D: Business Attestation

READ CAREFULLY BEFORE SIGNING: I, the **Undersigned**, authorize the above-named individual to act for the above-named corporation, nonprofit organization, or limited liability company with full authority and control of the premises and of all alcohol beverage activities on such premises. I certify that I am authorized by the above-named entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000 if convicted.

Last Name	First Name	M.I.
Kotler	**Arie**	

Title	Email	Phone
CEO/Manager of Sole Member	**ak@gpminvestments.com**	**313-779-0906**

Signature	Date
	June 24, 2025

Part E: Agent Attestation

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, hereby accept this appointment as agent for the above-named corporation, nonprofit organization, or limited liability company and assume full responsibility for the conduct of all alcohol beverage activities on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000 if convicted.

Last Name	First Name	M.I.
Nievinski	**Regina**	**A.**

Signature	Date
Regina Nievinski	**June 26, 2025**

SERVERlicense.com

Wisconsin Responsible Beverage Seller/Server Training

REGINA NIEVINSKI

has met all training requirements and successfully completed the above course and/or exam.

Certification Number: SL185946

Date of Completion: 06/19/2024

Kelly Bailey

Authorized Signature

This certificate represents the successful completion of an approved Wisconsin Department of Revenue Responsible Beverage Server Course in compliance with secs. 125.04(5)(a)5., 125.17(6), and 134.66(2m), Wis. Stats. Present this certificate to your local municipal clerk's office to receive your Operator's or Retail license.

Diversys Learning, Inc.
1101 Arrow Point Drive, Suite 302
Cedar Park, TX 78613

Form **CTV-102**

Cigarette, Tobacco, and Electronic Vaping Device Appointment of Agent

Date

Agent Type (check one): ☐ Original ☒ Change

Part A: Agent Information

1. Last Name	2. First Name	3. M.I.
Nievinski	Regina	A.

4. Email	5. Phone
RNievinski@gpminvestments.com	715-571-4580

6. Home Address: 4504 Ross Ave

7. City	8. State	9. Zip Code
Weston	WI	54476

10. Date of Birth	11. Drivers License/State ID Number	12. Drivers License/State ID State of Issuance
08/18/1969	N152-7216-9798-07	WI

Part B: Questions

1. Have you completed Form CTV-101, *Cigarette, Tobacco, and Electronic Vaping Device - Individual Questionnaire*? Submit a completed Form CTV-101 with this form. ☒ Yes ☐ No

2. If this is a change of agent, please describe the reason for the agent change. Attach additional sheets if necessary.
Transitioning agent functions to new manager.

Part C: Business Information

1. Legal Business Name (individual name if sole proprietor): GPM Southeast, LLC

2. Business Trade Name or DBA: Pstore #4521

3. Entity Type (check one): ☒ Limited Liability Company ☐ Corporation

4. Premises Address: 708 W. Murdock Ave

5. City	6. State	7. Zip Code
Oshkosh	WI	54901

Part D: Attestations

READ CAREFULLY BEFORE SIGNING: I, the **Licensee or Permittee**, authorize the above-named individual to act for the above-named corporation or limited liability company with full authority and control of the premises and of all business relative to cigarettes, tobacco products, and/or electronic vaping devices conducted therein. I certify that I am authorized by the entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000 if convicted.

Signature of Licensee or Permittee (officer, member, or authorized signatory)	Date
	06/24/2025

Name of Person Signing	Title
Arie Kotler	CEO/Manager of Sole Member

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, herby accept this appointment as agent for the above-named corporation or limited liability company and assume full responsibility for the conduct of all business relative to sales of cigarettes, tobacco products, and/or electronic vaping devices conducted on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this form, and that any person who knowingly provides materially false information on this form may be required to forfeit not more than $1,000 if convicted.

Signature of Agent	Date
Regina Nievinski	06/26/2025

Date

Form **CTV-101**

Cigarette, Tobacco, and Electronic Vaping Device - Individual Questionnaire

Part A: Business Information

1. Legal Business Name (individual name if sole proprietor)
GPM Southeast, LLC

2. Business Trade Name or DBA
Please See Attached List of Stores.

3. Entity Type *(check one)*
☐ Sole Proprietor ☐ Partnership ☒ Limited Liability Company ☐ Corporation

Part B: Individual Information

1. Name (Last)	2. Name (First)	3. Name (M.I.)
Nievinski	Regina	A.

4. Relationship to Business (Title)	5. Email	6. Phone
Agent	RNievinski@gpminvestments.com	715-571-4580

7. Home Address
4504 Ross Ave

8. City	9. State	10. Zip Code	11. Date of Birth
Weston	WI	54476	08/18/1969

12. Drivers License/State ID Number	13. Drivers License/State ID State of Issuance
N152-7216-9798-07	WI

Part C: Individual's Address History

List in chronological order all of your addresses within the last 5 years. Attach additional sheets if necessary.

Previous Address 1: 3202 Foxtail Court	City: Weston	State: WI	Zip Code: 54476
Previous Address 2	City	State	Zip Code
Previous Address 3	City	State	Zip Code
Previous Address 4	City	State	Zip Code
Previous Address 5	City	State	Zip Code
Previous Address 6	City	State	Zip Code

If applicable, list all states and counties you have lived in as an adult. Attach additional sheets if necessary.

State	County	State	County	State	County	State	County
WI	Marathon						

Continued →

Part D: Individual's Criminal History

1. Have you ever been convicted of any offenses (other than traffic offenses) for violation of any federal, Wisconsin, or another state's laws, or of any county or municipal ordinances? ☐ Yes ☒ No

If yes to question 1, please list details of each conviction below:

Law/Ordinance Violated	Location	Trial Date
Penalty Imposed	Was sentence completed? ☐ Yes ☐ No	
Law/Ordinance Violated	Location	Trial Date
Penalty Imposed	Was sentence completed? ☐ Yes ☐ No	
Law/Ordinance Violated	Location	Trial Date
Penalty Imposed	Was sentence completed? ☐ Yes ☐ No	

2. Are charges for any offenses currently pending against you (other than traffic offenses) for violation of any federal, Wisconsin, or another state's laws or any county or municipal ordinances? ☐ Yes ☒ No

If yes to question 2, describe nature and status of pending charges using the space below. Attach additional sheets as needed.

Part E: Attestation by Individual

READ CAREFULLY BEFORE SIGNING: I understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on an application for cigarette, electronic vaping devices, and tobacco products retail license may be required to forfeit not more than $1,000 if convicted. I declare under penalties of the law that I have examined this information and, to the best of my knowledge, it is true, correct, and complete to the best of my knowledge and belief.

Signature	Date
Regina Nuernberg	06/26/2025

Part F: Licensing Authority Approval

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, this individual does not have a criminal record that would disqualify them from having an interest in a cigarette, tobacco product, or electronic vaping device retailer license according to sec. 134.65(1m), Wis. Stats.

Name of Local Official	Title
Matthew A. Meeu	Captain - Police Department
Signature of Local Official	Date
	8-28-25

checked by office Assistant Jackie Souza

Attachment to Cigarette, Tobacco, and Electronic Vaping Device Questionnaire - Agent

Store	Brand	Street Address	City	State	Zip Code	County
4473	Rstore	1108 Western Ave.	Mosinee	WI	54455	Marathon
4474	Rstore	2300 Grand Ave.	Wausau	WI	54403	Marathon
4475	Rstore	103 North 6th Street	Wausau	WI	54403	Marathon
4476	Rstore	2007 Stewart Avenue	Wausau	WI	54401	Marathon
4477	Rstore	1511 North 3rd Street	Wausau	WI	54403	Marathon
4478	Rstore	W5375 Granberg Rd.	Prentice	WI	54556	Price
4479	Rstore	2900 Village Park Drive	Plover	WI	54467	Portage
4480	Rstore	1790 County Rd XX	Rothschild	WI	54474	Marathon
4481	Rstore	124 Main Street	Mosinee	WI	54455	Marathon
4482	Rstore	1137 East Grand Avenue	Rothschild	WI	54474	Marathon
4483	Rstore	396 N. Lake Avenue	Phillips	WI	54555	Price
4484	Rstore	4057 County Road CP	Pound	WI	54161	Marinette
4485	Rstore	200 N. McKenzie St.	Gillett	WI	54124	Oconto
4486	Rstore	112 US Hwy 45 N	Tigerton	WI	54486	Shawano
4487	Rstore	5485 US Hwy 10 East	Stevens Point	WI	54482	Portage
4488	Rstore	N357 Brandenburg Ave.	Merrill	WI	54452	Lincoln
4489	Rstore	1727 E. Somo Avenue	Tomahawk	WI	54487	Lincoln
4490	Rstore	401 Main Street	Marathon	WI	54448	Marathon
4491	Rstore	403 S. Third Avenue	Edgar	WI	54426	Marathon
4493	Rstore	10201 Park Plaza	Rothschild	WI	54474	Marathon
4494	Rstore	3001 Village Park Drive	Plover	WI	54467	Portage
4495	Rstore	2601 N. 20th Avenue	Wausau	WI	54401	Marathon
4496	Rstore	401 State Road	Hatley	WI	54440	Marathon
4497	Rstore	1310 1st Ave.	Woodruff	WI	54568	Oneida
4498	Rstore	7488 US Hwy 51 South	Minocqua	WI	54548	Oneida
4499	Rstore	W17256 Red Oak Lane	Wittenberg	WI	54499	Shawano
4500	Rstore	6773 State Hwy 13 34	Rudolph	WI	54475	Wood
4501	Rstore	151400 County Road NN	Wausau	WI	54401	Marathon
4502	Rstore	14048 State Hwy 32 64	Mountain	WI	54149	Oconto
4503	Rstore	307 N. 4th Avenue	Park Falls	WI	54552	Price
4504	Rstore	4101 Schofield Ave	Weston	WI	54476	Marathon
4505	Rstore	1229 S. Main St	West Bend	WI	53095	Washington
4506	Rstore	1211 W. Washington St.	West Bend	WI	53095	Washington
4507	Rstore	1512 W. Washington St.	West Bend	WI	53095	Washington
4508	Rstore	1650 N. Main St.	West Bend	WI	53090	Washington
4509	Rstore	1100 S. Spring St	ort Washingtc	WI	53074	Ozaukee
4510	Rstore	1605 N. Wisconsin Ave	ort Washingtc	WI	53074	Ozaukee
4511	Rstore	1304 Old County Road V	Fond Du Lac	WI	54935	Fond Du Lac
4512	Rstore	351 Fond Du Lac Ave	Fond Du Lac	WI	54935	Fond Du Lac
4513	Rstore	565 N. Pioneer Rd.	Fond Du Lac	WI	54937	Fond Du Lac
4514	Rstore	510 E. Rhine Street	Elkhart Lake	WI	53020	Sheboygan
4515	Rstore	209 Madison Avenue (Mail: PO Box 168)	Cascade	WI	53011	Sheboygan
4516	Rstore	211 W. Main Street	Glenbeulah	WI	53023	Sheboygan
4517	Rstore	9294 State Highway 144	Kewaskum	WI	53040	Washington
4518	Rstore	1232 County Road O	Plymouth	WI	53073	Sheboygan
4519	Rstore	103 N Milwaukee Street	Plymouth	WI	53073	Sheboygan
4520	Rstore	305 Ohio Street	Oshkosh	WI	54902	Winnebago
4521	Rstore	708 W. Murdock Ave.	Oshkosh	WI	54901	Winnebago
4522	Rstore	1623 Bowen Street	Oshkosh	WI	54901	Winnebago
4523	Rstore	208 Bowen Street	Oshkosh	WI	54901	Winnebago
4524	Jetz	1425 N. Farwell Ave.	Milwaukee	WI	53202	Milwaukee
4525	Jetz	607 S. 70th Street	Milwaukee	WI	53214	Milwaukee
4526	Jetz	6101 S. 108th St.	Hales Corners	WI	53130	Milwaukee
4527	Jetz	S69W15461 Janesville Rd	Muskego	WI	53150	Waukesha
4528	Bread & Butter Shop	539 S Central Ave.	Marshfield	WI	54449	Wood
4529	Bread & Butter Shop	1727 N. Central Ave.	Marshfield	WI	54449	Wood
4530	Bread & Butter Shop	100 Market St.	Nekoosa	WI	54457	Wood
4531	Bread & Butter Shop	1000 N. Central Ave	Marshfield	WI	54449	Wood
4532	Bread & Butter Shop	2130 8th Street South	Visconsin Rapi	WI	54494	Wood
4533	Bread & Butter Shop	1740 17th Avenue South	Visconsin Rapi	WI	54495	Wood
4534	Bread & Butter Shop	1502 S. Central Ave	Marshfield	WI	54449	Wood
4535	Bread & Butter Shop	212825 State Hwy. 97	Stratford	WI	54484	Marathon


DRIVER LICENSE
REGULAR
WISCONSIN
USA
4d N152-7216-9798-07
9 CLASS DM
1 NIEVINSKI
2 REGINA ANN
8 4504 ROSS AVE
WESTON, WI 54476
15 SEX F
16 HGT 5'-04"
17 WGT 140 lb
18 EYES BRO
19 HAIR BRO
3 DOB 08/18/1969
9a END NONE
4a ISS 08/13/2024
5 DD OTWJW2024081315572771
4b EXP 08/18/2032

Form
AB-100

Alcohol Beverage Individual Questionnaire

Date

All individuals involved in the alcohol beverage business must complete this form, including:

- sole proprietor
- all partners of a partnership
- all officers, directors, and agent of a corporation or nonprofit organization
- members and agent of a limited liability company

Your alcohol beverage application or renewal is not complete until all required Individual Questionnaires are submitted.

Part A: Business Information

1. Legal Business Name (individual name if sole proprietor)
GPM Southeast, LLC

2. Business Trade Name or DBA
Please See Attached List of Stores.

3. Entity Type *(check one)*
☐ Sole Proprietor ☐ Partnership ☒ Limited Liability Company ☐ Corporation ☐ Nonprofit Organization

Part B: Individual Information

1. Last Name	2. First Name	3. M.I.
Nievinski	Regina	A.

4. Relationship to Business (Title)	5. Email	6. Phone
Agent	RNievinski@gpminvestments.com	715-571-4580

7. Home Address
4504 Ross Ave

8. City	9. State	10. Zip Code	11. Date of Birth
Weston	WI	54476	08/18/1969

12. Drivers License/State ID Number	13. Drivers License/State ID State of Issuance
N152-7216-9798-07	WI

Part C: Address History

1. Do you currently live in Wisconsin? ☒ Yes ☐ No

If yes, provide the month and year when you permanently moved to Wisconsin (MM/YYYY) **1969**

2. List in chronological order all of your addresses within the last 5 years. Attach additional sheets if necessary.

Previous Address	City	State	Zip Code
1 **3202 Foxtail Court**	**Weston**	**WI**	**54476**
2			
3			
4			
5			

3. List all states and counties you have lived in as an adult. Attach additional sheets if necessary.

State	County	State	County	State	County	State	County
WI	**Marathon**						

Continued →

Part D: Criminal History

1. Have you ever been convicted of any offenses (excluding traffic offenses unless related to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or of any county or municipal ordinances? . . . . . ☐ Yes ☒ No

If yes to question 1, please list details of each conviction below. Attach additional sheets as needed.

Law/Ordinance Violated	Location	Conviction Date

Penalty Imposed	Was sentence completed? . . . . . ☐ Yes ☐ No

Law/Ordinance Violated	Location	Conviction Date

Penalty Imposed	Was sentence completed? . . . . . ☐ Yes ☐ No

Law/Ordinance Violated	Location	Conviction Date

Penalty Imposed	Was sentence completed? . . . . . ☐ Yes ☐ No

2. Are charges for any offenses currently pending against you (excluding traffic offenses unless related to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or any county or municipal ordinances? . . . . . ☐ Yes ☒ No

If yes to question 2, describe nature and status of pending charges using the space below. Attach additional sheets as needed.

Part E: Attestation

READ CAREFULLY BEFORE SIGNING: Under penalty of law, I have answered each of the above questions completely and truthfully. I certify that I am not prohibited from participating in this business due to any involvement in another tier of the alcohol beverage industry as a restricted investor. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000 if convicted.

Signature	Date
Regina Meersma	**June 26, 2025**

Attachment to Alcohol Beverage Appointment of Agent

Store	Brand	Street Address	City	State	Zip Code	County
4473	Rstore	1108 Western Ave.	Mosinee	WI	54455	Marathon
4474	Rstore	2300 Grand Ave.	Wausau	WI	54403	Marathon
4475	Rstore	103 North 6th Street	Wausau	WI	54403	Marathon
4476	Rstore	2007 Stewart Avenue	Wausau	WI	54401	Marathon
4477	Rstore	1511 North 3rd Street	Wausau	WI	54403	Marathon
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4496	Rstore	401 State Road	Hatley	WI	54440	Marathon
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4503	Rstore	307 N. 4th Avenue	Park Falls	WI	54552	Price
4504	Rstore	4101 Schofield Ave	Weston	WI	54476	Marathon
4505	Rstore	1229 S. Main St	West Bend	WI	53095	Washington
4506	Rstore	1211 W. Washington St.	West Bend	WI	53095	Washington
4507	Rstore	1512 W. Washington St.	West Bend	WI	53095	Washington
4508	Rstore	1650 N. Main St.	West Bend	WI	53090	Washington
4509	Rstore	1100 S. Spring St	Port Washington	WI	53074	Ozaukee
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4530	Bread & Butter Shop	100 Market St.	Nekoosa	WI	54457	Wood
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4532	Bread & Butter Shop	2130 8th Street South	Wisconsin Rapids	WI	54494	Wood
4533	Bread & Butter Shop	1740 17th Avenue South	Wisconsin Rapids	WI	54495	Wood
4534	Bread & Butter Shop	1502 S. Central Ave	Marshfield	WI	54449	Wood
4535	Bread & Butter Shop	212825 State Hwy. 97	Stratford	WI	54484	Marathon

Form
AB-101

Alcohol Beverage Appointment of Agent

Date

Agent Type *(check one)*

☐ Original (no fee) ☒ Successor ($10 fee for municipal licensees only)

Part A: Business Information

1. Legal Business Name (individual name if sole proprietor)
GPM Southeast, LLC

2. Business Trade Name or DBA
Please See Attached List of Stores.

3. Entity Type *(check one)*
☒ Limited Liability Company ☐ Corporation ☐ Nonprofit Organization

4. Alcohol Beverage Business Authorization *(check one)*
☒ Municipal Retail License ☐ State Permit

5. If successor agent, provide State Permit or Municipal Retail License Number

6. Describe the reason for appointing a successor agent, if successor is checked above.
Transitioning agent functions to new manager.

Part B: Agent Information

1. Last Name	2. First Name	3. M.I.
Nievinski	Regina	A.

4. Email	5. Phone
RNievinski@gpminvestments.com	715-571-4580

6. Home Address
4054 Ross Ave

7. City	8. State	9. Zip Code	10. Date of Birth
Weston	WI	54476	08/18/1969

11. Drivers License/State ID Number	12. Drivers License/State ID State of Issuance
N152-7216-9798-07	WI

Part C: Agent Questions

1. Have you satisfied the responsible beverage server training requirement? Submit proof of completion. ☒ Yes ☐ No

2. Have you completed Form AB-100, *Alcohol Beverage Individual Questionnaire* (licensee) or Form AB-300, *Alcohol Beverage Personal Questionnaire* (permittee)? ☒ Yes ☐ No

3. Have you been a Wisconsin resident for at least 90 continuous days? See instructions for exceptions. ☒ Yes ☐ No

Continued →

Part D: Business Attestation

READ CAREFULLY BEFORE SIGNING: I, the **Undersigned**, authorize the above-named individual to act for the above-named corporation, nonprofit organization, or limited liability company with full authority and control of the premises and of all alcohol beverage activities on such premises. I certify that I am authorized by the above-named entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000 if convicted.

Last Name	First Name	M.I.
Kotler	**Arie**	

Title	Email	Phone
CEO/Manager of Sole Member	**ak@gpminvestments.com**	**313-779-0906**

Signature	Date
	June 24, 2025

Part E: Agent Attestation

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, hereby accept this appointment as agent for the above-named corporation, nonprofit organization, or limited liability company and assume full responsibility for the conduct of all alcohol beverage activities on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000 if convicted.

Last Name	First Name	M.I.
Nievinski	**Regina**	**A.**

Signature	Date
Regina Nievinski	**June 26, 2025**

SERVERlicense.com

Wisconsin Responsible Beverage Seller/Server Training

REGINA NIEVINSKI

has met all training requirements and successfully completed the above course and/or exam.

Certification Number: SL185946

Date of Completion: 06/19/2024

Kelly Bailey

Authorized Signature

This certificate represents the successful completion of an approved Wisconsin Department of Revenue Responsible Beverage Server Course in compliance with secs. 125.04(5)(a)5., 125.17(6), and 134.66(2m), Wis. Stats. Present this certificate to your local municipal clerk's office to receive your Operator's or Retail license.

Diversys Learning, Inc.
1101 Arrow Point Drive, Suite 302
Cedar Park, TX 78613

Form
CTV-102

Cigarette, Tobacco, and Electronic Vaping Device Appointment of Agent

Date

Agent Type (check one): ☐ Original ☒ Change

Part A: Agent Information

1. Last Name	2. First Name	3. M.I.
Nievinski	Regina	A.

4. Email	5. Phone
RNievinski@gpminvestments.com	715-571-4580

6. Home Address: 4504 Ross Ave

7. City	8. State	9. Zip Code
Weston	WI	54476

10. Date of Birth	11. Drivers License/State ID Number	12. Drivers License/State ID State of Issuance
08/18/1969	N152-7216-9798-07	WI

Part B: Questions

1. Have you completed Form CTV-101, *Cigarette, Tobacco, and Electronic Vaping Device - Individual Questionnaire*? Submit a completed Form CTV-101 with this form. ☒ Yes ☐ No

2. If this is a change of agent, please describe the reason for the agent change. Attach additional sheets if necessary.
Transitioning agent functions to new manager.

Part C: Business Information

1. Legal Business Name (individual name if sole proprietor): GPM Southeast, LLC

2. Business Trade Name or DBA: Pstore #4520

3. Entity Type (check one) ☒ Limited Liability Company ☐ Corporation

4. Premises Address: 305 Ohio Street

5. City	6. State	7. Zip Code
Oshkosh	WI	54902

Part D: Attestations

READ CAREFULLY BEFORE SIGNING: I, the **Licensee or Permittee**, authorize the above-named individual to act for the above-named corporation or limited liability company with full authority and control of the premises and of all business relative to cigarettes, tobacco products, and/or electronic vaping devices conducted therein. I certify that I am authorized by the entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000 if convicted.

Signature of Licensee or Permittee (officer, member, or authorized signatory)	Date
	06/24/2025

Name of Person Signing	Title
Arie Kotler	CEO/Manager of Sole Member

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, herby accept this appointment as agent for the above-named corporation or limited liability company and assume full responsibility for the conduct of all business relative to sales of cigarettes, tobacco products, and/or electronic vaping devices conducted on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this form, and that any person who knowingly provides materially false information on this form may be required to forfeit not more than $1,000 if convicted.

Signature of Agent	Date
Regina Nievinski	06/26/2025

Date

Form
CTV-101

Cigarette, Tobacco, and Electronic Vaping Device - Individual Questionnaire

Part A: Business Information

1. Legal Business Name (individual name if sole proprietor)
GPM Southeast, LLC

2. Business Trade Name or DBA
Please See Attached List of Stores.

3. Entity Type *(check one)*
☐ Sole Proprietor ☐ Partnership ☒ Limited Liability Company ☐ Corporation

Part B: Individual Information

1. Name (Last)	2. Name (First)	3. Name (M.I.)
Nievinski	Regina	A.

4. Relationship to Business (Title)	5. Email	6. Phone
Agent	RNievinski@gpminvestments.com	715-571-4580

7. Home Address
4504 Ross Ave

8. City	9. State	10. Zip Code	11. Date of Birth
Weston	WI	54476	08/18/1969

12. Drivers License/State ID Number	13. Drivers License/State ID State of Issuance
N152-7216-9798-07	WI

Part C: Individual's Address History

List in chronological order all of your addresses within the last 5 years. Attach additional sheets if necessary.

Previous Address 1: 3202 Foxtail Court	City: Weston	State: WI	Zip Code: 54476
Previous Address 2	City	State	Zip Code
Previous Address 3	City	State	Zip Code
Previous Address 4	City	State	Zip Code
Previous Address 5	City	State	Zip Code
Previous Address 6	City	State	Zip Code

If applicable, list all states and counties you have lived in as an adult. Attach additional sheets if necessary.

State	County	State	County	State	County	State	County
WI	Marathon						

Continued →

Part D: Individual's Criminal History

1. Have you ever been convicted of any offenses (other than traffic offenses) for violation of any federal, Wisconsin, or another state's laws, or of any county or municipal ordinances? ☐ Yes ☒ No

If yes to question 1, please list details of each conviction below:

Law/Ordinance Violated	Location	Trial Date

Penalty Imposed	Was sentence completed? ☐ Yes ☐ No

Law/Ordinance Violated	Location	Trial Date

Penalty Imposed	Was sentence completed? ☐ Yes ☐ No

Law/Ordinance Violated	Location	Trial Date

Penalty Imposed	Was sentence completed? ☐ Yes ☐ No

2. Are charges for any offenses currently pending against you (other than traffic offenses) for violation of any federal, Wisconsin, or another state's laws or any county or municipal ordinances? ☐ Yes ☒ No

If yes to question 2, describe nature and status of pending charges using the space below. Attach additional sheets as needed.

Part E: Attestation by Individual

READ CAREFULLY BEFORE SIGNING: I understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on an application for cigarette, electronic vaping devices, and tobacco products retail license may be required to forfeit not more than $1,000 if convicted. I declare under penalties of the law that I have examined this information and, to the best of my knowledge, it is true, correct, and complete to the best of my knowledge and belief.

Signature	Date
Regina Nuenghi	**06/26/2025**

Part F: Licensing Authority Approval

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, this individual does not have a criminal record that would disqualify them from having an interest in a cigarette, tobacco product, or electronic vaping device retailer license according to sec. 134.65(1m), Wis. Stats.

Name of Local Official	Title
MATTHEW A MARCH	Captain - Police Department

Signature of Local Official	Date
	8-28-25

Δ checked by office Assistant Jackie Souza

Attachment to Cigarette, Tobacco, and Electronic Vaping Device Questionnaire - Agent

Store	Brand	Street Address	City	State	Zip Code	County
4473	Rstore	1108 Western Ave.	Mosinee	WI	54455	Marathon
4474	Rstore	2300 Grand Ave.	Wausau	WI	54403	Marathon
4475	Rstore	103 North 6th Street	Wausau	WI	54403	Marathon
4476	Rstore	2007 Stewart Avenue	Wausau	WI	54401	Marathon
4477	Rstore	1511 North 3rd Street	Wausau	WI	54403	Marathon
4478	Rstore	W5375 Granberg Rd.	Prentice	WI	54556	Price
4479	Rstore	2900 Village Park Drive	Plover	WI	54467	Portage
4480	Rstore	1790 County Rd XX	Rothschild	WI	54474	Marathon
4481	Rstore	124 Main Street	Mosinee	WI	54455	Marathon
4482	Rstore	1137 East Grand Avenue	Rothschild	WI	54474	Marathon
4483	Rstore	396 N. Lake Avenue	Phillips	WI	54555	Price
4484	Rstore	4057 County Road CP	Pound	WI	54161	Marinette
4485	Rstore	200 N. McKenzie St.	Gillett	WI	54124	Oconto
4486	Rstore	112 US Hwy 45 N	Tigerton	WI	54486	Shawano
4487	Rstore	5485 US Hwy 10 East	Stevens Point	WI	54482	Portage
4488	Rstore	N357 Brandenburg Ave.	Merrill	WI	54452	Lincoln
4489	Rstore	1727 E. Somo Avenue	Tomahawk	WI	54487	Lincoln
4490	Rstore	401 Main Street	Marathon	WI	54448	Marathon
4491	Rstore	403 S. Third Avenue	Edgar	WI	54426	Marathon
4493	Rstore	10201 Park Plaza	Rothschild	WI	54474	Marathon
4494	Rstore	3001 Village Park Drive	Plover	WI	54467	Portage
4495	Rstore	2601 N. 20th Avenue	Wausau	WI	54401	Marathon
4496	Rstore	401 State Road	Hatley	WI	54440	Marathon
4497	Rstore	1310 1st Ave.	Woodruff	WI	54568	Oneida
4498	Rstore	7488 US Hwy 51 South	Minocqua	WI	54548	Oneida
4499	Rstore	W17256 Red Oak Lane	Wittenberg	WI	54499	Shawano
4500	Rstore	6773 State Hwy 13 34	Rudolph	WI	54475	Wood
4501	Rstore	151400 County Road NN	Wausau	WI	54401	Marathon
4502	Rstore	14048 State Hwy 32 64	Mountain	WI	54149	Oconto
4503	Rstore	307 N. 4th Avenue	Park Falls	WI	54552	Price
4504	Rstore	4101 Schofield Ave	Weston	WI	54476	Marathon
4505	Rstore	1229 S. Main St	West Bend	WI	53095	Washington
4506	Rstore	1211 W. Washington St.	West Bend	WI	53095	Washington
4507	Rstore	1512 W. Washington St.	West Bend	WI	53095	Washington
4508	Rstore	1650 N. Main St.	West Bend	WI	53090	Washington
4509	Rstore	1100 S. Spring St	ort Washingtc	WI	53074	Ozaukee
4510	Rstore	1605 N. Wisconsin Ave	ort Washingtc	WI	53074	Ozaukee
4511	Rstore	1304 Old County Road V	Fond Du Lac	WI	54935	Fond Du Lac
4512	Rstore	351 Fond Du Lac Ave	Fond Du Lac	WI	54935	Fond Du Lac
4513	Rstore	565 N. Pioneer Rd.	Fond Du Lac	WI	54937	Fond Du Lac
4514	Rstore	510 E. Rhine Street	Elkhart Lake	WI	53020	Sheboygan
4515	Rstore	209 Madison Avenue (Mail: PO Box 168)	Cascade	WI	53011	Sheboygan
4516	Rstore	211 W. Main Street	Glenbeulah	WI	53023	Sheboygan
4517	Rstore	9294 State Highway 144	Kewaskum	WI	53040	Washington
4518	Rstore	1232 County Road O	Plymouth	WI	53073	Sheboygan
4519	Rstore	103 N Milwaukee Street	Plymouth	WI	53073	Sheboygan
4520	Rstore	305 Ohio Street	Oshkosh	WI	54902	Winnebago
4521	Rstore	708 W. Murdock Ave.	Oshkosh	WI	54901	Winnebago
4522	Rstore	1623 Bowen Street	Oshkosh	WI	54901	Winnebago
4523	Rstore	208 Bowen Street	Oshkosh	WI	54901	Winnebago
4524	Jetz	1425 N. Farwell Ave.	Milwaukee	WI	53202	Milwaukee
4525	Jetz	607 S. 70th Street	Milwaukee	WI	53214	Milwaukee
4526	Jetz	6101 S. 108th St.	Hales Corners	WI	53130	Milwaukee
4527	Jetz	S69W15461 Janesville Rd	Muskego	WI	53150	Waukesha
4528	Bread & Butter Shop	539 S Central Ave.	Marshfield	WI	54449	Wood
4529	Bread & Butter Shop	1727 N. Central Ave.	Marshfield	WI	54449	Wood
4530	Bread & Butter Shop	100 Market St.	Nekoosa	WI	54457	Wood
4531	Bread & Butter Shop	1000 N. Central Ave	Marshfield	WI	54449	Wood
4532	Bread & Butter Shop	2130 8th Street South	Visconsin Rapi	WI	54494	Wood
4533	Bread & Butter Shop	1740 17th Avenue South	Visconsin Rapi	WI	54495	Wood
4534	Bread & Butter Shop	1502 S. Central Ave	Marshfield	WI	54449	Wood
4535	Bread & Butter Shop	212825 State Hwy. 97	Stratford	WI	54484	Marathon


DRIVER LICENSE
REGULAR
WISCONSIN
USA
4d N152-7216-9798-07
9 CLASS DM
1 NIEVINSKI
2 REGINA ANN
8 4504 ROSS AVE
WESTON, WI 54476
15 SEX F
16 HGT 5'-04"
17 WGT 140 lb
18 EYES BRO
19 HAIR BRO
3 DOB 08/18/1969
9a END NONE
4a ISS 08/13/2024
4b EXP 08/18/2032
5 DD OTWJW2024081315572771

Form
AB-101

Alcohol Beverage Appointment of Agent

Date

Agent Type *(check one)*

☐ Original (no fee) ☒ Successor ($10 fee for municipal licensees only)

Part A: Business Information

1. Legal Business Name (individual name if sole proprietor)
GPM Southeast, LLC

2. Business Trade Name or DBA
Please See Attached List of Stores.

3. Entity Type *(check one)*
☒ Limited Liability Company ☐ Corporation ☐ Nonprofit Organization

4. Alcohol Beverage Business Authorization *(check one)*
☒ Municipal Retail License ☐ State Permit

5. If successor agent, provide State Permit or Municipal Retail License Number

6. Describe the reason for appointing a successor agent, if successor is checked above.
Transitioning agent functions to new manager.

Part B: Agent Information

1. Last Name	2. First Name	3. M.I.
Nievinski	Regina	A.

4. Email	5. Phone
RNievinski@gpminvestments.com	715-571-4580

6. Home Address
4054 Ross Ave

7. City	8. State	9. Zip Code	10. Date of Birth
Weston	WI	54476	08/18/1969

11. Drivers License/State ID Number	12. Drivers License/State ID State of Issuance
N152-7216-9798-07	WI

Part C: Agent Questions

1. Have you satisfied the responsible beverage server training requirement? Submit proof of completion. ☒ Yes ☐ No

2. Have you completed Form AB-100, *Alcohol Beverage Individual Questionnaire* (licensee) or Form AB-300, *Alcohol Beverage Personal Questionnaire* (permittee)? ☒ Yes ☐ No

3. Have you been a Wisconsin resident for at least 90 continuous days? See instructions for exceptions. ☒ Yes ☐ No

Continued →

Part D: Business Attestation

READ CAREFULLY BEFORE SIGNING: I, the **Undersigned**, authorize the above-named individual to act for the above-named corporation, nonprofit organization, or limited liability company with full authority and control of the premises and of all alcohol beverage activities on such premises. I certify that I am authorized by the above-named entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000 if convicted.

Last Name	First Name	M.I.
Kotler	Arie	

Title	Email	Phone
CEO/Manager of Sole Member	ak@gpminvestments.com	313-779-0906

Signature	Date
	June 24, 2025

Part E: Agent Attestation

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, hereby accept this appointment as agent for the above-named corporation, nonprofit organization, or limited liability company and assume full responsibility for the conduct of all alcohol beverage activities on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000 if convicted.

Last Name	First Name	M.I.
Nievinski	Regina	A.

Signature	Date
Regina Nievinski	June 26, 2025

Form
AB-100

Alcohol Beverage Individual Questionnaire

Date

All individuals involved in the alcohol beverage business must complete this form, including:

- sole proprietor
- all partners of a partnership
- all officers, directors, and agent of a corporation or nonprofit organization
- members and agent of a limited liability company

Your alcohol beverage application or renewal is not complete until all required Individual Questionnaires are submitted.

Part A: Business Information

1. Legal Business Name (individual name if sole proprietor)
GPM Southeast, LLC

2. Business Trade Name or DBA
Please See Attached List of Stores.

3. Entity Type *(check one)*
☐ Sole Proprietor ☐ Partnership ☒ Limited Liability Company ☐ Corporation ☐ Nonprofit Organization

Part B: Individual Information

1. Last Name	2. First Name	3. M.I.
Nievinski	Regina	A.

4. Relationship to Business (Title)	5. Email	6. Phone
Agent	RNievinski@gpminvestments.com	715-571-4580

7. Home Address
4504 Ross Ave

8. City	9. State	10. Zip Code	11. Date of Birth
Weston	WI	54476	08/18/1969

12. Drivers License/State ID Number	13. Drivers License/State ID State of Issuance
N152-7216-9798-07	WI

Part C: Address History

1. Do you currently live in Wisconsin? ☒ Yes ☐ No

If yes, provide the month and year when you permanently moved to Wisconsin (MM/YYYY) **1969**

2. List in chronological order all of your addresses within the last 5 years. Attach additional sheets if necessary.

Previous Address	City	State	Zip Code
3202 Foxtail Court	Weston	WI	54476
Previous Address 2	City	State	Zip Code
Previous Address 3	City	State	Zip Code
Previous Address 4	City	State	Zip Code
Previous Address 5	City	State	Zip Code

3. List all states and counties you have lived in as an adult. Attach additional sheets if necessary.

State	County	State	County	State	County	State	County
WI	Marathon						
State	County	State	County	State	County	State	County

Continued →

Part D: Criminal History

1. Have you ever been convicted of any offenses (excluding traffic offenses unless related to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or of any county or municipal ordinances? . . . . . ☐ Yes ☒ No

If yes to question 1, please list details of each conviction below. Attach additional sheets as needed.

Law/Ordinance Violated	Location	Conviction Date

Penalty Imposed	Was sentence completed? . . . . . ☐ Yes ☐ No

Law/Ordinance Violated	Location	Conviction Date

Penalty Imposed	Was sentence completed? . . . . . ☐ Yes ☐ No

Law/Ordinance Violated	Location	Conviction Date

Penalty Imposed	Was sentence completed? . . . . . ☐ Yes ☐ No

2. Are charges for any offenses currently pending against you (excluding traffic offenses unless related to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or any county or municipal ordinances? . . . . . ☐ Yes ☒ No

If yes to question 2, describe nature and status of pending charges using the space below. Attach additional sheets as needed.

Part E: Attestation

READ CAREFULLY BEFORE SIGNING: Under penalty of law, I have answered each of the above questions completely and truthfully. I certify that I am not prohibited from participating in this business due to any involvement in another tier of the alcohol beverage industry as a restricted investor. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000 if convicted.

Signature	Date
Regina Nuernberger	**June 26, 2025**

Attachment to Alcohol Beverage Appointment of Agent

Store	Brand	Street Address	City	State	Zip Code	County
4473	Rstore	1108 Western Ave.	Mosinee	WI	54455	Marathon
4474	Rstore	2300 Grand Ave.	Wausau	WI	54403	Marathon
4475	Rstore	103 North 6th Street	Wausau	WI	54403	Marathon
4476	Rstore	2007 Stewart Avenue	Wausau	WI	54401	Marathon
4477	Rstore	1511 North 3rd Street	Wausau	WI	54403	Marathon
4478	Rstore	W5375 Granberg Rd.	Prentice	WI	54556	Price
4479	Rstore	2900 Village Park Drive	Plover	WI	54467	Portage
4480	Rstore	1790 County Rd XX	Rothschild	WI	54474	Marathon
4481	Rstore	124 Main Street	Mosinee	WI	54455	Marathon
4482	Rstore	1137 East Grand Avenue	Rothschild	WI	54474	Marathon
4483	Rstore	396 N. Lake Avenue	Phillips	WI	54555	Price
4484	Rstore	4057 County Road CP	Pound	WI	54161	Marinette
4485	Rstore	200 N. McKenzie St.	Gillett	WI	54124	Oconto
4486	Rstore	112 US Hwy 45 N	Tigerton	WI	54486	Shawano
4487	Rstore	5485 US Hwy 10 East	Stevens Point	WI	54482	Portage
4488	Rstore	N357 Brandenburg Ave.	Merrill	WI	54452	Lincoln
4489	Rstore	1727 E. Somo Avenue	Tomahawk	WI	54487	Lincoln
4490	Rstore	401 Main Street	Marathon	WI	54448	Marathon
4491	Rstore	403 S. Third Avenue	Edgar	WI	54426	Marathon
4493	Rstore	10201 Park Plaza	Rothschild	WI	54474	Marathon
4494	Rstore	3001 Village Park Drive	Plover	WI	54467	Portage
4495	Rstore	2601 N. 20th Avenue	Wausau	WI	54401	Marathon
4496	Rstore	401 State Road	Hatley	WI	54440	Marathon
4497	Rstore	1310 1st Ave.	Woodruff	WI	54568	Oneida
4498	Rstore	7488 US Hwy 51 South	Minocqua	WI	54548	Oneida
4499	Rstore	W17256 Red Oak Lane	Wittenberg	WI	54499	Shawano
4500	Rstore	6773 State Hwy 13 34	Rudolph	WI	54475	Wood
4501	Rstore	151400 County Road NN	Wausau	WI	54401	Marathon
4502	Rstore	14048 State Hwy 32 64	Mountain	WI	54149	Oconto
4503	Rstore	307 N. 4th Avenue	Park Falls	WI	54552	Price
4504	Rstore	4101 Schofield Ave	Weston	WI	54476	Marathon
4505	Rstore	1229 S. Main St	West Bend	WI	53095	Washington
4506	Rstore	1211 W. Washington St.	West Bend	WI	53095	Washington
4507	Rstore	1512 W. Washington St.	West Bend	WI	53095	Washington
4508	Rstore	1650 N. Main St.	West Bend	WI	53090	Washington
4509	Rstore	1100 S. Spring St	Port Washington	WI	53074	Ozaukee
4510	Rstore	1605 N. Wisconsin Ave	Port Washington	WI	53074	Ozaukee
4511	Rstore	1304 Old County Road V	Fond Du Lac	WI	54935	Fond Du Lac
4512	Rstore	351 Fond Du Lac Ave	Fond Du Lac	WI	54935	Fond Du Lac
4513	Rstore	565 N. Pioneer Rd.	Fond Du Lac	WI	54937	Fond Du Lac
4514	Rstore	510 E. Rhine Street	Elkhart Lake	WI	53020	Sheboygan
4515	Rstore	209 Madison Avenue (Mail: PO Box 168)	Cascade	WI	53011	Sheboygan
4516	Rstore	211 W. Main Street	Glenbeulah	WI	53023	Sheboygan
4517	Rstore	9294 State Highway 144	Kewaskum	WI	53040	Washington
4518	Rstore	1232 County Road O	Plymouth	WI	53073	Sheboygan
4519	Rstore	103 N Milwaukee Street	Plymouth	WI	53073	Sheboygan
4520	Rstore	305 Ohio Street	Oshkosh	WI	54902	Winnebago
4521	Rstore	708 W. Murdock Ave.	Oshkosh	WI	54901	Winnebago
4522	Rstore	1623 Bowen Street	Oshkosh	WI	54901	Winnebago
4523	Rstore	208 Bowen Street	Oshkosh	WI	54901	Winnebago
4524	Jetz	1425 N. Farwell Ave.	Milwaukee	WI	53202	Milwaukee
4525	Jetz	607 S. 70th Street	Milwaukee	WI	53214	Milwaukee
4526	Jetz	6101 S. 108th St.	Hales Corners	WI	53130	Milwaukee
4527	Jetz	S69W15461 Janesville Rd	Muskego	WI	53150	Waukesha
4528	Bread & Butter Shop	539 S Central Ave.	Marshfield	WI	54449	Wood
4529	Bread & Butter Shop	1727 N. Central Ave.	Marshfield	WI	54449	Wood
4530	Bread & Butter Shop	100 Market St.	Nekoosa	WI	54457	Wood
4531	Bread & Butter Shop	1000 N. Central Ave	Marshfield	WI	54449	Wood
4532	Bread & Butter Shop	2130 8th Street South	Wisconsin Rapids	WI	54494	Wood
4533	Bread & Butter Shop	1740 17th Avenue South	Wisconsin Rapids	WI	54495	Wood
4534	Bread & Butter Shop	1502 S. Central Ave	Marshfield	WI	54449	Wood
4535	Bread & Butter Shop	212825 State Hwy. 97	Stratford	WI	54484	Marathon

SERVERlicense.com

Wisconsin Responsible Beverage Seller/Server Training

REGINA NIEVINSKI

has met all training requirements and successfully completed the above course and/or exam.

Certification Number: SL185946

Date of Completion: 06/19/2024

Kelly Bailey

Authorized Signature

This certificate represents the successful completion of an approved Wisconsin Department of Revenue Responsible Beverage Server Course in compliance with secs. 125.04(5)(a)5., 125.17(6), and 134.66(2m), Wis. Stats. Present this certificate to your local municipal clerk's office to receive your Operator's or Retail license.

Diversys Learning, Inc.
1101 Arrow Point Drive, Suite 302
Cedar Park, TX 78613

Form **CTV-102**

Cigarette, Tobacco, and Electronic Vaping Device Appointment of Agent

Date

Agent Type (check one): ☐ Original ☒ Change

Part A: Agent Information

1. Last Name	2. First Name	3. M.I.
Nievinski	Regina	A.

4. Email	5. Phone
RNievinski@gpminvestments.com	715-571-4580

6. Home Address: 4504 Ross Ave

7. City	8. State	9. Zip Code
Weston	WI	54476

10. Date of Birth	11. Drivers License/State ID Number	12. Drivers License/State ID State of Issuance
08/18/1969	N152-7216-9798-07	WI

Part B: Questions

1. Have you completed Form CTV-101, *Cigarette, Tobacco, and Electronic Vaping Device - Individual Questionnaire*? Submit a completed Form CTV-101 with this form. ☒ Yes ☐ No

2. If this is a change of agent, please describe the reason for the agent change. Attach additional sheets if necessary.
Transitioning agent functions to new manager.

Part C: Business Information

1. Legal Business Name (individual name if sole proprietor): **GPM Southeast, LLC**

2. Business Trade Name or DBA: Pstore #4523

3. Entity Type (check one): ☒ Limited Liability Company ☐ Corporation

4. Premises Address: 208 Bowen Street

5. City	6. State	7. Zip Code
Oshkosh	WI	54901

Part D: Attestations

READ CAREFULLY BEFORE SIGNING: I, the **Licensee or Permittee**, authorize the above-named individual to act for the above-named corporation or limited liability company with full authority and control of the premises and of all business relative to cigarettes, tobacco products, and/or electronic vaping devices conducted therein. I certify that I am authorized by the entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000 if convicted.

Signature of Licensee or Permittee (officer, member, or authorized signatory)	Date
	06/24/2025

Name of Person Signing	Title
Arie Kotler	CEO/Manager of Sole Member

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, herby accept this appointment as agent for the above-named corporation or limited liability company and assume full responsibility for the conduct of all business relative to sales of cigarettes, tobacco products, and/or electronic vaping devices conducted on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this form, and that any person who knowingly provides materially false information on this form may be required to forfeit not more than $1,000 if convicted.

Signature of Agent	Date
Regina Nievinski	06/26/2025

Date

Form
CTV-101

Cigarette, Tobacco, and Electronic Vaping Device - Individual Questionnaire

Part A: Business Information

1. Legal Business Name (individual name if sole proprietor)
GPM Southeast, LLC

2. Business Trade Name or DBA
Please See Attached List of Stores.

3. Entity Type *(check one)*
☐ Sole Proprietor ☐ Partnership ☒ Limited Liability Company ☐ Corporation

Part B: Individual Information

1. Name (Last)	2. Name (First)	3. Name (M.I.)
Nievinski	Regina	A.

4. Relationship to Business (Title)	5. Email	6. Phone
Agent	RNievinski@gpminvestments.com	715-571-4580

7. Home Address
4504 Ross Ave

8. City	9. State	10. Zip Code	11. Date of Birth
Weston	WI	54476	08/18/1969

12. Drivers License/State ID Number	13. Drivers License/State ID State of Issuance
N152-7216-9798-07	WI

Part C: Individual's Address History

List in chronological order all of your addresses within the last 5 years. Attach additional sheets if necessary.

Previous Address 1: 3202 Foxtail Court	City: Weston	State: WI	Zip Code: 54476
Previous Address 2	City	State	Zip Code
Previous Address 3	City	State	Zip Code
Previous Address 4	City	State	Zip Code
Previous Address 5	City	State	Zip Code
Previous Address 6	City	State	Zip Code

If applicable, list all states and counties you have lived in as an adult. Attach additional sheets if necessary.

State	County	State	County	State	County	State	County
WI	Marathon						
State	County	State	County	State	County	State	County

Continued →

Part D: Individual's Criminal History

1. Have you ever been convicted of any offenses (other than traffic offenses) for violation of any federal, Wisconsin, or another state's laws, or of any county or municipal ordinances? ☐ Yes ☒ No

If yes to question 1, please list details of each conviction below:

Law/Ordinance Violated	Location	Trial Date
Penalty Imposed	Was sentence completed? ☐ Yes ☐ No	
Law/Ordinance Violated	Location	Trial Date
Penalty Imposed	Was sentence completed? ☐ Yes ☐ No	
Law/Ordinance Violated	Location	Trial Date
Penalty Imposed	Was sentence completed? ☐ Yes ☐ No	

2. Are charges for any offenses currently pending against you (other than traffic offenses) for violation of any federal, Wisconsin, or another state's laws or any county or municipal ordinances? ☐ Yes ☒ No

If yes to question 2, describe nature and status of pending charges using the space below. Attach additional sheets as needed.

Part E: Attestation by Individual

READ CAREFULLY BEFORE SIGNING: I understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on an application for cigarette, electronic vaping devices, and tobacco products retail license may be required to forfeit not more than $1,000 if convicted. I declare under penalties of the law that I have examined this information and, to the best of my knowledge, it is true, correct, and complete to the best of my knowledge and belief.

Signature	Date
Regina Nieuwsh	06/26/2025

Part F: Licensing Authority Approval

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, this individual does not have a criminal record that would disqualify them from having an interest in a cigarette, tobacco product, or electronic vaping device retailer license according to sec. 134.65(1m), Wis. Stats.

Name of Local Official	Title
MATTHEW A. MARAS	CAPTAIN - Police Department
Signature of Local Official	Date
	8-28-25

* checked by office Assistant Jackie Souza

Attachment to Cigarette, Tobacco, and Electronic Vaping Device Questionnaire - Agent

Store	Brand	Street Address	City	State	Zip Code	County
4473	Rstore	1108 Western Ave.	Mosinee	WI	54455	Marathon
4474	Rstore	2300 Grand Ave.	Wausau	WI	54403	Marathon
4475	Rstore	103 North 6th Street	Wausau	WI	54403	Marathon
4476	Rstore	2007 Stewart Avenue	Wausau	WI	54401	Marathon
4477	Rstore	1511 North 3rd Street	Wausau	WI	54403	Marathon
4478	Rstore	W5375 Granberg Rd.	Prentice	WI	54556	Price
4479	Rstore	2900 Village Park Drive	Plover	WI	54467	Portage
4480	Rstore	1790 County Rd XX	Rothschild	WI	54474	Marathon
4481	Rstore	124 Main Street	Mosinee	WI	54455	Marathon
4482	Rstore	1137 East Grand Avenue	Rothschild	WI	54474	Marathon
4483	Rstore	396 N. Lake Avenue	Phillips	WI	54555	Price
4484	Rstore	4057 County Road CP	Pound	WI	54161	Marinette
4485	Rstore	200 N. McKenzie St.	Gillett	WI	54124	Oconto
4486	Rstore	112 US Hwy 45 N	Tigerton	WI	54486	Shawano
4487	Rstore	5485 US Hwy 10 East	Stevens Point	WI	54482	Portage
4488	Rstore	N357 Brandenburg Ave.	Merrill	WI	54452	Lincoln
4489	Rstore	1727 E. Somo Avenue	Tomahawk	WI	54487	Lincoln
4490	Rstore	401 Main Street	Marathon	WI	54448	Marathon
4491	Rstore	403 S. Third Avenue	Edgar	WI	54426	Marathon
4493	Rstore	10201 Park Plaza	Rothschild	WI	54474	Marathon
4494	Rstore	3001 Village Park Drive	Plover	WI	54467	Portage
4495	Rstore	2601 N. 20th Avenue	Wausau	WI	54401	Marathon
4496	Rstore	401 State Road	Hatley	WI	54440	Marathon
4497	Rstore	1310 1st Ave.	Woodruff	WI	54568	Oneida
4498	Rstore	7488 US Hwy 51 South	Minocqua	WI	54548	Oneida
4499	Rstore	W17256 Red Oak Lane	Wittenberg	WI	54499	Shawano
4500	Rstore	6773 State Hwy 13 34	Rudolph	WI	54475	Wood
4501	Rstore	151400 County Road NN	Wausau	WI	54401	Marathon
4502	Rstore	14048 State Hwy 32 64	Mountain	WI	54149	Oconto
4503	Rstore	307 N. 4th Avenue	Park Falls	WI	54552	Price
4504	Rstore	4101 Schofield Ave	Weston	WI	54476	Marathon
4505	Rstore	1229 S. Main St	West Bend	WI	53095	Washington
4506	Rstore	1211 W. Washington St.	West Bend	WI	53095	Washington
4507	Rstore	1512 W. Washington St.	West Bend	WI	53095	Washington
4508	Rstore	1650 N. Main St.	West Bend	WI	53090	Washington
4509	Rstore	1100 S. Spring St	ort Washingtc	WI	53074	Ozaukee
4510	Rstore	1605 N. Wisconsin Ave	ort Washingtc	WI	53074	Ozaukee
4511	Rstore	1304 Old County Road V	Fond Du Lac	WI	54935	Fond Du Lac
4512	Rstore	351 Fond Du Lac Ave	Fond Du Lac	WI	54935	Fond Du Lac
4513	Rstore	565 N. Pioneer Rd.	Fond Du Lac	WI	54937	Fond Du Lac
4514	Rstore	510 E. Rhine Street	Elkhart Lake	WI	53020	Sheboygan
4515	Rstore	209 Madison Avenue (Mail: PO Box 168)	Cascade	WI	53011	Sheboygan
4516	Rstore	211 W. Main Street	Glenbeulah	WI	53023	Sheboygan
4517	Rstore	9294 State Highway 144	Kewaskum	WI	53040	Washington
4518	Rstore	1232 County Road O	Plymouth	WI	53073	Sheboygan
4519	Rstore	103 N Milwaukee Street	Plymouth	WI	53073	Sheboygan
4520	Rstore	305 Ohio Street	Oshkosh	WI	54902	Winnebago
4521	Rstore	708 W. Murdock Ave.	Oshkosh	WI	54901	Winnebago
4522	Rstore	1623 Bowen Street	Oshkosh	WI	54901	Winnebago
4523	Rstore	208 Bowen Street	Oshkosh	WI	54901	Winnebago
4524	Jetz	1425 N. Farwell Ave.	Milwaukee	WI	53202	Milwaukee
4525	Jetz	607 S. 70th Street	Milwaukee	WI	53214	Milwaukee
4526	Jetz	6101 S. 108th St.	Hales Corners	WI	53130	Milwaukee
4527	Jetz	S69W15461 Janesville Rd	Muskego	WI	53150	Waukesha
4528	Bread & Butter Shop	539 S Central Ave.	Marshfield	WI	54449	Wood
4529	Bread & Butter Shop	1727 N. Central Ave.	Marshfield	WI	54449	Wood
4530	Bread & Butter Shop	100 Market St.	Nekoosa	WI	54457	Wood
4531	Bread & Butter Shop	1000 N. Central Ave	Marshfield	WI	54449	Wood
4532	Bread & Butter Shop	2130 8th Street South	Visconsin Rapi	WI	54494	Wood
4533	Bread & Butter Shop	1740 17th Avenue South	Visconsin Rapi	WI	54495	Wood
4534	Bread & Butter Shop	1502 S. Central Ave	Marshfield	WI	54449	Wood
4535	Bread & Butter Shop	212825 State Hwy. 97	Stratford	WI	54484	Marathon


DRIVER LICENSE
REGULAR
WISCONSIN
USA
4d N152-7216-9798-07
9 CLASS DM
1 NIEVINSKI
2 REGINA ANN
8 4504 ROSS AVE
WESTON, WI 54476
15 SEX F
16 HGT 5'-04"
17 WGT 140 lb
18 EYES BRO
19 HAIR BRO
3 DOB 08/18/1969
9a END NONE
4a ISS 08/13/2024
5 DD OTWJW2024081315572771
4b EXP 08/18/2032

TO:	Honorable Mayor and Members of the Common Council
FROM:	Cheryl Pionke, Interim City Clerk
DATE:	September 23, 2025
SUBJECT:	Res 25-500 Approve conditional surrender of Combination "Class B" Beer/liquor License and issuance of Combination "Class B" Beer/liquor License (Kim Wagnernese/ Evergreen Hospitality LLC, 3105 S Washburn St, Oshkosh to Mitul Patel AJJ Oshkosh Hospitality LLC, 3105 S Washburn St, Oshkosh)

Attachments

Res 25-500
Surrender and Cobblestone Suites

09/23/2025 25-500 RESOLUTION

CARRIED 7-0

PURPOSE: APPROVE CONDITIONAL SURRENDER OF COMBINATION "CLASS B" BEER/LIQUOR LICENSE AND ISSUANCE OF COMBINATION "CLASS B" BEER/LIQUOR LICENSE (Kim Wagnernese/ Evergreen Hospitality LLC 3105 S Washburn St Oshkosh to Mitul Patel AJJ Oshkosh Hospitality LLC 3105 S Washburn St Oshkosh)

INITIATED BY: CITY CLERK

WHEREAS, , an appropriate form has been submitted conditionally surrendering a combination "Class B" license, currently held by Kim Wagernese / Evergreen Hospitality LLC to Cobblestone Suites Oshkosh, MitulPatel, Agent to be located at the same location, 3105 S Washburn St in the City of Oshkosh; and

WHEREAS, Cobblestone Suites Oshkosh, Mitul Patel, Agent (the "applicant"), has submitted an application and all required documentation for issuance of a "Class B" license and paid the appropriate fees.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oshkosh that the conditional surrender of the "Class B" license from Kim Wagernese / Evergreen Hospitality, LLC is hereby accepted, and the following license be granted

BE IT FURTHER RESOLVED by the Common Council of the City of Oshkosh that the Council hereby finds all reviews and inspections required by city ordinance and noted below have been completed for the issuance of this license to the applicant, and no violations or other issues have been noted that would prevent the issuance of the liquor license at this time.

Review	Complete
Review and approval of the Licensee by the Oshkosh Police Department	X
Inspection and approval by the Winnebago County Health Department	X
Inspection and approval by the Oshkosh Fire Department	X
Review and approval by the Department of Community Development for location and zoning compliance	Not applicable for surrender

BE IT FURTHER RESOLVED that the following license be granted

Combincation "ClassB" Beer/Liquor License

NEW LICENSE HOLDER: AJJ OSHKOSH HOSPITALITY LLC /COBBLESTONE SUITES OSHKOSH
AGENT: Mitul Patel, 1151 W Macarthur Ave, Eau Claire, WI
LOCATION OF PREMISES: 3105 S Washburn St, Oshkosh
LICENSE YEAR: September 23, 2025 – June 30, 2026.

City of Oshkosh

License Surrender / Sale of Business

TO: Diane Bartlett, City Clerk,
215 Church Avenue, P.O. Box 1130
Oshkosh, WI 54901-1130

I, N/A, am the current license holder
(name of current license holder, if an individual)

Or

I, am the registered agent/president/member/partner and authorized to act for the current license holder: Evergreen Hospitality, LLC
(name of current license holder, if an entity)

for premises located at 3105 S Washburn St, in the City
(address of licensed premises)

of Oshkosh, Wisconsin.

As the licensee or authorized agent/officer/member of the licensee I am surrendering the following license(s) (check all that apply):

- ☑ "Class B" Liquor
- ☑ Class "B" Beer (Fermented Malt Beverage)
- ☐ "Class A" Liquor
- ☐ Class "A" Beer (Fermented Malt Beverage)
- ☐ "Class C" Wine

To the City of Oshkosh. This Surrender is conditioned upon and licensee requests that the license be granted to:

New Applicant

AJJ Oshkosh Hospitality LLC
(name of new applicant)

to whom the licensee has sold/transferred the business/premises and who intends to apply for and maintain a license for use at the business premises. Should the Council not approve the new applicant for a license as requested, this Request for License Surrender shall be null and void.

I understand that upon granting of a license to new applicant the current license will be officially surrendered as provided herein and will be cancelled and a license granted to new applicant for the premises listed above.

Dated this 29th day of August 2025.

Kim C. Wgenese
SIGNATURE

OSHKOSH POLICE DEPARTMENT INVESTIGATION FOR CITY LIQUOR LICENSE

APPLICANT INFORMATION

LAST NAME	FIRST NAME	MI	DATE
Patel	Jaykishan		08/14/2025

STREET ADDRESS	APT #
110 s IL Route 31	

CITY	STATE	ZIP
Mchenry	IL	60050

PHONE	EMAIL
231 220 5795	jaykishanpatel36@gmail.com

PLACE OF BIRTH	DATE OF BIRTH
INDIA	06/03/1999

PREVIOUS NAME

PREVIOUS ADDRESS (UP TO THE LAST 5 YEARS)
3637 state Rd 23, Dodgeville, WI 53533

BUSINESS WHERE LIQUOR LICENSE WILL BE HELD

NAME	PHONE
Cobblestone Suites Oshkosh	231 220 5795

ADDRESS	LICENSE TYPE
3105 S Washburn st, Oshkosh, WI 54904	Same as current

WHAT TYPE OF ESTABLISHMENT TO YOU INTEND TO OPERATE?	~~RETAIL~~	RESTAURANT
	TAVERN/BAR	NIGHTCLUB
DO YOU UNDERSTAND THE STATE STATUES & CITY ORDINANCES CONCERNING THE LAWS & REGULATIONS IN THE OPERATION OF THIS ESTABLISHMENT?	~~YES~~ ✓	NO
DO YOU UNDERSTAND THERE MUST BE A LICENSED BARTENDER OR YOURSELF ON DUTY AT ALL TIMES?	~~YES~~ ✓	NO
WILL YOU HAVE ANY TYPE OF ENTERTAINMENT? IF SO, WHAT TYPE?	YES	~~NO~~
WILL YOUR MUSIC BE KEPT AT A LEVEL ACCEPTABLE TO THE NEIGHBORHOOD?	~~YES~~	NO
DO YOU UNDERSTAND THAT THE LICENSE YOU ARE APPLYING FOR WILL EXPIRE JUNE 30" OF EACH YEAR AND THAT CHECKS WILL BE MADE BY THE POLICE DEPARTMENT, THAT RECORDS WILL BE KEPT OF COMPLAINTS AND THESE RECORDS MAY HAVE A BEARING ON THE COMMON COUNCIL RENEWING ANY FUTURE LICENSES?	~~YES~~ ✓	NO

WHAT EXPERIENCE DO YOU HAVE IN THE OPERATION OF THIS TYPE OF ESTABLISHMENT?
Comfort Suites Oshkosh (4 years)

HOW WILL YOU PREVENT UNDERAGE DRINKING ON PREMISES?
Check IDs and make sure the guests are legal age.

HAVE YOU EVER BEEN CONVICTED OF VIOLATING ANY FEDERAL, STATE, LOCAL LAWS OR ORDINANCES RELATED TO ALCOHOL BEVERAGES - IF YES, PLEASE EXPLAIN:	YES	NO ✓

Signature of Applicant Patel Date 08/14/2025

RECEIVED
AUG 15 2025
CITY CLERK'S OFFICE

This applicant will be investigated by the Oshkosh Police Department.
All approvals are electronically recorded in the Evolve Data Base Record.

Please return this application with all applicable items in person, or by mail:
Oshkosh City Clerk's Office, Room 108
215 Church Avenue
Oshkosh WI 54903

City of Oshkosh

RECEIVED

AUG 20 2025

CITY CLERK'S OFFICE

Form **AB-200**

Alcohol Beverage License Application

For Municipal Use Only	
Municipality	City of Oshkosh
License Period	8-10-25 - 6-30-26

License(s) Requested: (up to two boxes may be checked)

- ☐ Class "A" Beer ..... $ _____
- ☑ Class "B" Beer ..... $ ~~100.00~~
- ☐ "Class A" Liquor ..... $ _____
- ☑ "Class B" Liquor ..... $ _____
- ☐ "Class A" Liquor (cider only) $ _____
- ☐ Reserve "Class B" Liquor $ _____
- ☐ "Class C" Liquor (wine only) $ _____

Fees	
License Fees	$
Background Check Fee	$
Publication Fee	$
Total Fees	$ 625.00

Part A: Premises/Business Information

1. Legal Business Name (Individual name if sole proprietorship)
AJJ Oshkosh Hospitality LLC

2. Business Trade Name or DBA
Cobblestone Suites Oshkosh

3. FEIN
39-3386507

4. Wisconsin Seller's Permit Number
456-1032148965-04

5. Entity Type *(check one)*
☐ Sole Proprietor ☐ Partnership ☑ Limited Liability Company ☐ Corporation ☐ Nonprofit Organization

6. State of Organization
WI

7. Date of Organization
05/15/2025

8. Wisconsin DFI Registration Number

9. Premises Address
310 S Washburn St,

10. City
Oshkosh

11. State
WI

12. Zip Code
54904

13. County
Winnebago

14. Governing Municipality: ☑ City ☐ Town ☐ Village of: Oshkosh

15. Aldermanic District

16. Premises Phone
920 303 1133

17. Premises Email
jaykrishanpatel36@gmail.com

18. Website

19. Premises Description - Describe the building or buildings where alcohol beverages are produced, sold, stored, or consumed, and related records are kept. Describe all rooms within the building, including living quarters. Authorized alcohol beverage activities and storage of records may occur only on the premises described in this application. Attach a map or diagram and additional sheets if necessary.
77 Rooms Hotel, needing a liquor license to serve refreshment drinks to guests. Alcohol stored in a separate room & served in a minibar setup.

20. Mailing Address (if different from premises address)

21. City

22. State

23. Zip Code

Part B: Questions

1. Has the business (sole proprietorship, partnership, limited liability company, or corporation) been convicted of violating federal or state laws or local ordinances? Exclude traffic offenses unless related to alcohol beverages. ☐ Yes ☑ ~~No~~

If yes, list the details of violation below. Attach additional sheets if necessary.

Law/Ordinance Violated	Location	Trial Date

Penalty Imposed	Was sentence completed? ..... ☐ Yes ☐ No

Law/Ordinance Violated	Location	Trial Date

Penalty Imposed	Was sentence completed? ..... ☐ Yes ☐ No

RECEIVED
AUG 20 2025
CITY CLERK'S OFFICE

2. Are charges for any offenses pending against the business? Exclude traffic offenses unless related to alcohol beverages. ☐ Yes ☒ No

If yes, describe the nature and status of pending charges using the space below. Attach additional sheets as needed.

3. Is the applicant business or any of its officers, directors, members, agent, employees, owners, or other related individuals or entities a restricted investor with any interest in an alcohol beverage producer or distributor? ☐ Yes ☒ No
If yes, provide the name of the restricted investor and describe the nature of the interest.

4. Is the applicant business owned by another business entity? ☐ Yes ☒ No
If yes, provide the name(s) and FEIN(s) of the business entity owners below. Attach additional sheets as needed.

4a. Name of Business Entity	4b. Business Entity FEIN

5. Have the partners, agent, or sole proprietor satisfied the responsible beverage server training requirement for this license period? Submit proof of completion. ☒ Yes ☐ No

6. Is the applicant business indebted to any wholesaler beyond 15 days for beer or 30 days for liquor/wine? ☐ Yes ☒ No

7. Does the applicant business owe past due municipal property taxes, assessments, or other fees? ☐ Yes ☒ No

Part C: Individual Information

List the name, title, and phone number for each person or entity holding the following positions in the applicant business or businesses listed in Part B, Question 4: sole proprietor, all officers, directors, and agent of a corporation or nonprofit organization, all partners of a partnership, and all members, managers, and agent of a limited liability company. Attach additional sheets if necessary.

Include Form AB-100 for each person listed below. Corporations and LLCs must appoint an agent by including Form AB-101.

Last Name	First Name	Title	Phone
Patel	Akash	President	715 864 0916
Patel	Jaykishan	Member	231 220 5795
Patel	Darshan	Member	214 403 2599
Patel	Sahil	Member	214 405 7179

Part D: Attestation

One of the following must sign and attest to this application:

• sole proprietor • one general partner of a partnership • one corporate officer • one member of an LLC

READ CAREFULLY BEFORE SIGNING: Under penalty of law, I have answered each of the above questions completely and truthfully. I agree that I am acting solely on behalf of the applicant business and not on behalf of any other individual or entity seeking the license. Further, I agree that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another individual or entity. I agree to operate this business according to the law, including but not limited to, purchasing alcohol beverages from state authorized wholesalers. I understand that lack of access to any portion of a licensed premises during inspection will be deemed a refusal to allow inspection. Such refusal is a misdemeanor and grounds for revocation of this license. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000 if convicted.

Last Name	First Name	M.I.
Patel	Jaykishan	

Title	Email	Phone
Owner / member	jaykishanpatels6@gmail.com	231 220 5795

Signature	Date
Patel	08/14/2025

Part E: For Clerk Use Only

Date Application Was Filed With Clerk	License Number	Date License Granted	Date License Issued

Signature of Clerk/Deputy Clerk	Date Provisional License Issued (if applicable)

TO: Honorable Mayor and Members of the Common Council

FROM: Kimberly Gierach, Planning Services Manager

DATE: September 23, 2025

SUBJECT: Ord 25-501 Approve zone change from Two Flat Residential-10 District (TR-10) and Central Mixed-Use District (CMU) to Two Flat Residential-10 District with a Planned Development Overlay (TR-10-PD) for select properties located on the south side of the 100 block of West 8th Avenue and the north side of the 100 block of West 9th Avenue between Oregon Street and Nebraska Street (Plan Commission recommends approval)

BACKGROUND

The subject area consists of four vacant lots and one lot with an existing single-family home along West 8th Avenue and five vacant lots along West 9th Avenue. The affected parcels are:

90301010000, 90301040000, 90301050000, 90301060000, 90301070000, 90301100000, 90301110000, 90301120000, 90301130000 and 90301150000

All properties are zoned Two Flat Residential-10 District (TR-10), with the exception of the western-most lot along West 8th Avenue (parcel 90301010000), which is zoned Central Mixed Used District (CMU). The surrounding area consists of residential uses and a church to the south, residential uses to the east, parking lots to the north, and mixed commercial uses to the west along Oregon Street. The 2040 Comprehensive Land Use Plan recommends Center City uses for the subject area.

A neighborhood meeting was held on August 13th, 2025. Neighbors in attendance were generally supportive of the proposed townhome development on the subject properties. A Plan Commission workshop was held on February 19th, 2025, with Plan Commission voicing support for the proposed development.

ANALYSIS

The applicant is requesting a zone change to Two Flat Residential-10 District with a Planned Development Overlay (TR-10-PD) for all ten of the subject properties along West 8th Avenue and West 9th Avenue. The proposed zone change is intended to accommodate a proposed townhome development, which will include two, ten-unit buildings and two, two-unit buildings. The Planned Development Overlay is needed to allow the ten-unit buildings as the TR-10 District only allows single family and two-family uses. The zone change from CMU to TR-10-PD for the western-most subject property along West 8th Avenue will provide consistent zoning with the other nine subject properties included in the proposed development. A Certified Survey Map (CSM) will be required for the lot combinations needed for the ten-unit buildings.

Staff is supportive of the proposed zone change to TR-10-PD as it will serve to accommodate future residential development of the subject properties. Although the proposed TR-10-PD zoning is not consistent with the 2040 Comprehensive Land Use Plan designation of Center City, the zoning of the subject properties will remain consistent with the current TR-10 zoning of the existing neighboring residential properties on the 100 blocks of West 8th Avenue and West 9th

Avenue.

RECOMMENDATION

The Plan Commission recommended approval of the requested zone change on September 2, 2025. Please see the attached staff report for more information.

Attachments

Ord 25-501
REZONE -100 Blks W 8th Ave & W 9th Ave

9/23/2025 SECOND READING	25-501	ORDINANCE
9/9/2025 FIRST READING	25-477	ORDINANCE
CARRIED	7-0	

PURPOSE: APPROVE ZONE CHANGE FROM TWO FLAT RESIDENTIAL-10 DISTRICT (TR-10) AND CENTRAL MIXED-USE DISTRICT (CMU) TO TWO FLAT RESIDENTIAL-10 DISTRICT WITH A PLANNED DEVELOPMENT OVERLAY (TR-10-PD) FOR SELECT PROPERTIES LOCATED ON THE SOUTH SIDE OF THE 100 BLOCK OF WEST 8TH AVENUE AND THE NORTH SIDE OF THE 100 BLOCK OF WEST 9TH AVENUE BETWEEN OREGON STREET AND NEBRASKA STREET (PARCELS 90301010000, 90301040000, 90301050000, 90301060000, 90301070000, 90301100000, 90301110000, 90301120000, 90301130000 AND 90301150000)

INITIATED BY: JIBRIL ODOGBA

PLAN COMMISSION RECOMMENDATION: Approved

A GENERAL ORDINANCE OF THE CITY OF OSHKOSH AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF OSHKOSH, AS ADOPTED BY SECTION 30-32 OF THE OSHKOSH MUNICIPAL CODE.

The Common Council of the City of Oshkosh does ordain as follows:

SECTION 1. That the Official Zoning Map of the City of Oshkosh, as adopted by Section 30-32 of the Oshkosh Municipal Code, is hereby amended to change the zoning district for parcels 90301010000, 90301040000, 90301050000, 90301060000, 90301070000, 90301100000, 90301110000, 90301120000, 90301130000 AND 90301150000 from Two Flat Residential-10 District (TR-10) and Central Mixed-Use District (CMU) to Two Flat Residential-10 District with a Planned Development Overlay (TR-10-PD). The subject properties are more particularly described as follows:

90301010000
LOT THREE (3), BLOCK NINE (9), IN THE PLAT OF THE ORIGINAL THIRD WARD, IN THE THIRD WARD, IN SECTION 24, T18N, R16E, CITY OF OSHKOSH, WINNEBAGO COUNTY, wisconsin, per leach's map of 1894.

90301040000
LOT SIX (6), BLOCK NINE (9), ACCORDING TO THE RECORDED PLAt OF THE ORIGINAL THIRD WARD, IN THE CITY OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN.

90301050000
LOT SEVEN (7) OF BLOCK NINE (9), ACCORDING TO THE RECORDED PLAT OF THE ORIGINAL THIRD WARD, FORMERLY NINTH WARD, NOW IN THE THIRD WARD, IN THE CITY OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN.

90301060000
LOT EIGHT (8) OF BLOCK NINE (9) IN THE PLAY OF THE ORIGINAL THIRD WARD, IN THE NINTH WARD, CITY OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN, PER LEACH'S MAP OF 1894 AND NOW IN THE THIRD WARD OF SAID CITY.

90301070000
LOT NINE (9), BLOCK NINE (9), ACCORDING TO THE RECORDED PLAT OF THE ORIGINAL THIRD WARD, IN THE NINTH WARD, CITY OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN, PER LEACH'S MA OF 1894 AND NOW IN THE THIRD WARD OF SAID CITY.

90301100000
LOT THIRTEEN (13) OF BLOCK NINE (9), IN THE PLAT OF THE ORIGINAL THIRD WARD IN THE NINTH WARD, CITY OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN, PER LEACH'S MAP OF 1894, AND NOW IN THE THIRD WARD OF SAID CITY.

90301110000
LOT FOURTEEN (14) OF BLOCK NINE (9) IN ORGINAL THIRD WARD, IN THE NINTH WARD, CITY OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN, PER LEACH'S MAP OF 1894, AND NOW IN THE THIRD WARD OF SAID CITY.

90301120000
LOT FIFTEEN (15) OF BLOCK NINE (9), PLAT OF ORIGINAL THIRD WARD, 3RD WARD, CITY OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN.

90301130000
LOT SIXTEEN (16) OF BLOCK NINE (9) IN THE PLAT OF THE ORIGINAL THIRD WARD, IN THE NINTH WARD, CITY OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN, PER LEACH'S MAP OF 1894, AND NOW IN THE THIRD WARD OF SAID CITY.

90301150000
LOT EIGHTEEN (18) OF BLOCK NINE (9) IN THE PLAT OF THE ORIGINAL THIRD WARD, IN THE NINTH WARD, CITY OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN, PER LEACH'S MAP OF 1894 AND NOW IN THE THIRD WARD OF SAID CITY, EXCEPTING THEREFROM THE EAST TWO AND ONE-HALF (2 1/2) FEET, FRONT AND REAR, THEROF.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and publication.

SECTION 3. Publication Notice. Please take notice that the City of Oshkosh enacted Ordinance #25-501 APPROVE ZONE CHANGE FROM TWO FLAT RESIDENTIAL-10 DISTRICT (TR-10) AND CENTRAL MIXED USE DISTRICT (CMU) TO TWO FLAT RESIDENTIAL-10 DISTRICT WITH A PLANNED DEVELOPMENT OVERLAY (TR-10-PD) FOR SELECT PROPERTIES LOCATED ON THE SOUTH SIDE OF THE 100 BLOCK OF WEST 8TH AVENUE AND THE NORTH SIDE OF THE 100 BLOCK OF WEST 9TH AVENUE BETWEEN OREGON STREET AND NEBRASKA STREET (PARCELS 90301010000, 90301040000, 90301050000, 90301060000, 90301070000, 90301100000, 90301110000, 90301120000, 90301130000 and 90301150000) (A GENERAL ORDINANCE OF THE CITY OF OSHKOSH AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF OSHKOSH, AS ADOPTED BY SECTION 30-32 OF THE OSHKOSH MUNICIPAL CODE) on September 23, 2025. This ordinance changes the zoning of parcels 90301010000, 90301040000, 90301050000, 90301060000, 90301070000, 90301100000, 90301110000, 90301120000, 90301130000 and 90301150000) from Two Flat Residential-10 District (TR-10) and Central Mixed-Use District (CMU) to Two Flat Residential-10 with a Planned Development Overlay (TR-10-PD). The full text of the Ordinance may be obtained at the Office of the City Clerk, 215 Church Avenue and on the City's website at www.oshkoshwi.gov. Clerk's phone: (920) 236-5011.

ITEM: **PUBLIC HEARING: Zone Change From Two Flat Residential-10 District (TR-10) and Central Mixed Use District (CMU) to Two Flat Residential-10 District with a Planned Development Overlay (TR-10-PD) for Properties Located on the South Side of the 100 Block of West 8th Avenue and the North Side of the 100 Block of West 9th Avenue (Parcels 90301010000, 90301040000, 90301050000, 90301060000, 90301070000, 90301100000, 90301110000, 90301120000, 90301130000 and 90301150000)**

Plan Commission Meeting of September 2, 2025

Applicant: Jibril Odogba
Owner: Redevelopment Authority of the City of Oshkosh

Action Requested: The applicant requests a zone change from the existing Two Flat Residential-10 District (TR-10) and Central Mixed Use District (CMU) to Two Flat Residential-10 District with a Planned Development Overlay (TR-10-PD) for five properties located on the south side of the 100 block of West 8th Avenue and five properties located on the north side of the 100 block of West 9th Avenue.

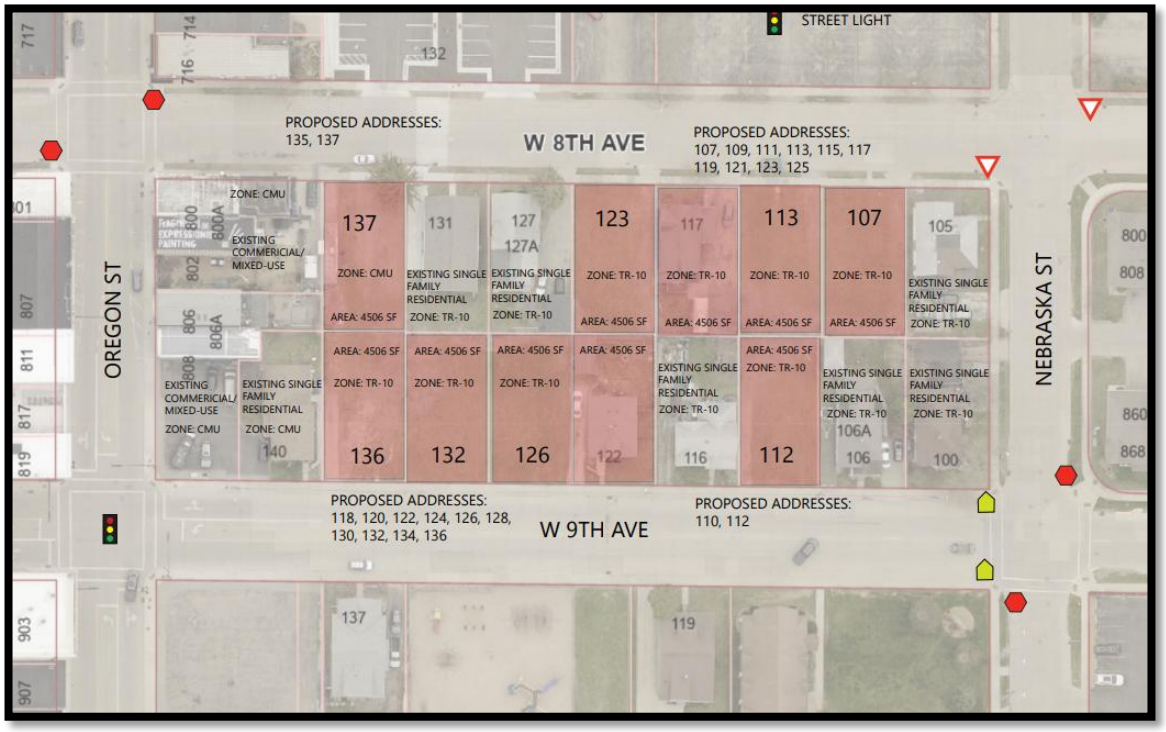
Applicable Ordinance Provisions: Zoning map amendment standards are found in Section 30-381 of the Zoning Ordinance.

Property Location and Background Information: The subject area consists of four vacant lots and one lot with an existing single-family home along West 8th Avenue and five vacant lots along West 9th Avenue. All properties are zoned Two Flat Residential-10 District (TR-10), with the exception of the western-most lot along West 8th Avenue (parcel 90301010000), which is zoned Central Mixed Used District (CMU). The surrounding area consists of residential uses and a church to the south, residential uses to the east, parking lots to the north, and mixed commercial uses to the west along Oregon Street. The 2040 Comprehensive Land Use Plan recommends Center City uses for the subject area.

Existing Land Use	*Zoning*
Vacant and Residential	TR-10 & CMU
Recognized Neighborhood Organizations	
None	

Existing Uses		*Zoning*
North	Parking lot	UMU & I
South	Residential & Institutional	CMU, I-PD, TR-10
East	Residential	CMU-PD
West	Mixed use & Residential	CMU

Zone Change - The applicant is requesting a zone change to Two Flat Residential-10 District with a Planned Development Overlay (TR-10-PD) for all ten of the subject properties along West 8th Avenue and West 9th Avenue. The proposed zone change is intended to accommodate a proposed townhome development, which will include two, ten-unit buildings and two, two-unit buildings. The Planned Development Overlay is needed to allow the ten-unit buildings as the TR-10 District only allows single family and two-family uses. The zone change from CMU to TR-10-PD for the western-most subject property along West 8th Avenue will provide consistent zoning with the other nine subject properties included in the proposed development. A Certified Survey Map (CSM) will be required for the lot combinations needed for the ten-unit buildings.



A neighborhood meeting was held on August 13th, 2025. Neighbors in attendance were generally supportive of the proposed townhome development on the subject properties. A Plan Commission workshop was held on February 19th, 2025, with Plan Commission voicing support for the proposed development.

Staff is supportive of the proposed zone change to TR-10-PD as it will serve to accommodate future residential development of the subject properties. Although the proposed TR-10-PD zoning is not consistent with the 2040 Comprehensive Land Use Plan designation of Center City, the zoning of the subject properties will remain consistent with the current TR-10 zoning of the existing neighboring residential properties on the 100 blocks of West 8th Avenue and West 9th Avenue.

Findings:
In its review and recommendation to the Common Council on an application for a Zoning Map amendment, staff recommends the Plan Commission make the following findings based on the criteria established by Chapter 30-381 (D)(2):

(a) Advances the purposes of this Chapter as outlined in Section 30-03 as the proposed zone change will result in compatible zoning with the surrounding area.

(b) Maintains the desired overall consistency of land uses, land use intensities, and land use impacts within the pertinent zoning districts as the proposed TR-10-PD zoning designation will be consistent with TR-10 zoning of neighboring properties.

(c) Addresses any of the following factors that are not properly addressed on the current Official Zoning Map:

(ii) Factors have changed (such as new data, infrastructure, market conditions, development, annexation, or other zoning changes), making the subject property more appropriate for a different zoning district as a proposal for a townhome development has been submitted that requires the requested Planned Development Overlay.

Recommendation: Staff recommends approval of the zone changes with the findings listed above.

The Plan Commission recommended approval of the requested zone change on September 2, 2025. For a comprehensive record of the proceedings, the official minutes can be obtained by contacting Planning Services.

City of Oshkosh Application
Zoning Map Amendment (Rezoning)

SUBMIT TO:
Dept. of Planning Services
215 Church Ave., P.O. Box 1130
Oshkosh, Wisconsin 54903-1130
Room 204
PHONE: (920) 236-5059
Email: planning@oshkoshwi.gov

****PLEASE TYPE OR PRINT USING BLACK INK****

APPLICANT INFORMATION

Petitioner: Jibril Odogba Date: 05-23-2025

Petitioner's Address: 3215 Golf Road, Ste 222 City: Delafield State: WI Zip: 53018

Telephone #: (262) 378-1110 Email: jodogba@pangaeadimensions.com Contact preference: ☐ Phone ☐ Email

Status of Petitioner (Please Check): ☐ Owner ☐ Representative ☐ Tenant ☐ Prospective Buyer

Petitioner's Signature (required): _____ Date: 05-23-2025

OWNER INFORMATION

Owner(s): Pangaea Dimensions Date: 05-23-2025

Owner(s) Address: 3215 Golf Road, Ste 222 City: Delafield State: WI Zip: 53018

Telephone #: (262) 378-110 Email: jodogba@pangaeadimensions.com Contact preference: ☐ Phone ☐ Email

Ownership Status (Please Check): ☐ Individual ☐ Trust ☐ Partnership ☒ Corporation

Property Owner Consent: (required)
By signature hereon, I/We acknowledge that City officials and/or employees may, in the performance of their functions, enter upon the property to inspect or gather other information necessary to process this application. I also understand that all meeting dates are tentative and may be postponed by the Planning Services Division for incomplete submissions or other administrative reasons.

Property Owner's Signature: _____ Date: 05-23-2025

ZONING AND DEVELOPMENT INFORMATION

Address/Location of Rezoning Request: N of W 8th ave, S of W 9th ave, between Oregon st and Nebraska st

Tax Parcel Number(s): 9030-1070000,1060000,1050000,1040000,1010000,1150000,1130000,1120000,1110000,1100000

Rezone property from: TR-10 & CMU to Plannned Development (PD)

Purpose for Rezoning: 9 lots currently zoned TR-10, 1 lot zoned CMU, need all 10 rezoned to planned development to accomodate the 24 townhomes construction.

Describe existing property development and land use: Clusters of vacant lots that were previously single family homes

Describe proposed development and/or proposed land use: 24 townhomes - 2 bedroom, 1.5 bathroom, & attached garage

Proposed time schedule for development and/or use of the property:
Begin construction December 2025-July 2027

Zoning Adjacent to the Site:
North: 8th avenue
South: 9th avenue
East: Nebraska street
West: Oregon street

Sign_____ **Staff** _____ **Date Rec'd** _____

SUBMITTAL REQUIREMENTS – Must accompany the application to be complete.
(Submit only digital files. If file size exceeds 10 mb, please send through a file transfer. Please note at the discretion of Community Development staff may request a hard copy)

- ❑ Map of the immediate area showing property involved. Area to be rezoned must be outlined in color
- ❑ A site plan drawn to readable scale showing present status of property and proposed development
- ❑ Street address, adjacent streets, intersections and any other information or landmarks to help identify the property
- ❑ Location of existing uses, structures, fences and signs and location of proposed uses, structures, fences and signs
- ❑ A narrative statement explaining the zone change and discussion of the project

- ➢ **Property owner's signature is required for submittal to be complete.**
- ➢ **Application fees are due at time of submittal. Make check payable to City of Oshkosh.**
- ➢ **Please refer to the fee schedule for appropriate fee. FEE IS NON-REFUNDABLE**

I hereby certify that to the best of my knowledge all required application materials are included with this application. I am aware that failure to submit the required completed application materials may result in denial or delay of the application request.

Applicant's Signature (required): _____ Date: 05-23-2025

SUMMARY OF PROCESS

The City of Oshkosh Plan Commission and Common Council act on all amendments to the Official Zoning Map. The petitioner or owner should be present at both the Plan Commission and Common Council meetings to discuss and answer questions regarding the request.

The application package is reviewed by Planning Services staff to determine conformance with adopted city plans, zoning requirements and development standards. A staff recommendation is prepared for consideration by the Plan Commission and Common Council. The petitioner will be provided with a copy of the staff report and meeting notice several days prior to the Plan Commission meeting. The staff report and meeting notice will also be available on the City's website. No notice is sent to the petitioner or owner regarding the Common Council's consideration of the request. Petitioners and owners are encouraged to contact Planning Services staff to find out when the request will be sent to the Common Council for review.

Neighborhood opinion is an important factor in the decision-making process. If the proposed development is expected to have significant impact on other properties, the petitioner may be required to conduct a neighborhood meeting to solicit public input prior to action by the Plan Commission and City Council. Planning Services staff is available to offer assistance in compiling a mailing list for the neighborhood meeting. If deemed appropriate, notification by mail informing the property owners within 100 feet of the subject property of the proposal may substitute for the public meeting. Please note that a meeting notice will be mailed to all abutting property owners regarding your request.

Within 90 days of filing a complete application, Plan Commission shall hold a public hearing to consider the request. Within 60 days of the public hearing, the Plan Commission may make a written report to the Common Council with recommendations regarding the proposal. The Plan Commission's report is advisory only. The Common Council will make the final decision regarding all zone change requests. The Plan Commission may lay over requests to subsequent meetings if incomplete information is provided or additional questions or concerns are raised at the meeting.

After the Plan Commission makes its recommendation, the request will be forwarded to the Common Council for consideration. This generally occurs three weeks after the Plan Commission meeting depending on the date the Council meeting is scheduled (the Council meets on the 2nd and 4th Tuesday of every month) and on the availability of a legal description for the zone change. Wisconsin State Statutes require a zone change to be published as Class II notice in the local newspaper, the City takes care of this publication requirement prior to the Council meeting.

The Common Council may approve the Official Zoning Map amendment as originally proposed, may approve the proposed amendment with modifications, or may deny approval of the proposed amendment. If the Official Zoning Map amendment is approved, the Ordinance is published in the newspaper on the following Saturday and will be effective on Sunday. City administrative offices are notified of the effective date of the Ordinance and will make changes to the Official Zoning Map accordingly.

For more information please visit the City's website at https://www.oshkoshwi.gov/PlanningServices/

Narrative Statement for Zoning Change Request

Project Name: Claw Visions (Oshkosh 24 Townhomes)
Applicant: Pangaea Development, OLUOMO Group, AK Development
Requested Zoning Change: From TR-10 (Two Flat Residential) and CMU (Commercial Mixed Use) to **Planned Development (PD)**
Project Location: Ten City-owned parcels within the South Shore Redevelopment Area
Parcel Status: 9 parcels currently zoned TR-10; 1 parcel zoned CMU

1. Introduction and Purpose of Zone Change

This zoning change request supports the development of **24 high-quality, Net Zero Energy (NZE) or Net Zero Energy Ready (NZER) townhomes** that align with City of Oshkosh planning goals, including housing affordability, climate resilience, and infill development. The **Planned Development (PD)** designation is the most appropriate zoning to accommodate the site-specific design, energy standards, and cohesive neighborhood integration envisioned for this project.

2. Project Description

The proposed development consists of:

- **24 tri-level townhomes**
- Approximately **900 square feet** of interior living space per unit (approx. 1,000 sq ft including attached garage)
- **2 bedrooms**, **1.5 bathrooms**, **ensuite laundry**, **attached garages**, and **private backyard patios**
- Shared **pedestrian-focused open space** for social gathering and outdoor living
- **Professional property management and maintenance**

This infill housing development will occupy **ten clustered, vacant City-owned lots** to maximize land use and create a walkable, community-oriented environment.

3. Sustainability and Smart Design

In alignment with the **Sustainable Oshkosh 2020 Plan** and the **South Shore Redevelopment Area Amendment #3 (2024)**, the project shall incorporate:

- **Solar photovoltaic systems**

- **Electric heat pumps for heating/cooling**
- **Water conservation systems**
- **Permeable pavement and low-impact landscaping**

These features will reduce energy costs, support Oshkosh's sustainability goals, and ensure long-term operational affordability for residents.

4. Affordability and Livability

This development responds directly to local housing needs identified in *"A Place in Oshkosh: A Housing Needs Assessment and Strategy Plan" (2022)*:

- Townhomes are designed to be **affordable and attainable** to Oshkosh's workforce
- Housing costs are aligned with the **Housing + Transportation Affordability Index** measures
- Units will serve a demographic often overlooked in new construction: the "missing middle" — individuals and families who do not qualify for subsidized housing but struggle to find reasonably priced, high-quality homes

5. Design Compatibility and Land Use Alignment

- The project enhances the downtown district's **urban character** while respecting its **existing scale and architectural rhythm**
- Development supports the **South Shore Redevelopment Area's** goals of tax base enhancement, neighborhood stabilization, and infill development
- Landscaping, walkability, and integrated green space foster **social interaction**, **well-being**, and **community identity**

6. Justification for Planned Development Zoning

The **Planned Development** zoning is requested to:

- Allow flexible site design across multiple parcels
- Accommodate unified design standards across both TR-10 and SMU lots
- Support a **phased development approach**, including potential acquisition of adjacent parcels for future expansion

- Enable integration of **green infrastructure** and pedestrian-oriented community space

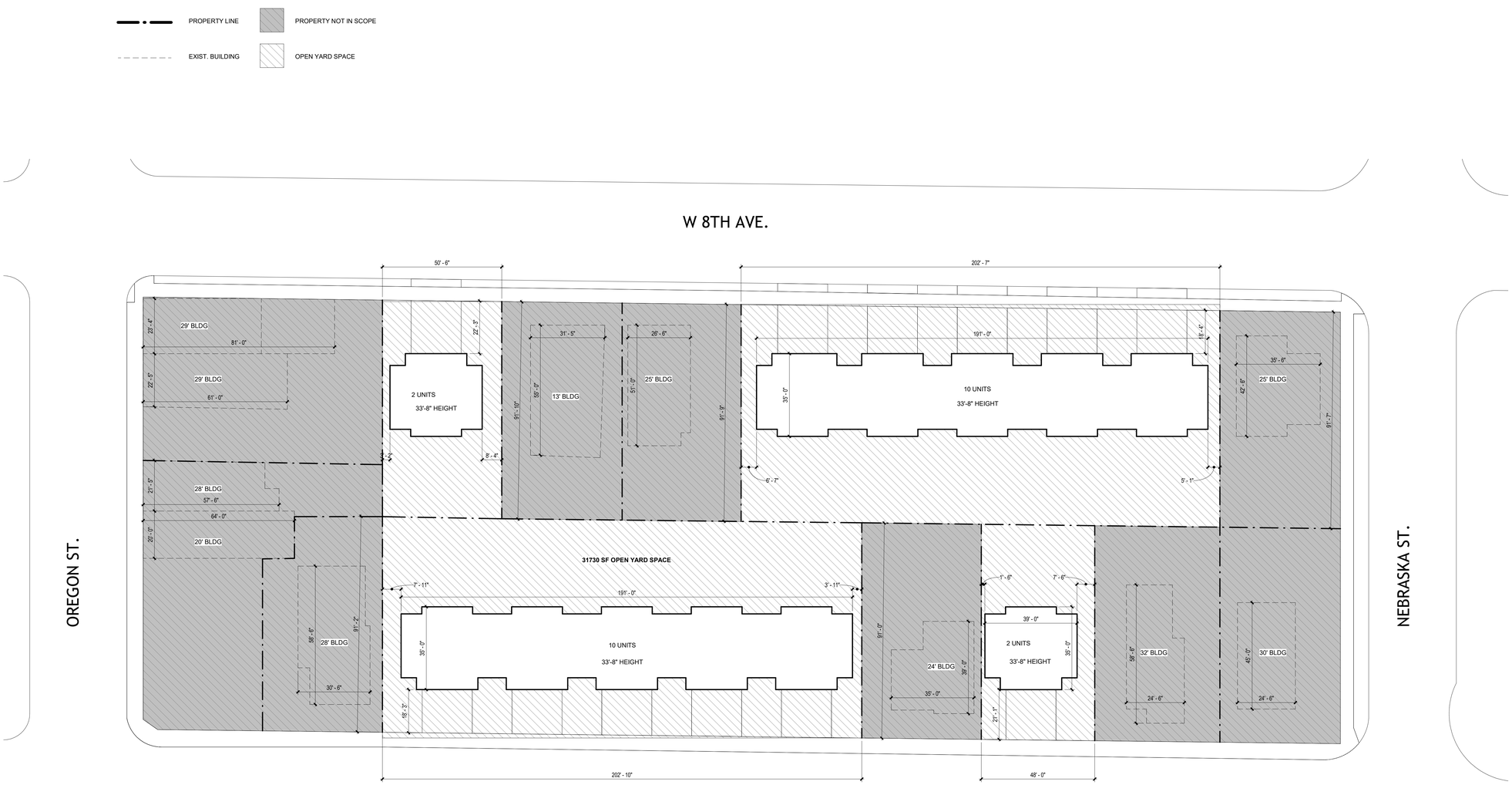
7. Community Engagement

We are committed to a transparent, collaborative development process:

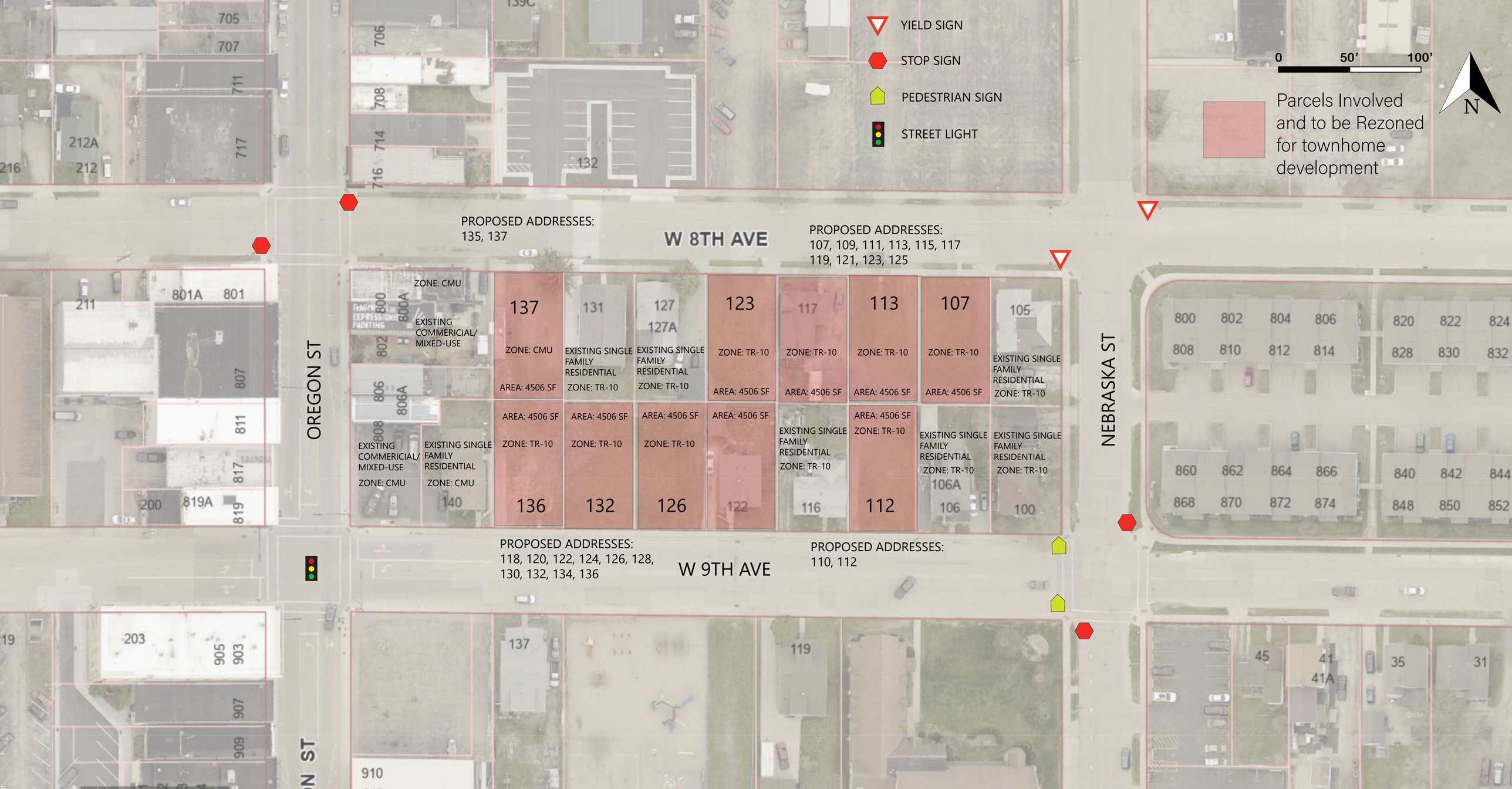
- Conducting outreach and informational sessions with the community
- Partnering with the City of Oshkosh to ensure alignment with municipal goals
- Working proactively to address feedback and integrate neighborhood priorities into the final design

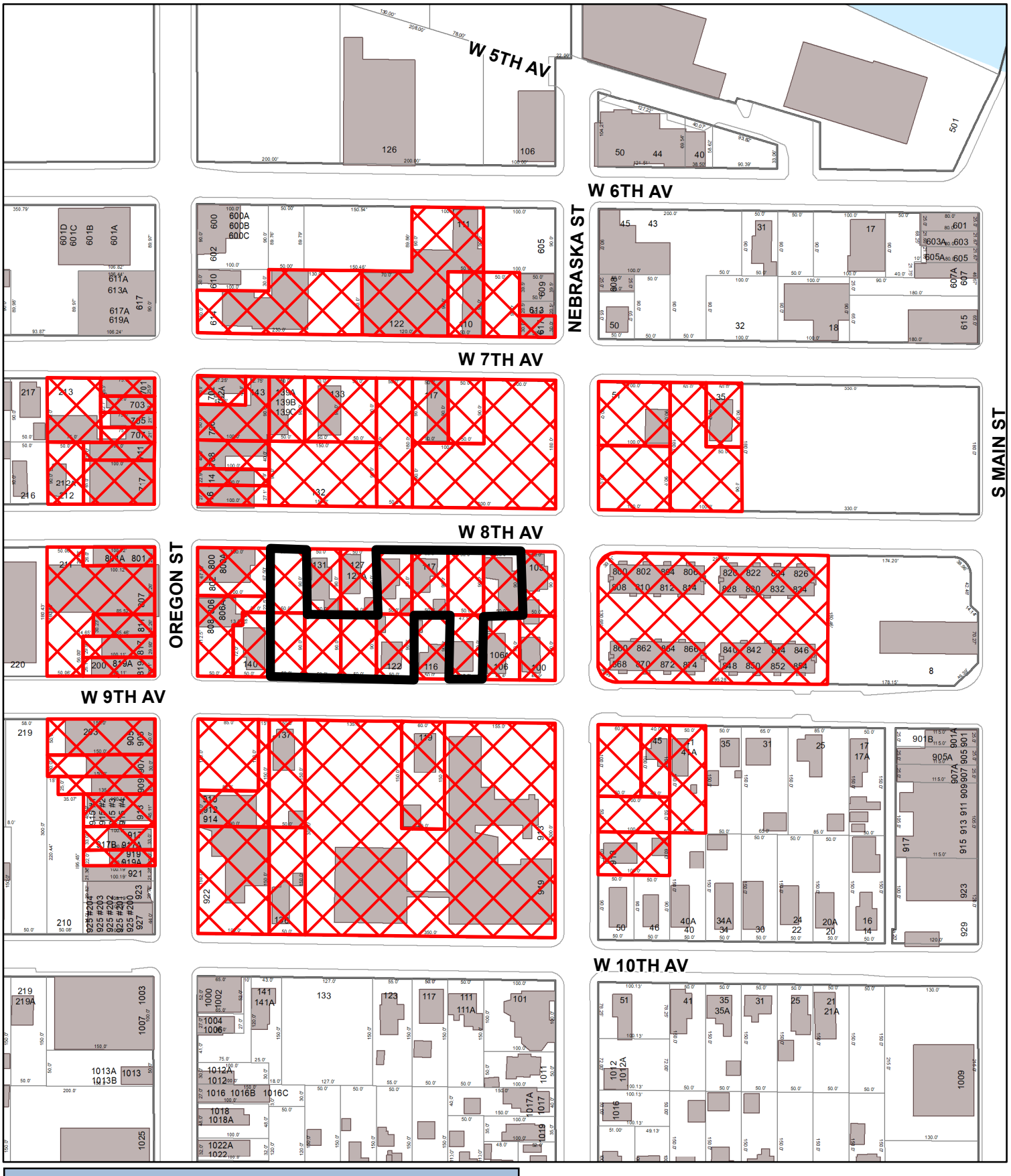
8. Conclusion

This zone change is essential to realize the full potential of a well-designed, socially inclusive, and climate-conscious townhome development. The **24 Townhomes** will contribute meaningfully to the City's housing supply, sustainability leadership, and equitable neighborhood development. We respectfully request your consideration and support.



OSHKOSH, WI 54902	# SITE PLAN	DATE: 06/27/2025 ARCHITECT: EVAN WILLIAMS CLIENT: PANGAEA DIMENSIONS


YIELD SIGN
STOP SIGN
PEDESTRIAN SIGN
STREET LIGHT
0
50’
100’
N
Parcels Involved and to be Rezoned for townhome development
PROPOSED ADDRESSES:
135, 137
W 8TH AVE
PROPOSED ADDRESSES:
107, 109, 111, 113, 115, 117
119, 121, 123, 125
OREGON ST
NEBRASKA ST
ZONE: CMU
EXISTING COMMERICIAL/ MIXED-USE
137
131
127
127A
123
117
113
107
105
ZONE: CMU
EXISTING SINGLE FAMILY RESIDENTIAL
ZONE: TR-10
AREA: 4506 SF
EXISTING COMMERICIAL/ MIXED-USE
ZONE: CMU
EXISTING SINGLE FAMILY RESIDENTIAL
ZONE: CMU
140
136
132
126
122
116
112
106A
106
100
PROPOSED ADDRESSES:
118, 120, 122, 124, 126, 128,
130, 132, 134, 136
W 9TH AVE
PROPOSED ADDRESSES:
110, 112



W 8TH & 9TH AVE PARCELS NOTICE MAP

N

1 in = 0.03 mi

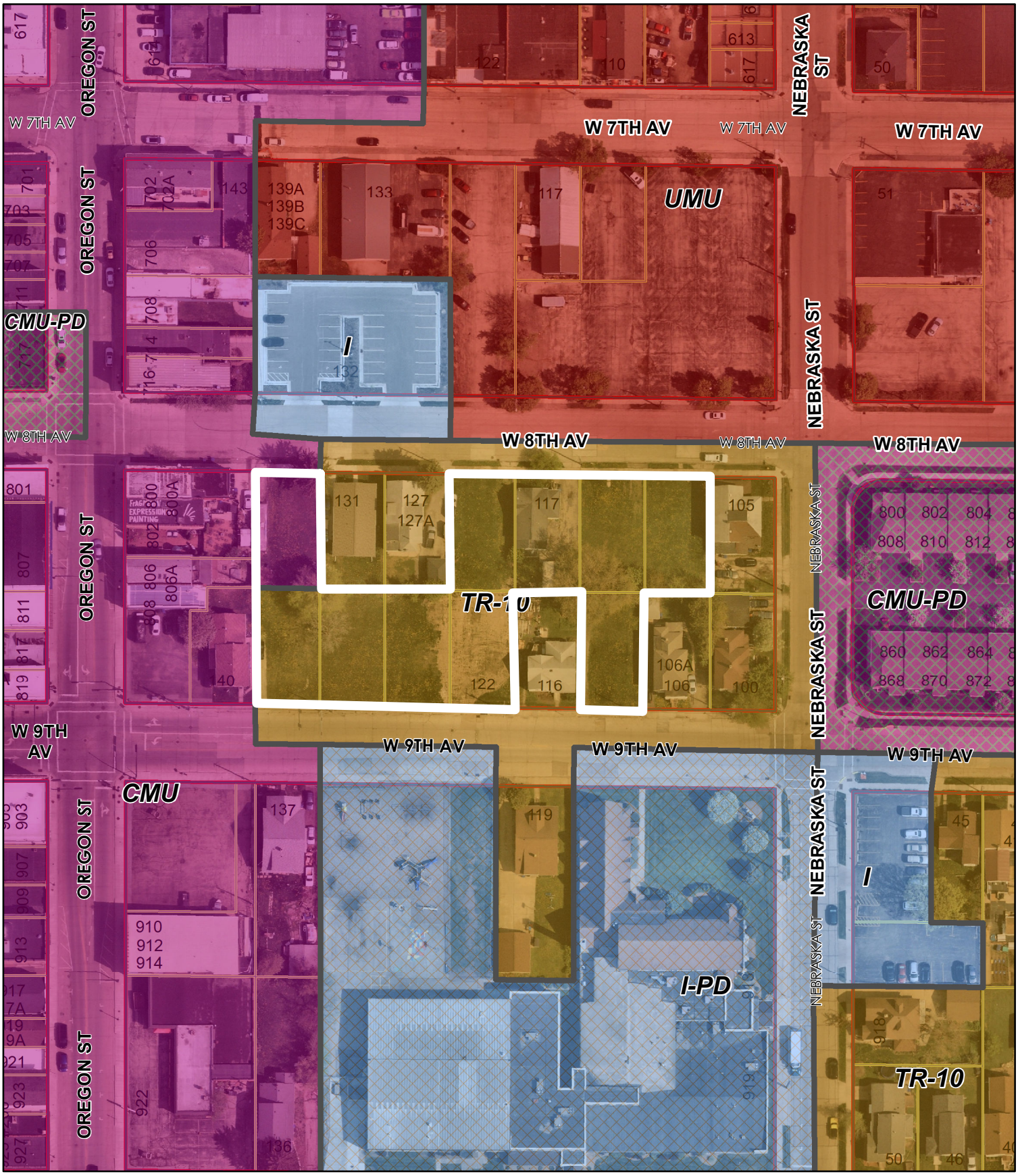
1 in = 180 ft

Printing Date: 6/20/2025

Prepared by: City of Oshkosh, WI

City of Oshkosh

City of Oshkosh maps and data are intended to be used for general identification purposes only, and the City of Oshkosh assumes no liability for the accuracy of the information. Those using the information are responsible for verifying accuracy. For full disclaimer please go to www.ci.oshkosh.wi.us/GISdisclaimer



ZONING & AERIAL MAP

N

1 in = 0.02 mi

1 in = 100 ft

Printing Date: 6/24/2025

Prepared by: City of Oshkosh, WI

City of Oshkosh

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J:\GIS\Planning\Plan Commission Site Plan Map Template\2023 Plan Commission Site Plan Map Template.mxd

User: katrinam

TO:	Honorable Mayor and Members of the Common Council
FROM:	Kimberly Gierach, Planning Services Manager
DATE:	September 23, 2025
SUBJECT:	Ord 25-502 Approve zone change from Heavy Industrial District (HI) to Heavy Industrial District with a Planned Development Overlay (HI-PD) at 2751 Universal Street (Plan Commission recommends approval)

BACKGROUND

The subject site consists of a five-acre parcel located in the Southwest Industrial Park, on Universal Street, just north of West South Park Avenue (parcel 91329120200). The site is home to Millwork Distributors, who manufacture and sell finished wood and composite materials. The site also consists of semi loading/unloading areas and an associated parking lot. The site and surrounding area are zoned Heavy Industrial District (HI) with a mixture of differing industrial land uses. The 2040 Comprehensive Land Use Plan recommends Industrial for the subject area.

ANALYSIS

The applicant is proposing to rezone the subject site to Heavy Industrial District with a Planned Development Overlay (HI-PD) from Heavy Industrial (HI). The requested Planned Development Overlay designation is intended to allow for flexibility in the zoning ordinance to accommodate expansion of the existing facility at the property. The applicant has submitted plans to construct a 23,067 sq. ft. building expansion, attached to the west side of the existing building, and install new pavement to accommodate more parking stalls. Staff is supportive of the proposed rezone as it will assist with accomplishing a building expansion and the need for more employee parking, both related to the increased impervious surface ratio.

RECOMMENDATION

The Plan Commission recommended approval of the requested zone change on September 2, 2025. Please see the attached staff report for more information.

Attachments

Ord 25-502
Zone Change - 2751 Universal St

9/23/2025 SECOND READING	25-502	ORDINANCE
9/9/2025 FIRST READING	25-478	ORDINANCE
CARRIED	7-0	

PURPOSE: APPROVE ZONE CHANGE FROM HEAVY INDUSTRIAL DISTRICT (HI) TO HEAVY INDUSTRIAL DISTRICT WITH A PLANNED DEVELOPMENT OVERLAY (HI-PD) AT 2751 UNIVERSAL STREET (PARCEL 91329120200)

INITIATED BY: KELLER INC.

PLAN COMMISSION RECOMMENDATION: Approved

A GENERAL ORDINANCE OF THE CITY OF OSHKOSH AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF OSHKOSH, AS ADOPTED BY SECTION 30-32 OF THE OSHKOSH MUNICIPAL CODE.

The Common Council of the City of Oshkosh does ordain as follows:

SECTION 1. That the Official Zoning Map of the City of Oshkosh, as adopted by Section 30-32 of the Oshkosh Municipal Code, is hereby amended to change the zoning district for property located at 2751 Universal Street, parcel 91329120200, from Heavy Industrial District (HI) to Heavy Industrial District with a Planned Development Overlay (HI-PD). The subject property is more particularly described as follows:

PARCEL 1:

THAT PART OF THE NORTH EAST ¼ OF THE SOUTH WEST ¼ OF SECTION THIRTY-THREE (33) TOWNSHIP EIGHTEEN (18) NORTH OF RANGE SIXTEEN (16) EAST, IN THE THIRTEENTH WARD, CITY OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS, VIZ: COMMENCING AT THE CENTER OF SAID SECTION 33; THENCE SOUTH 00°41'15" WEST, 304.13 FEET; THENCE NORTH 89°18'45" WEST, 66.00 FEET, TO THE WEST LINE OF UNIVERSAL STREET; THENCE SOUTH 00°41'15" WEST, ALONG THE WEST LINE OF UNIVERSAL STREET, 470.37 FEET, THENCE NORTH 89°09'27" WEST, 600.00 FEET, THE PLACE OF BEGINNING THENCE SOUTH 00°15'00" WEST, 350.00 FEET; THENCE NORTH 89°09'27" WEST, 30.63 FEET; THENCE NORTH 00°15'00" EAST, 350.00 FEET; THENCE SOUTH 89°09'27" EAST, 30.63 FEET, TO THE PLACE OF BEGINNING.

and

THAT PART OF THE NORTH EAST ¼ OF THE SOUTH WEST ¼ OF SECTION THIRTY-THREE (33) TOWNSHIP EIGHTEEN (18) NORTH OF RANGE SIXTEEN (16) EAST, IN THE THIRTEENTH WARD, CITY OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS, VIZ: COMMENCING AT THE CENTER OF SAID SECTION 33; THENCE SOUTH 0°41'15" WEST, 304.13 FEET; THENCE NORTH 89°18'45" WEST, 66.00 FEET, TO THE WEST RIGHT-OF-WAY LINE OF UNIVERSAL STREET; THENCE SOUTH 0°41'15" WEST, 470.37 FEET, ALONG THE SAID WEST LINE, TO THE PLACE OF BEGINNING; THENCE CONTINUING SOUTH 0°41'15" WEST, 241.14 FEET, ALONG THE SAID WEST LINE THENCE SOUTHERLY, 109.80 FEET, ALONG THE SAID WEST LINE AND THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 488.76 FEET AND A CHORD WHICH BEARS SOUTH 5°44'56" EAST, 109.57 FEET; THENCE NORTH 89°9'27" WEST, 609.64 FEET; THENCE NORTH 0°15'0" EAST, 350.00 FEET; THENCE SOUTH 89°9'27" EAST, 600.00 FEET, TO THE PLACE OF BEGINNING.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and publication.

SECTION 3. Publication Notice. Please take notice that the City of Oshkosh enacted Ordinance #25-502 APPROVE ZONE CHANGE FROM HEAVY INDUSTRIAL DISTRICT (HI) TO HEAVY INDUSTRIAL DISTRICT WITH A PLANNED DEVELOPMENT OVERLAY (HI-PD) AT 2751 UNIVERSAL STREET (PARCEL 91329120200) (A GENERAL ORDINANCE OF THE CITY OF OSHKOSH AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF OSHKOSH, AS ADOPTED BY SECTION 30-32 OF THE OSHKOSH MUNICIPAL CODE) on September 23, 2025. This ordinance changes the zoning of the property located at 2751 Universal Street, parcel 91329120200, from Heavy Industrial District (HI) to Heavy Industrial District with a Planned Development Overlay (HI-PD). The full text of the Ordinance may be obtained at the Office of the City Clerk, 215 Church Avenue and on the City's website at www.oshkoshwi.gov. Clerk's phone: (920) 236-5011.

ITEM: **Public Hearing: Zone Change from Heavy Industrial District (HI) to Heavy Industrial District with a Planned Development Overlay (HI-PD) and Approval of a General Development Plan and Specific Implementation Plan for a Building Expansion at 2751 Universal Street**

Plan Commission Meeting of September 2, 2025

Applicant: Keller Inc.
Property Owner: Millwork Distributors Inc.

Action Requested: The applicant requests approval of a zone change from Heavy Industrial District (HI) to Heavy Industrial District with a Planned Development Overlay (HI-PD) for the property at 2751 Universal Street. The applicant is also requesting General Development Plan and Specific Implementation Plan approval for expansion and remodel of the existing facility.

Applicable Ordinance Provisions: Zoning map amendment standards are found in Section 30-381 of the Zoning Ordinance. Planned Development standards are found in Section 30-387 of the Zoning Ordinance.

Property Location and Background Information: The subject site consists of a five-acre parcel located in the Southwest Industrial Park, on Universal Street, just north of West South Park Avenue. The site is home to Millwork Distributors, who manufacture and sell finished wood and composite materials. The site also consists of semi loading/unloading areas and an associated parking lot. The site and surrounding area are zoned Heavy Industrial District (HI) with a mixture of differing industrial land uses. The 2040 Comprehensive Land Use Plan recommends Industrial for the subject area.

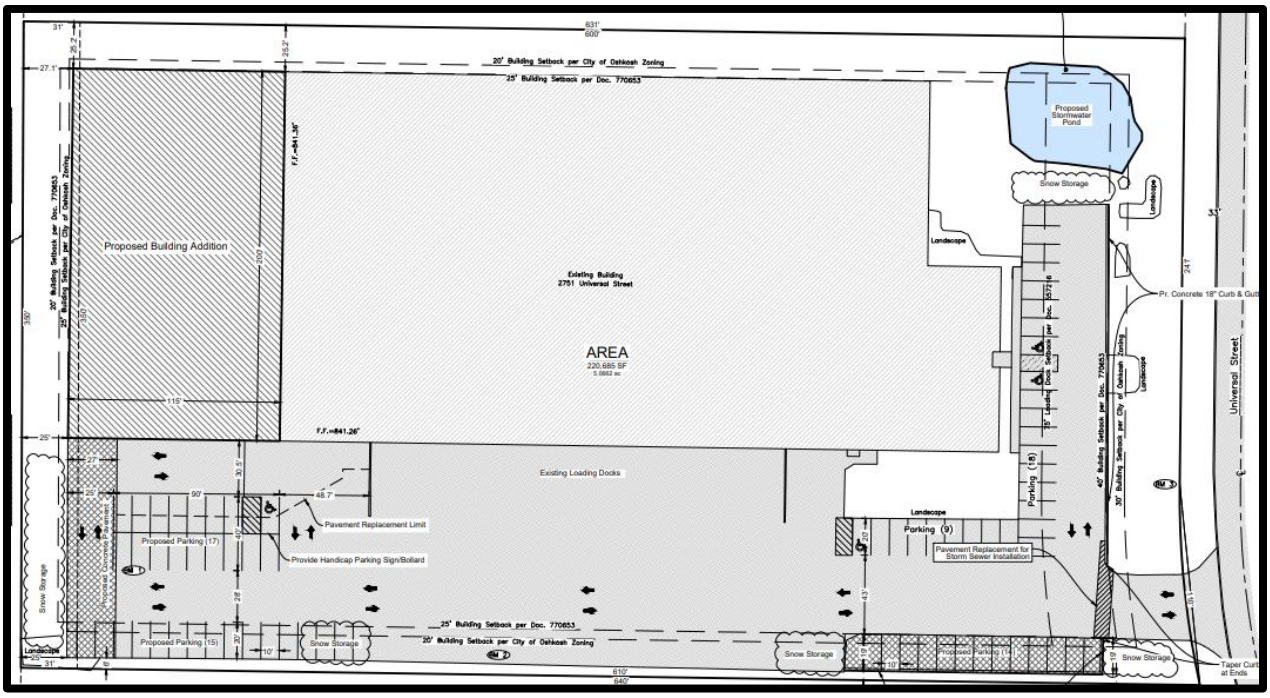
Existing Land Use	*Zoning*
Industrial	HI

Existing Uses		*Zoning*
North	Industrial	HI
South	Vacant	HI
East	Industrial/Professional Services/Commercial	HI
West	Industrial	HI

The applicant is proposing to rezone the subject site to Heavy Industrial District with a Planned Development Overlay (HI-PD) from Heavy Industrial (HI). The requested Planned Development Overlay designation is intended to allow for flexibility in the zoning ordinance to accommodate expansion of the existing facility at the property. The applicant has submitted plans to construct a 23,067 sq. ft. building expansion, attached to the west side of the existing building, and install new pavement to accommodate more parking stalls. Staff is supportive of the proposed rezone as it will assist with accomplishing a building expansion and the need for more employee parking, both related to the increased impervious surface ratio.

Use/Site Design/Access - The current use of the property is unchanged. The proposed building expansion and new parking areas will be accessed by an existing drive lane off of Universal Street as well as a new stormwater pond on the northeast side of the property.

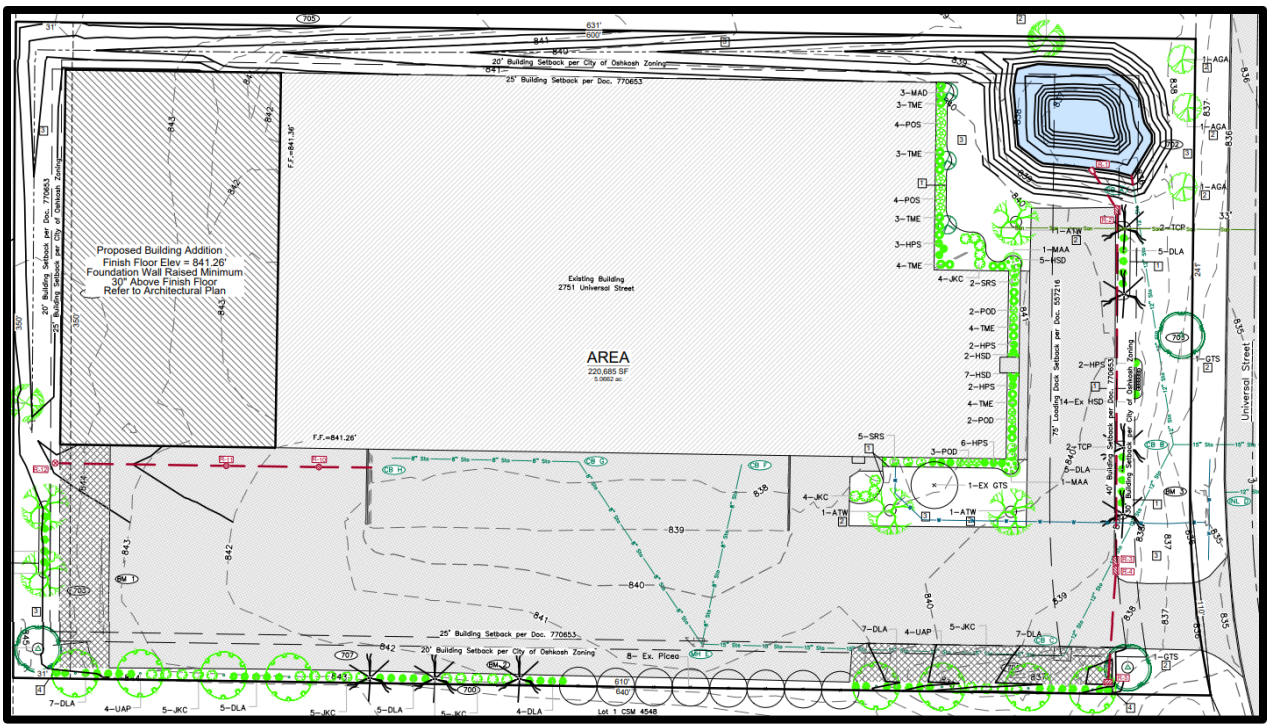
Standards	Required	Provided
Front Setback (east)	30 ft. min.	Existing building
Rear Setback (west)	25 ft. min.	Expansion at 25 ft.
Side Setback (north)	20 ft. min.	Existing building
Side Setback (south)	20 ft. min.	Existing building
Impervious Surface	70% max.	76.6%
Parking Calculation	1 stall per employee = 60	73



Proposed site plan showing building expansion, new parking areas, and new stormwater pond

Zoning code allows for a 70% Maximum Impervious Surface Ratio in all Heavy Industrial Zoning Districts. The applicant is requesting a Base Standard Modification (BSM) to allow for 76.6% of the property to be impervious. Staff is supportive of the BSM request to allow for an increased impervious surface ratio as this will help accommodate needed employee parking, ADA accessible stalls, and the building expansion. To offset this request the applicant is proposing to install landscaping that exceeds zoning code requirements.

Landscaping - The Zoning Ordinance does not require any new landscaping points for this project because the building expansion does not exceed 50 percent of the existing floor area, nor does the new pavement exceed 50 percent of the existing pavement area. The applicant is however improving the overall site by proposing to install more plantings than what code would require to help offset their BSM request.



Proposed Landscaping Plan showing new plantings

Landscape Requirements (Zoned HI - Adjacent to HI)
Total Existing Building Area = 220,685 sf
Total Addition Building Area = 23,000 sf (10.4% increase)
Total Existing Parking Area (excluding entrance) = 64,045 sf + 30 Parking Stalls
Total Addition Parking Area (excluding entrance) = 6,323 sf (9.87% increase) + 43 Parking Stalls

Street Frontage (SF): 30 points per 100' of Length (50% of points = Medium Trees)
Length = 315' (Less Entrance) - Required Points = 94.5 (47.25 pts Medium Trees)
Redesign Actual = 99.5 pts (49.5 pts Medium Trees - 50 pt Tall Tree)

Paved Areas (PA): 30 points per 10 stalls or 10,000 sq ft (Greater of)
(30% of points = Med/Tall Trees, 40% of points = Shrubs)
1 Tree per Parking Island = No Parking Islands Designed - End Row Parking = 7 Trees
1 Tree per 40' Perimeter (of Parking Area) - 480' Length = 12 Required
Actual = 73 Stalls or 70,368 sq ft Required Points = 219 (65.7 pts Trees, 87.6 pts Shrubs)
Actual = 7 Trees in Parking Islands
Actual = 269.2 pts (165 pts Trees - 104.2 pts Shrubs)
Note - Perimeter Tree Pts under Yard Pts

Yard (YD): 10 points per 1,000 sq ft of Building
Total New Area = 23,000 sq ft Required Points = 230
Existing Points = 1,052.4
New Point Total Needed = 1,052.4 + 230 = 1,282.4
Removed Points = 682.4
New Added Points = 1,247.5
Total Actual = 1,617.5

Building Foundation (BF): 20 points per 100' of Building
Total Length New + Existing = 1,414' Required Points = 282.8
Actual = 285.7

Buffer Yard: 0 pts Required When Adjacent to Same Zone
Zoned HI - Adjacent to HI

Screen Utilities & Disposal Area. No Minimum Required Points - Screening Required
Assessment - Generator Area = 25 pts Evergreen Shrub

Landscaping Calculations

Building Foundation - For new development, code requires 20 landscaping points per 100 linear feet of building foundation. According to the submitted landscape plan the applicant is providing more than what would be required, which brings this property into compliance with the current landscaping requirements.

Paved Area - For a new development, code requires 30 landscaping points per ten stalls or 10,000 sq. ft. of pavement. According to the submitted landscape plan, the applicant is providing more than what would be required, bringing the property into compliance.

Street Frontage - For a new development, code requires 30 landscaping points per 100 linear feet of street frontage. According to the submitted landscape plan the applicant is providing more than what would be required, bringing the property into compliance.

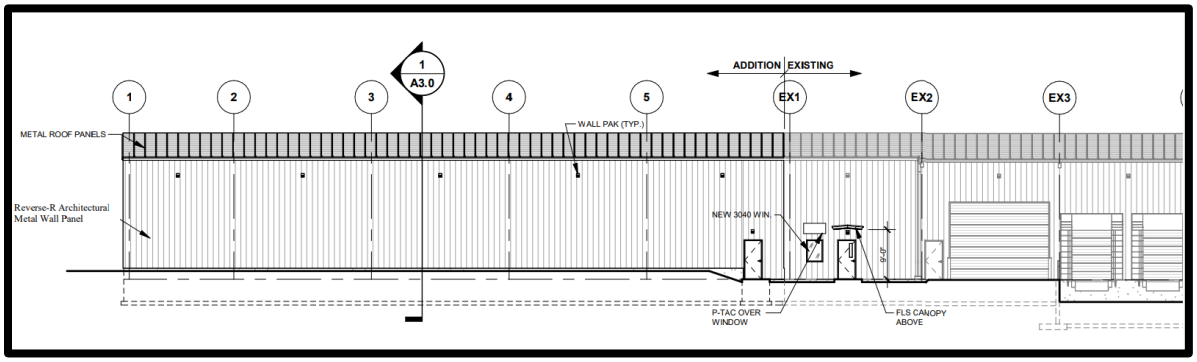
Yards - For a new development, code requires ten landscaping points per 1,000 sq. ft. of gross floor area. According to the submitted landscape plan the applicant is providing more than what would be required, bringing the property into compliance.

According to the applicant, this property currently has a total of 1507.9 landscaping points. A number of these plantings need to be removed due to being dead, in decline, overgrown, or within one of the expansion areas. The proposed landscaping plan shows a total of 2271.9 landscaping points, which is the sum of all new plantings and the existing plantings that can be saved. This increase in overall landscaping sufficiently compensates for the proposed BSM for increased impervious surface ratio.

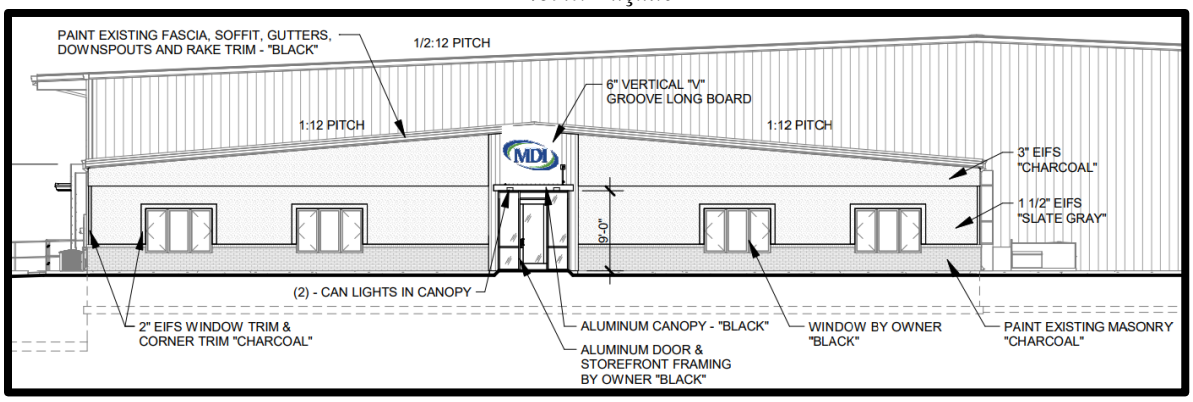
Storm Water Management/Utilities - The Department of Public Works has noted that final submitted plans are required to be in full compliance with the requirements of the City of Oshkosh Municipal Code Chapter 14 for storm water management and a Notice of Intent (NOI) shall be filed with WDNR.

Site Lighting - The applicant submitted a photometric plan for the site. The lighting levels meet the 0.4 foot-candle minimum requirement for new paved areas and driveway access, while not exceeding the maximum of 0.5 foot-candles of light trespass at the property lines. The plan shows light fixtures to be mounted at 25 ft. which is the maximum allowed height to mount a light fixture in the HI District.

Building Facades – The applicant plans to improve exterior front façade by painting the existing brick charcoal and gray colors and replacing window trims with a charcoal color. The exterior material on the building expansion will match the existing metal siding, as shown below, which is compliant with exterior design standards for an addition that is less that 50 percent of an existing building footprint.



North Façade



East Façade

Findings:

In its review and recommendation to the Common Council on an application for a Zoning Map amendment, staff recommends the Plan Commission make the following findings based on the criteria established by Chapter 30-381 (D)(2):

(a) Advances the purposes of this Chapter as outlined in Section 30-03 because the proposed Planned Development Overlay will allow for further review of development on the site.

(b) Is in harmony with the Comprehensive Plan because the underlying zoning designation (HI) is consistent with the 2040 Comprehensive Land Use Plan designation of Industrial.

(c) Maintains the desired overall consistency of land uses, land use intensities, and land use impacts within the pertinent zoning districts because the HI zoning designation is the consistent zoning of neighboring properties.

(d) Addresses any of the following factors that are not properly addressed on the current Official Zoning Map:

(ii) Factors have changed (such as new data, infrastructure, market conditions, development, annexation, or other zoning changes), making the subject property more appropriate for a different zoning district because site expansion has been proposed that may need relief from the bulk regulations of the current zoning ordinance.

In its review and recommendation to the Common Council on an application for a Planned Development district, staff recommends the Plan Commission consider findings based on the criteria established by Chapter 30-387 (C)(6):

(a) The proposed Planned Development project is consistent with the overall purpose and intent of this Chapter because the current land use is consistent with the HI zoning designation and Industrial 2040 Comprehensive Land Use Plan designation.

(b) The proposed Planned Development project is consistent with the City's Comprehensive Plan as Industrial land uses are designated for this property in the 2040 Comprehensive Land Use Plan.

(c) The proposed Planned Development project would maintain the desired relationships between land uses, land use densities and intensities, and land use impacts in the environs of the subject site because the proposed industrial use is consistent with neighboring industrial uses along Universal Street.

(f) Project design does not detract from areas of natural beauty surrounding the site as the applicant plans to install more trees, shrubs, and plants to the site.

(i) The proposed Planned Development project will produce significant benefits in terms of environmental design and significant alternative approaches to addressing development performance that relate to and more than compensate for any requested exceptions/base standard modifications variation of any standard or regulation of this Chapter because increased landscaping points and increased planting size will be provided to compensate for BSM requests.

Recommendation/Conditions:
Staff recommends approval of the Zone Change, General Development Plan, and Specific Implementation Plan with the findings listed above and the following conditions:

1. Base Standard Modification to allow increased impervious surface ratio to 76.6%.
2. Final landscaping plan shall be reviewed and approved by the Department of Community Development.

The Plan Commission recommended approval of the requested zone change on September 2, 2025. For a comprehensive record of the proceedings, the official minutes can be obtained by contacting Planning Services.

City of Oshkosh Application
Zoning Map Amendment (Rezoning)

****PLEASE TYPE OR PRINT USING BLACK INK****

SUBMIT TO:
Dept. of Planning Services
215 Church Ave., P.O. Box 1130
Oshkosh, Wisconsin 54903-1130
Room 204
PHONE: (920) 236-5059
Email: planning@oshkoshwi.gov

APPLICANT INFORMATION

Petitioner: Keller, Inc. Date: 7-15-2025

Petitioner's Address: N 216 State Road 55 City: Kaukauna State: WI Zip: 54130

Telephone #: (920) 427-4461 Email: swinterfeldt@kellerbuilds.com Contact preference: ☐ Phone ☒ Email

Status of Petitioner (Please Check): ☐ Owner X Representative ☐ Tenant ☐ Prospective Buyer

Petitioner's Signature (required): _____ Date: 7-15-25

OWNER INFORMATION

Owner(s): Millwork Distributors, Inc. Date: 7-15-2025

Owner(s) Address: 2751 Universal Street City: Oshkosh State: WI Zip: 54904

Telephone #: (920) 232-2685 Email: scott.ryback@mdi-oshkosh.com Contact preference: ☐ Phone ☒ Email

Ownership Status (Please Check): ☐ Individual ☐ Trust ☐ Partnership X Corporation

Property Owner Consent: (required)
By signature hereon, I/We acknowledge that City officials and/or employees may, in the performance of their functions, enter upon the property to inspect or gather other information necessary to process this application. I also understand that all meeting dates are tentative and may be postponed by the Planning Services Division for incomplete submissions or other administrative reasons.

Property Owner's Signature: _____ Date: 7/16/25

ZONING AND DEVELOPMENT INFORMATION

Address/Location of Rezoning Request: 2751 Universal Street, Oshkosh, WI 54904

Tax Parcel Number(s): 91329120200

Rezone property from: Heavy Industrial to HI-PD

Purpose for Rezoning: Impervious Percentage

Describe existing property development and land use: Industrial / Warehouse
Green Space Percentage: 34.4% Building Area: 74,089 sq.ft. Pavement 70,599 sq.ft.

Describe proposed development and/or proposed land use: Industrial / Warehouse
Green Space Percentage: 20.7% Building Area: 98,083 sq.ft. Pavement 77,003 sq.ft.

Proposed time schedule for development and/or use of the property:

Fall 2025 Start - Spring 2026 Completion

Zoning Adjacent to the Site:
North: Heavy Industrial
South: Heavy Industrial
East: Heavy Industrial
West: Heavy Industrial

Dept. of Planning Services
215 Church Ave., P.O. Box 1130
Oshkosh, WI 54901
Room 204
PHONE: (920) 236-5059
Email: planning@oshkoshwi.gov

City of Oshkosh

Planned Development Application

For General Development Plan or Specific Implementation Plan

****PLEASE TYPE OR PRINT USING BLACK INK****

APPLICANT INFORMATION

Petitioner: Keller, Inc. Date: 7-15-2025

Petitioner's Address: N216 State Road 55 City: Kaukauna State: WI Zip: 54130

Telephone #: (920) 427-4461 Email: swinterfeldt@kellerbuilds.com Contact preference: ☐ Phone ☒ Email

Status of Petitioner (Please Check): ☐ Owner ☒ Representative ☐ Tenant ☐ Prospective Buyer

Petitioner's Signature (required): _____ Date: 7-15-25

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* Property Owner's Signature: _____ Date: 7/16/25

TYPE OF REQUEST:

☐ General Development Plan (GDP) ☐ General Development Plan (GDP) Amendment
☐ Specific Implementation Plan (SIP) ☒ Specific Implementation Plan (SIP) Amendment

SITE INFORMATION

Address/Location of Proposed Project: 2751 Universal Street, Oshkosh, WI 54904
Proposed Project Type: Warehouse Addition, Remodel & Office Facade
Estimated Cost: $2,500,000
Current Use of Property: Industrial / Warehousing Zoning: Heavy Industrial
Land Uses Surrounding Your Site: North: Heavy Industrial
South: Heavy Industrial
East: Heavy Industrial
West: Heavy Industrial

- **It is recommended that the applicant meet with Planning Services staff prior to submittal to discuss the proposal.**
- **Application fees are due at time of submittal. Make check payable to City of Oshkosh.**
- **Please refer to the fee schedule for appropriate fee. FEE IS NON-REFUNDABLE**

For more information please visit the City's website at https://www.oshkoshwi.gov/PlanningServices/

MILLWORK DISTRIBUTORS, INC.
Employee Owned and Operated

August 11, 2025

City of Oshkosh – Plan Commission
215 Church Avenue
Oshkosh, WI 54903

RE: Zoning Map Amendment & Planned Development Application for property located at 2751 Universal Street, Oshkosh, WI 54904; further described as NE 1/4, SW 1/4 of Section 33, T.18N. - R.16E., CITY OF OSHKOSH

Dear Plan Commission:

Thank you for your review of the proposed Zoning Amendment. We appreciate the Plan Commission's willingness to work together to improve the community by expanding business, improving the Industrial Park's curb appeal, and increasing handicap accessibility.

Millwork Distributors, Inc. is proposing a substantial $2,5000,000.00 expansion and remodel to their existing facility. Project goals include:

- Increased warehouse space to accommodate growth.
- Remodel of restrooms and breakroom facilities for employee comfort and handicap accessibility.
- Exterior facade updates for a modern curb appeal.
- Additional parking for increased employment and handicap accessibility.
- Major upgrades to the stormwater systems to meet today's standards for retention and filtration.

* Please see included Architectural and Civil Engineered Plans that illustrate these facility improvements.

The project is scheduled to begin in September 2025 and will be completed in April 2026. Priority during construction will be earthwork, including stormwater facility upgrades, interior and exterior concrete work for site stabilization, and exterior facade work prior to frost conditions. This will allow for general building erection and interior remodel throughout the winter months and prompt completion of landscaping features come springtime.

To accomplish the facility, handicap accessibility, and stormwater upgrades noted above, the site will require a reduction of greenspace from 34.4% to 22.8% of the parcel. Current zoning standards call for 30% greenspace for Heavy Industrial Zoning. As a result, Millwork Distributors is seeking the approval of a Planned Development Overlay Zoning which would allow this project to move forward. In exchange for the reduction of greenspace percentages, landscaping will be provided that will exceed the current requirements (list requirements and additional provided) for Heavy Industrial Zoning. Additionally, the current dry pond will become a landscaped wet pond and the front office facade, facing the roadway, will be refreshed.

We appreciate your consideration to allow these upgrades to this property and the Industrial Park overall.

Scott Ryback, President & CEO
Millwork Distributors, Inc.
2751 Universal Street
Oshkosh, WI 54904

Sam Winterfeldt
Keller, Inc.
N216 State Road 55,
Kaukauna, WI 54130

SHEET INDEX

C1.0	CONCEPTUAL SITE PLAN
EX1.0	EXISTING FLOOR PLAN
EX2.0	EXISTING ELEVATIONS
A1.0	FLOOR PLAN
A1.1	ENLARGED FLOOR PLANS
A2.0	ELEVATIONS
A3.0	SECTIONS
A3.1	SECTIONS
A7.0	REFLECTED CEILING PLAN
S1.0	FOUNDATION PLAN

BUILDING & FIRE AREA SQUARE FOOTAGES

FLOOR AREAS	EXISTING	NEW	SUB-TOTAL
SECOND FLOOR	N/A	------ S.F.	------ S.F.
FIRST FLOOR	74,002 S.F.	24,000 S.F.	98,002 S.F.
CANOPIES (COLUMN SUPPORTED)	77 S.F.	------ S.F.	77 S.F.
BASEMENT	N/A	------ S.F.	------ S.F.
BUILDING AREA SUB-TOTALS	74,079 S.F.	24,000 S.F.	98,079 S.F.
MEZZANINES	9,113 S.F.	------ S.F.	9,113 S.F.
FIRE AREA TOTALS	83,182 S.F.	24,000 S.F.	107,182 S.F.

BUILDING CODE ANALYSIS

PROJECT ADDRESS
2751 UNIVERSAL STREET, OSHKOSH, WI, 54904

APPLICABLE CODES
2015 International Building Code (w/ WI Amendments)
2015 IECC
2015 IEBC (Level 2 Alteration)

OCCUPANCY
S1
Accessory Use
NONE
Incidental Use
NONE
High-Piled Combustible Storage YES
Hazardous Materials NO
Multiple Control Areas NO

HEIGHT & AREA
Building Height: 27'-0" Maximum Allowed: 75'-0"
Number of Stories: 1 Maximum Allowed: 3
Total Building Area: 24,000 S.F. Maximum Allowed: 70,000 S.F.
Total Fire Area: 24,000 S.F. Maximum Allowed: 70,000 S.F.
Mixed/Separated Occupancies
Unlimited Area Building NO

CONSTRUCTION TYPE
Construction Classification IIB
Fire Separation Distance >10'-0"

FIRE PROTECTION SYSTEMS
Assumed Sprinkler Type NFPA 13
Fire Alarm System NO

MEANS OF EGRESS
Occupant Load 48
Panic Hardware NO

STRUCTURAL DESIGN
Risk Category II
Design Loads
Roof Live Load 20 psf
Walk-on IMP Ceiling Live Load N/A psf
Steel Framing
Collateral Load 5 psf
Wood Truss
Top Chord Dead Load N/A psf
Bottom Chord Load N/A psf
Mezzanine/Second Floor/Basemen
Live Load N/A psf
Point Load (Partition) N/A psf
Snow Load Criteria
Ground Snow Load (Pg) 35 psf
Exposure Factor (Ce) 1.0
Thermal Factor (Ct) 1.0
Wind Loads
Wind Load 115 MPH
Surface Roughness B
Exposure Category D
Earthquake Load Criteria
Soil Site Class D
Ss 0.296
S1 0.061

PLUMBING SYSTEMS
Mens WC Required 1
Womens WC Required 1
Drinking Fountain Required 1
Other Source YES
Ambulatory Stall Required YES

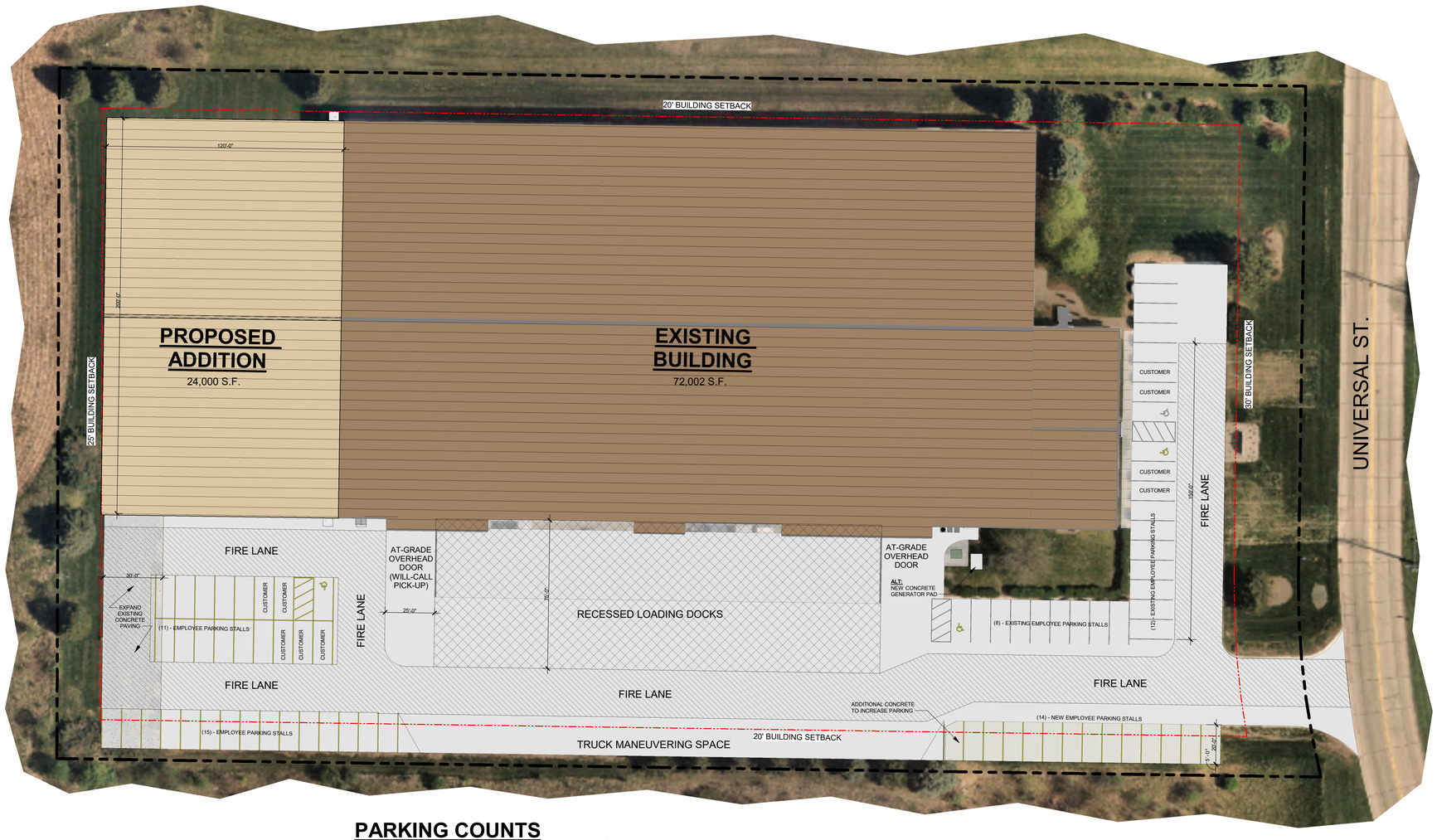
MECHANICAL SYSTEMS
NO SINGLE PIECE OF EQUIPMENT OVER 400,000 BTU
NO BOILERS OVER 15PSI AND 10 HORSEPOWER

SITE INFORMATION

SITE CONTENT

Building Size	96,826 S.F.	43.90%
Hard Surface	65,803 S.F.	29.84%
Green Space	57,929 S.F.	26.26%
Parcel Size (Approx.)	220,558 S.F.	5.06 Acres
Parking Provided	-- Stalls	
Area of Disturbance	-,--- S.F.	

ZONING
Property Zoning --
Setbacks FY -'--" SY -'--" RY -'--"
Hard Surface Setback -'--"
Coverage Limit --%
Greenspace Requirement --%
Parking Required -- Stalls
Refuse Enclosure YES/NO
RTU SCREENING YES/NO



PARKING COUNTS

	NUMBER OF SPACES
HANDICAP	4
EMPLOYEE	60
CUSTOMER	9

NORTH

CONCEPTUAL SITE PLAN
1" = 30'-0"

0' 15' 30' 60' 120'

THE LOT DIMENSIONS AND BEARINGS SHOWN ON THIS PLAN ARE INTERPRETED VALUES. BACKGROUND INFORMATION TAKEN FROM LOCAL GIS DATE. AERIAL IMAGERY AND/OR CLIENT PROVIDED INFORMATION, EASEMENTS, STREAMS AND ROADS ARE APPROXIMATE IN NATURE. FOLLOW UP INVESTIGATION WITH STATE AND LOCAL AUTHORITIES AND/OR WITH CERTIFIED SURVEY MAP DATA WHEN AVAILABLE IS REQUIRED.

PROPOSED FOR:
MILLWORK DISTRIBUTORS INC.
OSHKOSH, WISCONSIN

Keller
PLANNERS | ARCHITECTS | BUILDERS

FOX CITIES
N216 State Road 55
P.O. Box 620
Kaukauna, WI 54130
PHONE (920) 766-5795 / 1-800-236-2534
FAX (920) 766-5004

MADISON
711 Lois Dr.
Sun Prairie, WI 53590
PHONE (608) 318-2336
FAX (608) 318-2337

MILWAUKEE
W204 N11509
Goldendale Rd
Germantown, WI 53022
PHONE (262) 250-9710 / 1-800-236-2534
FAX (262) 250-9740

WAUSAU
5605 Lilac Ave
Wausau, WI 54401
PHONE (715) 849-3141
FAX (715) 849-3181

www.kellerbuilds.com

PROPOSED FOR: MILLWORK DISTRIBUTORS INC. OSHKOSH, WISCONSIN

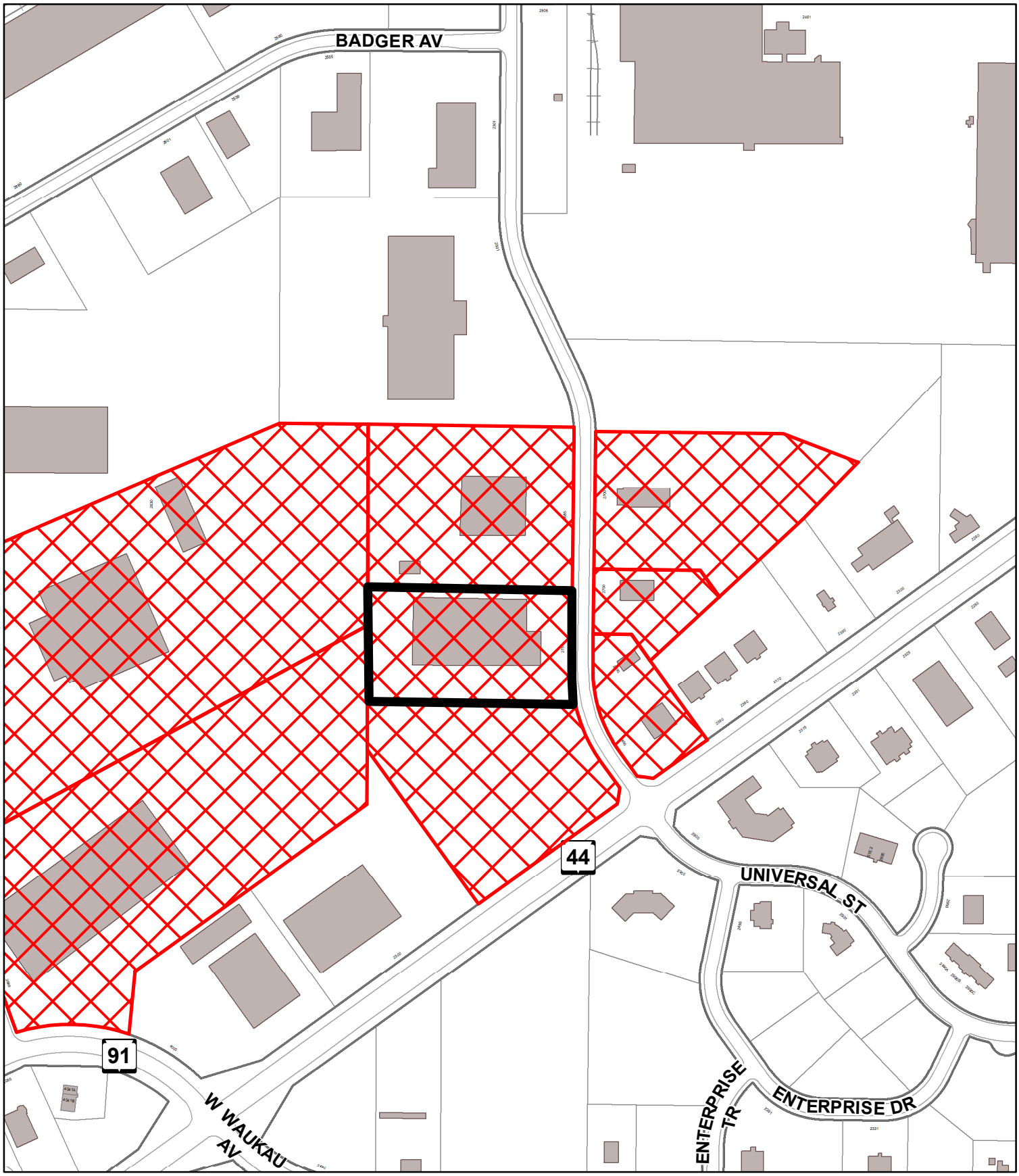
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REVISIONS

1	05.12.2025	KRW
2	05.21.2025	KRW
3	06.05.2025	KRW
4	06.13.2025	TDP
5		
6		

PRELIMINARY - NOT FOR CONSTRUCTION

PROJECT MANAGER: S. WINTERFELDT
DESIGNER: G. STRAUB
INTERIOR DESIGNER: -------
DRAWN BY: TDP
EXPEDITOR: -------
SUPERVISOR: -------
PRELIMINARY NO: P24253
CONTRACT NO: -------
DATE: 10.15.2024
SHEET: C1.0



2751 UNIVERSAL ST NOTICE MAP

N

1 in = 0.08 mi

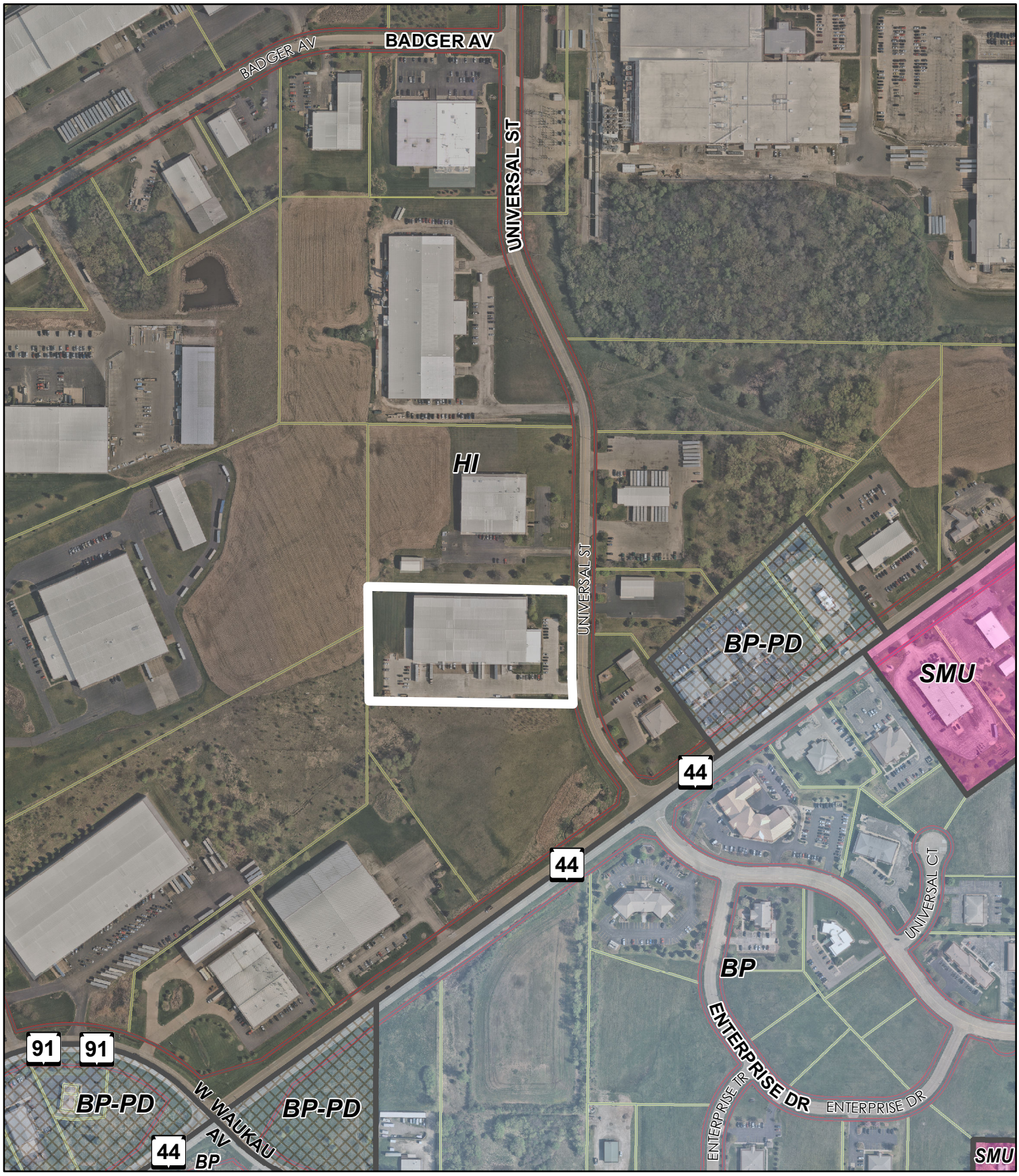
1 in = 400 ft

Printing Date: 8/11/2025

Prepared by: City of Oshkosh, WI

City of Oshkosh

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2751 UNIVERSAL ST
ZONING & AERIAL MAP

N

1 in = 0.08 mi
1 in = 400 ft

Printing Date: 8/11/2025

Prepared by: City of Oshkosh, WI

City of Oshkosh

City of Oshkosh maps and data are intended to be used for general identification purposes only, and the City of Oshkosh assumes no liability for the accuracy of the information. Those using the information are responsible for verifying accuracy. For full disclaimer please go to www.ci.oshkosh.wi.us/GISdisclaimer

TO:	Honorable Mayor and Members of the Common Council
FROM:	Tim Heiman, Fire Chief
DATE:	September 23, 2025
SUBJECT:	Ord 25-503 Amend Chapter 13 of the City of Oshkosh Municipal Code Pertaining to Fire Prevention and Protection to Adopt Updated Provisions from the International Fire Code and Clarify Provisions Pertaining to Responsibility for Compliance and Fireworks

BACKGROUND

The State of Wisconsin allows municipalities to adopt by ordinance a model fire code and additional requirements that are equivalent to the National Fire Protection Association (NFPA) Fire code. The City of Oshkosh has previously adopted the provisions of the International Fire Code (IFC) 2015.

ANALYSIS

The proposed ordinance will update the version of the IFC for use within the city for the use, operation, and maintenance of public buildings and places of employment from the currently used 2015 to the 2021 version. The International Fire Code is developed by the International Code Council and integrates with the building codes, including the International Building Code, which is also adopted by State law in Wisconsin, as well as addressing fire prevention and protection issues. The IFC addresses minimum fire safety requirements for new and existing buildings and facilities, and establishes safe storage requirements and processes for various hazards and materials.

As staff reviewed the ordinance for updating, it was also noted that there was not a clear statement of precedence of which codes would apply in the existing ordinance, so language was added to Section 13-6 to clarify that the intention of the code is that the provisions of the IFC shall apply, with state statutes and administrative codes applying only in those circumstances specifically noted within the code or to which the IFC does not apply.

Language was also added in new section 13-2.2 clarifying who is responsible for compliance with the fire code. In most instances, the owner of a property will be responsible for code compliance; however the section does allow an enforcement official to exercise discretion and issue a correction notice or citation to another party if the enforcement official determines that person is responsible for the condition or violation.

Language was added to clarify the priority of city ordinance provisions in relation to smoke detectors and carbon monoxide detector regulations.

Finally, staff recommends revisions to the regulations for fireworks and fireworks displays to clarify current provisions, adopt the provisions of the IFC pertaining to safety practices pertaining to fireworks and to clarify permit requirements for fireworks displays. These proposed amendments do not change any current practices pertaining to fireworks regulations, inspections, or display permits but provide greater clarity to those provisions.

FISCAL IMPACT

There is no fiscal impact to the proposed amendment.

RECOMMENDATION

It is recommended that the Council approve the proposed ordinance.

Attachments

Ord 25-503
Fire Code updates - clean version
Fire Code updates - redline

09/23/2025 SECOND READING	25-503	ORDINANCE
9/9/2025 FIRST READING	25-479	ORDINANCE
CARRIED	7-0	

PURPOSE: AMEND CHAPTER 13 OF THE CITY OF OSHKOSH MUNICIPAL CODE PERTAINING TO FIRE PREVENTION AND PROTECTION TO ADOPT UPDATED PROVISIONS FROM THE INTERNATIONAL FIRE CODE AND CLARIFY PROVISIONS PERTAINING TO RESPONSIBILITY FOR COMPLIANCE AND FIREWORKS

INITIATED BY: FIRE DEPARTMENT

A GENERAL ORDINANCE OF THE CITY OF OSHKOSH CREATING SECTION 13-2.2 PERTAINING TO RESPONSIBILITY FOR CODE COMPLIANCE AND AMENDING SECTION 13-6 ADOPTION OF FIRE PREVENTION CODES TO ADOPT UPDATED PROVISIONS FROM THE INTERNATIONAL FIRE CODE AND CLARIFY PROVISIONS PERTAINING TO RESPONSIBILITY FOR COMPLIANCE AND FIREWORKS

WHEREAS, State law allows permits municipalities to adopt by ordinance a model fire code and additional requirements that are equivalent to the National Fire Protection Association (NFPA) Fire code; and

WHEREAS, the City has previously adopted the provisions of the International Fire Code (IFC) 2015; and

WHEREAS, the Fire Marshal has reviewed and recommends the adoption of IFC 2021 and the clarification of current ordinance provisions pertaining to responsibility for code compliance and fireworks regulations.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Oshkosh as follows:

SECTION 1. That Section 13-2.2 of the City of Oshkosh Municipal Code pertaining to Responsibility for Code Compliance is hereby created to read as shown on the attachment to this Ordinance.

SECTION 2. That Section 13-6 of the City of Oshkosh Municipal Code pertaining to Adoption of Fire Prevention Codes is hereby repealed and recreated to read as shown on the attachment to this Ordinance.

SECTION 3. This ordinance shall be in full force and effect from and after its passage and publication.

SECTION 4. Publication Notice. Please take notice that the City of Oshkosh enacted ordinance 25-503 AMEND CHAPTER 13 OF THE CITY OF OSHKOSH MUNICIPAL CODE PERTAINING TO FIRE PREVENTION AND PROTECTION TO ADOPT UPDATED PROVISIONS FROM THE INTERNATIONAL FIRE CODE AND CLARIFY PROVISIONS PERTAINING TO RESPONSIBILITY FOR COMPLIANCE AND FIREWORKS (A GENERAL ORDINANCE OF THE CITY OF OSHKOSH CREATING SECTION 13-2.2 PERTAINING TO RESPONSIBILITY FOR CODE COMPLIANCE AND AMENDING SECTION 13-6 ADOPTION OF FIRE PREVENTION CODES TO ADOPT UPDATED PROVISIONS FROM THE INTERNATIONAL FIRE CODE AND CLARIFY PROVISIONS PERTAINING TO RESPONSIBILITY FOR COMPLIANCE AND FIREWORKS) ON September 23, 2025. This ordinance adopts updated provisions from IFC 2021, clarifies current ordinance provisions pertaining to responsibility for code compliance, clarifies provisions applicable to smoke detectors and carbon monoxide detectors, and clarifies fireworks regulations including responsibility for issuance of permits and requirements for fireworks permits.

The full text of the ordinance may be obtained at the Office of the City Clerk, 215 Church Avenue and through the City's website at www.oshkoshwi.gov. Clerk's phone: 920/236-5011.

CHAPTER 13

SECTION 13-2.2 RESPONSIBILITY FOR CODE COMPLIANCE

Except as specifically noted in this code or within a correction notice or citation issued hereunder, compliance with the provisions of this code and correction and abatement of violations of this code shall be the responsibility of the owner. The owner may authorize an agent to act on their behalf however, the responsibility for compliance shall remain with the owner.

This section shall not prevent an enforcement official, in their discretion, from making a determination that the owner's authorized agent, operator, occupant or other person is responsible for the condition or violation and issuing a correction notice or citation to that person who the enforcement official determines is responsible.

SECTION 13-6 ADOPTION OF FIRE PREVENTION CODES

The City relies upon and adopts various national codes, the Wisconsin Statutes and Wisconsin Administrative Code Sections in relation to fire prevention and to the use, operation, and maintenance of public buildings and places of employment within the City of Oshkosh. Except as specifically provided by city ordinance, the provisions below shall be applied by priority as listed. It is the intention of this Section that the provisions of the International Fire Code shall be applied in any circumstance regulated under the provisions of that code as adopted below.

(A) 2021 International Fire Code: Pursuant to Wis. Admin. Code SPS 314.001(2), the City of Oshkosh hereby adopts the following provisions of the 2021 International Fire Code (2021 IFC) for the use, operation, and maintenance of public buildings and places of employment within the City of Oshkosh, which are incorporated as part of this Chapter and shall be enforced with the same force and effect as though set forth in full herein.

Chapter 1	Scope and Administration, Sections: Section 101: Scope and General Requirements Section 102: Applicability Section 104: Duties and Power of the Fire Code Official Section 108: inspections Section 109: Maintenance Section 110: Service Utilities Section 113: Stop Work Order Section 114: Unsafe Structures or Equipment
Chapter 2	Definitions
Chapter 3	General Requirements, with the exception of Section 307 Open Burning, Recreational Fires and Portable Outdoor Fireplaces which are regulated under Section 13-7 of this Municipal Code

Chapter 4	Emergency Planning and Preparedness
Chapter 5	Fire Service Features
Chapter 6	Building Services and Systems
Chapter 7	Fire and Smoke Protection Features
Chapter 8	Interior Finish, Decorative Materials and Furnishings
Chapter 9	Fire Protection and Life Safety Systems, except those provisions pertaining to smoke detectors and carbon monoxide detectors as described in subsection (D) below
Chapter 10	Means of Egress
Chapter 11	Construction Requirements for Existing Buildings
Chapter 12	Energy Systems
Chapter 20	Aviation Facilities
Chapter 21	Dry Cleaning
Chapter 22	Combustible Dust-Producing Operations
Chapter 23	Motor Fuel-Dispensing Facilities and Repair Garages
Chapter 24	Flammable Finishes
Chapter 25	Fruit and Crop Ripening
Chapter 26	Fumigation and Insecticidal Fogging
Chapter 27	Semiconductor Fabrication Facilities
Chapter 28	Lumber Yards and Agro-Industrial, Solid Biomass and Woodworking Facilities
Chapter 29	Manufacture of Organic Coatings
Chapter 30	Industrial Ovens
Chapter 31	Tents, Temporary Special Event Structures and Other Membrane Structures
Chapter 32	High-Piled Combustible Storage
Chapter 33	Fire Safety During Construction and Demolition
Chapter 34	Tire Rebuilding and Tire Storage
Chapter 35	Welding and Other Hot Work
Chapter 36	Marinas
Chapter 37	Combustible Fibers
Chapter 38	Higher Education Laboratories
Chapter 39	Processing and Extraction Facilities
Chapter 40	Storage of Distilled Spirits and Wines
Chapter 50	Hazardous Materials – General Provisions
Chapter 51	Aerosols
Chapter 53	Compressed Gases
Chapter 54	Corrosive Materials
Chapter 55	Cryogenic Fluids
Chapter 56	Explosives and Fireworks, regulation of Fireworks shall also be subject to Subsection (C) below
Chapter 57	Flammable and Combustible Liquids
Chapter 58	Flammable Gases and Flammable Cryogenic Fluids
Chapter 59	Flammable Solids
Chapter 60	Highly Toxic and Toxic Materials

Chapter 61	Liquified Petroleum Gases
Chapter 62	Organic Peroxides
Chapter 63	Oxidizers, Oxidizing Gases and Oxidizing Cryogenic Fluids
Chapter 64	Pyrophoric Materials
Chapter 65	Pyroxylin (Cellulose Nitrate) Plastics
Chapter 66	Unstable (Reactive) Materials
Chapter 67	Water- Reactive Solids and Liquids
Appendix B	Fire-Flow Requirements for Buildings
Appendix C	Fire Hydrant Locations and Distribution
Appendix D	Fire Apparatus Access Roads
Appendix F	Hazard Ranking
Appendix I	Fire Protection Systems – Noncompliant Conditions
Appendix N	Indoor Trade Shows and Exhibitions

The Geographic limits referred to in certain sections of the International Fire Code are hereby established as follows:

Section 5501.0 The storage of flammable cryogenic fluids in stationary containers is prohibited on properties zoned residential or within one thousand (1,000) feet of a property line of property zoned residential unless allowed by the Fire Chief or his/her designee.

Section 5704.2.9.6.1 The storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited on properties zoned residential or within one thousand (1,000) feet of a property line of property zoned residential unless allowed by the Fire Chief or his/her designee.

Section 5706.2.4.4 The storage of Class I and Class II liquids in above-ground tanks is prohibited on properties zoned residential or within one thousand (1,000) feet of a property line of property zoned residential unless allowed by the Fire Chief or his/her designee.

(B) Wisconsin Administrative Codes: The following Wisconsin Administrative Code Sections, together with any future additions, deletions or supplements thereto, are herewith incorporated as part of this Chapter and subject to (A) above, shall be enforced with the same force and effect as though set forth in full herein.

Fire Prevention Code, SPS 314, Wis. Admin. Code. For any fire prevention issue not addressed by the 2021 IFC or the City of Oshkosh ordinances, the provisions of the National Fire Protection Association Standards, as adopted and modified by SPS 314, shall apply.

(C) Fireworks and Fireworks Displays. Section 167.10 and 167.10(3)(a) of the Wisconsin Statutes pertaining to Regulation of Fireworks, together with any future additions, deletions or

supplements thereto, are herewith incorporated as part of this Chapter and shall be enforced with the same force and effect as though set forth in full herein.

(1) No person may sell, possess or use fireworks, as that term is defined by Section 167.10(1) of the Wisconsin Statutes as may be amended from time to time, within the City; except by appropriate permit issued by the Fire Marshal.

The permit application shall include:

the name and address of the permit holder;
the date on which the fireworks will be used and shall include any dates fireworks may be stored in the City prior to use and any "rain dates";
the kind and quantity of fireworks to be used;
the time, route and means by which fireworks will be transported within the City;
the location at which any fireworks will be stored; and
the location of display.

The Permit shall contain a requirement for provision of a policy of liability insurance which shall include the city, its elected officials and employees as additional insureds and such other conditions as the Fire Marshal may determine are reasonable and necessary for the protection of the public health, safety and welfare.

A permit holder shall comply with all requirements of this code, state statutes, the provisions of the International Fire Code pertaining to Fireworks adopted hereunder and any conditions of permit issuance. Failure to comply with any of these requirements shall be considered a violation of this section.

(D) Smoke Detectors and Carbon Monoxide Detectors. The regulations applicable to Smoke Detectors and Carbon Monoxide Detectors are set forth in Sections 13-11 and 16-33 of this Municipal Code, Sections 101.145 and 101.149 of the Wisconsin Statutes and Wisconsin Administrative Code Section SPS 328 and the City hereby adopts those provisions of the State Statutes and Administrative Code together with any future additions, deletions or supplements thereto, are herewith incorporated as part of this Chapter and shall be enforced with the same force and effect as though set forth in full herein.

CHAPTER 13

SECTION 13-2.2 RESPONSIBILITY FOR CODE COMPLIANCE

Except as specifically noted in this code or within a correction notice or citation issued hereunder, compliance with the provisions of this code and correction and abatement of violations of this code shall be the responsibility of the owner. The owner may authorize an agent to act on their behalf however, the responsibility for compliance shall remain with the owner.

This section shall not prevent an enforcement official, in their discretion, from making a determination that the owner's authorized agent, operator, occupant or other person is responsible for the condition or violation and issuing a correction notice or citation to that person who the enforcement official determines is responsible.

SECTION 13-6 ADOPTION OF FIRE PREVENTION CODES

~~(A) This Chapter adopts the State of Wisconsin, Division of Safety and Professional Services Administrative Codes (DSPS), the Wisconsin Enrolled Building Code, the National Fire Protection Association (NFPA) incorporated standards and the International Fire Code 2015 (IFC) shall be adopted in place of DSPS Chapter 314, Subchapter I, Section 314.001(2).~~

The City relies upon and adopts various national codes, the Wisconsin Statutes and Wisconsin Administrative Code Sections in relation to fire prevention and to the use, operation, and maintenance of public buildings and places of employment within the City of Oshkosh. Except as specifically provided by city ordinance, the provisions below shall be applied by priority as listed. It is the intention of this Section that the provisions of the International Fire Code shall be applied in any circumstance regulated under the provisions of that code as adopted below.

(A) ~~(B~~A) ~~—~~2021 International Fire Code: Pursuant to Wis. Admin. Code SPS 314.001(2), the City of Oshkosh hereby adopts the following provisions of the 2021 International Fire Code (2021 IFC) for the use, operation, and maintenance of public buildings and places of employment within the City of Oshkosh, which ~~The following rules and regulations together with any future additions, deletions or supplements thereto,~~ are ~~herewith~~ incorporated as part of this Chapter and shall be enforced with the same force and effect as though set forth in full herein. ~~Providing, however, that where such rules and regulations are less stringent than other provisions found in this Code, the provisions of this Code shall apply.~~

~~(a) International Fire Code (IFC) 2015 C~~Chapter 1~~,~~ Scope and Administration, Sections:

Section 101: ~~SCOPE AND GENERAL REQUIREMENTS~~Scope and General Requirements
Section 102: ~~APPLICABILITY~~Applicability
Section 104: ~~GENERAL AUTHORITY AND RESPONSIBILITIES~~Duties and Power of the Fire Code Official
Section ~~106~~108: ~~INSPECTIONS~~inspections
Section ~~107~~109: ~~MAINTENANCE~~Maintenance
Section 110: ~~UNSAFE BUILDINGS~~Service Utilities
Section ~~111~~113: ~~STOP WORK ORDER~~Stop Work Order
Section ~~112~~114: ~~SERVICE UTILITIES~~Unsafe Structures or Equipment

~~(b) International Fire Code (IFC) 2015~~ Chapter~~s~~ 2~~-67~~ Definitions
Chapter 3 General Requirements, with the exception of Section 307 Open Burning, Recreational Fires and Portable Outdoor Fireplaces which are regulated under Section 13-7 of this Municipal Code

Chapter 4 Emergency Planning and Preparedness
Chapter 5 Fire Service Features
Chapter 6 Building Services and Systems
Chapter 7 Fire and Smoke Protection Features
Chapter 8 Interior Finish, Decorative Materials and Furnishings
Chapter 9 Fire Protection and Life Safety Systems, except those provisions pertaining to smoke detectors and carbon monoxide detectors as described in subsection (D) below
Chapter 10 Means of Egress
Chapter 11 Construction Requirements for Existing Buildings
Chapter 12 Energy Systems
Chapter 20 Aviation Facilities
Chapter 21 Dry Cleaning
Chapter 22 Combustible Dust-Producing Operations
Chapter 23 Motor Fuel-Dispensing Facilities and Repair Garages
Chapter 24 Flammable Finishes
Chapter 25 Fruit and Crop Ripening
Chapter 26 Fumigation and Insecticidal Fogging
Chapter 27 Semiconductor Fabrication Facilities
Chapter 28 Lumber Yards and Agro-Industrial, Solid Biomass and Woodworking Facilities
Chapter 29 Manufacture of Organic Coatings
Chapter 30 Industrial Ovens
Chapter 31 Tents, Temporary Special Event Structures and Other Membrane Structures
Chapter 32 High-Piled Combustible Storage

Chapter 33 Fire Safety During Construction and Demolition
Chapter 34 Tire Rebuilding and Tire Storage
Chapter 35 Welding and Other Hot Work
Chapter 36 Marinas
Chapter 37 Combustible Fibers
Chapter 38 Higher Education Laboratories
Chapter 39 Processing and Extraction Facilities
Chapter 40 Storage of Distilled Spirits and Wines
Chapter 50 Hazardous Materials – General Provisions
Chapter 51 Aerosols
Chapter 53 Compressed Gases
Chapter 54 Corrosive Materials
Chapter 55 Cryogenic Fluids
Chapter 56 Explosives and Fireworks, regulation of Fireworks shall also be subject to Subsection (C) below
Chapter 57 Flammable and Combustible Liquids
Chapter 58 Flammable Gases and Flammable Cryogenic Fluids
Chapter 59 Flammable Solids
Chapter 60 Highly Toxic and Toxic Materials
Chapter 61 Liquified Petroleum Gases
Chapter 62 Organic Peroxides
Chapter 63 Oxidizers, Oxidizing Gases and Oxidizing Cryogenic Fluids
Chapter 64 Pyrophoric Materials
Chapter 65 Pyroxylin (Cellulose Nitrate) Plastics
Chapter 66 Unstable (Reactive) Materials
Chapter 67 Water- Reactive Solids and Liquids
Appendix B Fire-Flow Requirements for Buildings
Appendix C Fire Hydrant Locations and Distribution
Appendix D Fire Apparatus Access Roads
Appendix F Hazard Ranking
Appendix I Fire Protection Systems – Noncompliant Conditions
Appendix N Indoor Trade Shows and Exhibitions

~~(c) International Fire Code (IFC) 2015 – Appendix B, C, & D~~

~~(d)~~ The Geographic limits referred to in certain sections of the ~~2015~~ International Fire Code are hereby established as follows:

Section 5501.0 The storage of flammable cryogenic fluids in stationary containers is prohibited on properties zoned residential or within one thousand (1,000) feet of a property line of property zoned residential unless allowed by the Fire Chief or his/her designee.

Section 5704.2.9.6.1 The storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited on properties zoned residential or within one thousand (1,000) feet of a property line of property zoned residential unless allowed by the Fire Chief or his/her designee.

Section 5706.2.4.4 The storage of Class I and Class II liquids in above-ground tanks is prohibited on properties zoned residential or within one thousand (1,000) feet of a property line of property zoned residential unless allowed by the Fire Chief or his/her designee.

(B) ~~(2)(B)~~ Wisconsin Administrative Codes: The following Wisconsin Administrative Code Sections, together with any future additions, deletions or supplements thereto, are herewith incorporated as part of this Chapter and subject to (A) above, shall be enforced with the same force and effect as though set forth in full herein.

~~Flammable and Combustible Liquids Code, ATCP 93, Wis. Admin. Code~~
Fire Prevention Code, SPS 314, Wis. Admin. Code. For any fire prevention issue not addressed by the 2021 IFC or the City of Oshkosh ordinances, the provisions of the National Fire Protection Association Standards, as adopted and modified by SPS 314, shall apply.
~~Smoke Detectors and Carbon Monoxide Detectors, SPS 328~~

~~(3) Wisconsin Administrative Codes~~
~~Flammable and Combustible Liquids Code, ATCP 93, Wis. Admin. Code~~
~~Fire Prevention Code, SPS 314, Wis. Admin. Code~~
~~Smoke Detectors and Carbon Monoxide Detectors, SPS 328~~

~~(B)~~(C) ~~(C)~~ Fireworks and Fireworks Displays. Section 167.10 and 167.10(3)(a) of the Wisconsin Statutes pertaining to Regulation of Fireworks, together with any future additions, deletions or supplements thereto, are herewith incorporated as part of this Chapter and shall be enforced with the same force and effect as though set forth in full herein. ~~Providing, however, that where such rules and regulations are less stringent than other provisions found in this Code, the provisions of this Code shall apply.~~

(1) ~~(1) Notwithstanding any provision of this Code to the contrary, n~~No person may sell, possess or use fireworks, as that term is defined by Section 167.10(1) of the Wisconsin Statutes as may be amended from time to time, within the City; except ~~that the use of fireworks may be allowed~~ by appropriate permit issued by the ~~fire~~ Fire Marshal~~hief~~.

The permit application shall include:
the name and address of the permit holder;

the date on which the fireworks will be used and shall include any dates fireworks may be stored in the City prior to use and any "rain dates";
the kind and quantity of fireworks to be used;
the time, route and means by which fireworks will be transported within the City;
the location at which any fireworks will be stored; and
the location of display.

The Permit shall contain a requirement for provision of a policy of liability insurance which shall include the city, its elected officials and employees as additional insureds and such other conditions as the Fire Marshal may determine are reasonable and necessary for the protection of the public health, safety and welfare.

A permit holder shall comply with all requirements of this code, state statutes, the provisions of the International Fire Code pertaining to Fireworks adopted hereunder and any conditions of permit issuance. Failure to comply with any of these requirements shall be considered a violation of this section.

~~(D) International Fire Code (IFC) 2015 Chapter 3, Section 307 *Open Burning, Recreational Fires and Portable Outdoor Fireplaces* is hereby adopted~~

(D) Smoke Detectors and Carbon Monoxide Detectors. The regulations applicable to Smoke Detectors and Carbon Monoxide Detectors are set forth in Sections 13-11 and 16-33 of this Municipal Code, Sections 101.145 and 101.149 of the Wisconsin Statutes and Wisconsin Administrative Code Section SPS 328 and the City hereby adopts those provisions of the State Statutes and Administrative Code together with any future additions, deletions or supplements thereto, are herewith incorporated as part of this Chapter and shall be enforced with the same force and effect as though set forth in full herein.

TO:	Honorable Mayor and Members of the Common Council
FROM:	Jim Collins, Director of Transportation
DATE:	September 23, 2025
SUBJECT:	*Ord 25-504 Designate 20th Avenue and the east driveway of Traeger School as Traffic Controlled Intersection per Section 27A-7 of the Municipal Code

BACKGROUND

As part of the recently passed Oshkosh Area School District (OASD) referendum, OASD plans to address traffic concerns with the ingress and egress to the Carl Traeger School. OASD hired Tadi, Inc. to conduct a traffic impact analysis and make recommendations. A traffic controlled intersection is the recommednation.

ANALYSIS

The recommendation of the Traffic Impact Analysis is to add traffic-control signaling to the intersection of the east driveway to Traeger Schools and W. 20th Avenue. The study showed that this will greatly improve traffic operations in this area now and into the future.

BOARD/COMMISSION INFORMATION

The Transportation Committee recommended this option after a roll-call vote (5-0) at the 9/9/25 Transportation Committee meeting.

FISCAL IMPACT

The cost of this traffic signal installation and associated right of way work will be covered by the Oshkosh Area School District as part of their recently approved referendum.

RECOMMENDATION

Staff recommends approval.

Attachments

Ord 25-504
Traffic Impact Analysis_Traeger

09/23/2025 25-504 ORDINANCE
FIRST READING

PURPOSE: APPROVE INSTALLATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF 20TH AVE AND THE EXISTING EAST DRIVEWAY TO CARL TRAEGER SCHOOL

INITIATED BY: TRANSPORTATION DEPARTMENT AT THE REQUEST OF OSHKOSH AREA SCHOOL DISTRICT

TRANSPORTATION COMMITTEE - APPROVED

A GENERAL ORDINANCE OF THE CITY OF OSHKOSH AMENDING SECTION 27A-7 TRAFFIC SIGNAL CONTROLLED INTERSECTIONS DESIGNATED TO ADD A TRAFFIC SIGNAL CONTROLLED INTERSECTION AT THE INTERSECTION OF 20TH AVENUE AND THE EXISTING EAST DRIVEWAY ENTRANCE TO CARL TRAEGER SCHOOL

WHEREAS, the Oshkosh Area School District has conducted a traffic impact analysis and requests the addition of a traffic signal control at the intersection of 20th Avenue and the currently existing east driveway entrance to Carl Traeger School; and

WHEREAS, the Transportation Department recommends approval to add a traffic signal on 20th Avenue at the east driveway entrance to Carl Traeger School as requested.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Oshkosh as follows:

SECTION 1. That Section 27A-7 pertaining to traffic signal controlled intersections designated.

A-7 TRAFFIC SIGNAL CONTROLLED INTERSECTIONS DESIGNATED

Add Thereto: 20th Avenue and the east driveway entrance to Carl Traeger School

SECTION 2. This ordinance shall be in full force and effect from and after its Passage and publication and placement of the traffic signal.

SECTION 3. Publication Notice. Please take notice that the City of Oshkosh enacted ordinance #25-XXX on October 7, 2025 APPROVE INSTALLATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF 20TH AVE AND THE EXISTING EAST DRIVEWAY TO CARL TRAEGER SCHOOL (A GENERAL ORDINANCE OF THE CITY OF OSHKOSH AMENDING SECTION 27A-7 TRAFFIC SIGNAL CONTROLLED INTERSECTIONS DESIGNATED TO ADD A TRAFFIC SIGNAL CONTROLLED INTERSECTION AT THE INTERSECTION OF 20TH AVENUE AND THE EXISTING EAST DRIVEWAY ENTRANCE TO CARL TRAEGER SCHOOL). The ordinance approves the addition of a traffic signal at the intersection of 20th Avenue and the currently existing east driveway entrance to Carl Traeger School.

The full text of the ordinance may be obtained at the Office of the City Clerk, 215 Church Avenue and through the City's website at www.oshkoshwi.gov, Phone: 920/236-5011.

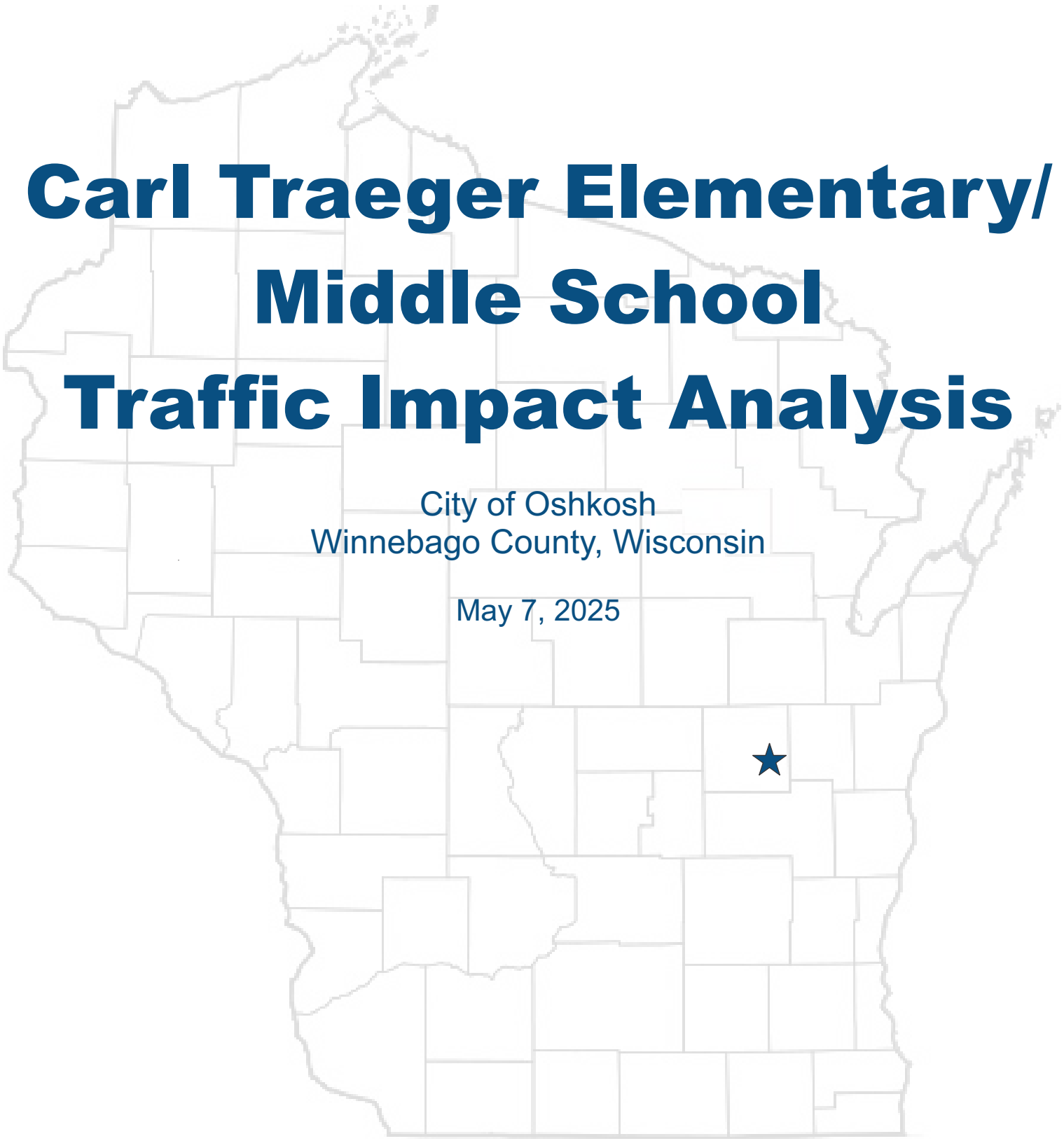
TRAFFIC ANALYSIS & DESIGN, INC.

P.O. Box 128
Cedarburg, WI 53012
800.605.3091
www.tadi-us.com

Carl Traeger Elementary/ Middle School Traffic Impact Analysis

City of Oshkosh
Winnebago County, Wisconsin

May 7, 2025



TRAFFIC IMPACT STUDY FOR:

CARL TRAEGER ELEMENTARY/MIDDLE SCHOOL DEVELOPMENT

CITY OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN

DATE SUBMITTED: May 7, 2025

PREPARED FOR:
Oshkosh Area School District
1404 S. Main Street
Oshkosh, WI 54902
Phone: (920) 424-0135
Contact Person: James Fochs, Director of Facilities

PREPARED BY:
TADI
PO Box 128
Cedarburg, WI 53012
Phone: (800) 605-3091
Contact Persons: Don Lee, P.E. (WisDOT TIA Certification # SE05-804-046)
John Bieberitz, P.E., PTOE (WisDOT TIA Certification # SE05-804-044)

"I certify that this Traffic Impact Analysis has been prepared by me or under my immediate supervision and that I have experience and training in the field of traffic and transportation engineering."

_____
Donald J. Lee, P.E.
Wisconsin Registration #35214-006
Traffic Analysis & Design, Inc.

Carl Traeger Elementary/Middle School
Traffic Impact Analysis
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LIST OF EXHIBITS ii

LIST OF APPENDICES iv

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CHAPTER I – INTRODUCTION & EXECUTIVE SUMMARY

PART A – PURPOSE OF REPORT AND STUDY OBJECTIVES

The Oshkosh Area School District is planning to upgrade the Carl Traeger Elementary/Middle School located at 3000 West 20th Avenue, on the southwest side of the City of Oshkosh, Winnebago County, Wisconsin. Modifications to the building as well as possible modifications to the access driveways are proposed as part of the expansion plans. As part of the proposed school expansion, the school district has requested a traffic impact analysis be conducted to determine the additional traffic expected to be generated by the proposed elementary/middle school, evaluation of the internal circulation, and to identify roadway modifications, if any, attributed to the school modifications for the opening year (2026) and horizon year (2036) traffic scenarios. Previously identified off-site developments adjacent to the proposed site are also considered.

This report documents the procedures, findings, and conclusions of the traffic impact analysis. The analysis identifies recommended modifications based on existing intersection geometrics, background traffic volumes, and additional traffic expected to be generated by known developments adjacent to the study area as well as the proposed school development within the limits of the study area.

PART B – EXECUTIVE SUMMARY

The executive summary includes a description of the study area, description of the on-site and off-site developments and conclusions based on the findings of the TIA.

B1. Location of Study Site with Respect to Area Roadway Network

The school expansion is proposed at the existing Carl Traeger Elementary/Middle School located at 3000 West 20th Avenue, in the City of Oshkosh, as shown in Exhibit 1-1. The study area for the proposed school expansion includes the following intersections:

- 20th Avenue & west school driveway (one-way stop control)
- 20th Avenue & existing east school driveway/private business driveway (two-way stop control)
- 20th Avenue & proposed east enter only school driveway (one-way stop control)
- 20th Avenue & Oakwood Road (traffic signal control)
- Sawyer Creek Drive/Wellington Drive with pedestrian crossing/walkway
- Fox Tail Lane with pedestrian crossing/walkway
- Woodstock Street with pedestrian crossing/walkway

B2. On-Site Development Description

A conceptual site plan for the proposed school expansion is shown on Exhibit 1-2A. Four new classrooms are proposed at the existing school. The school is bordered by 20th Avenue to the south, a nature preserve to the west and residential neighborhoods to the north and east. Commercial uses exist along 20th Avenue to the south and west. The school expansion is expected to accommodate the following student populations over the next several years:

Full Build

- Expected student population – 100 additional students

The proposed school modifications are expected to be completed by the beginning of the year 2026/2027 school year. For the purpose of this study, full build out was assumed in the Year 2026 Build and Year 2036 Build traffic scenarios.

B3. Off-Site Development Description

The following two off-site developments, as shown in Exhibit 1-1, were identified within the limits of the study area.

B3.1 Sawyer Creek Crossing Residential Development

A multi-family residential development has previously been proposed for a parcel of land located about ¼-mile west of the school, immediately north of the Oshkosh Community YMCA facility located at 3303 West 20th Avenue. Access to this site was assumed as a new driveway onto 20th Avenue. The land uses and densities assumed for this off-site development are as follows:

- *Multifamily Housing (Low-Rise/Not Close to Rail Transit)* – 208 units

For the purpose of this study, full buildout of this off -site development is expected to be included in the Year 2036 total traffic volumes.

B3.2 Southeast Residential Development

A potential multi-family residential development is planned for future construction on a parcel of land located about ¼-mile east of the school, in the southwest quadrant of the 20th Avenue intersection with Oakwood Road. Access to this site was assumed as a new driveway onto 20th Avenue. The land uses and densities assumed for this off-site development are as follows:

- *Multifamily Housing (Low-Rise/Not Close to Rail Transit)* – 160 units

For the purpose of this study, full buildout of this off-site development is expected to be included in the Year 2036 total traffic volumes.

B4. Site Generated Traffic

To address any potential future traffic impacts along study area roadways and at the intersections adjacent to the school, it is necessary to identify the hourly and daily volume of traffic generated by the school expansion. The traffic volumes expected to be generated for the expanded student population are based on the trip rates as published in the Institute of Transportation Engineer's (ITE) *Trip Generation Manual, 11th Edition*. Trip rates were calculated based on the peak hour of generator instead of the peak hour of adjacent street traffic to account for the worst-case school traffic conditions.

Under full build conditions, the proposed school expansion is expected to generate 165 additional new trips (90 entering/75 exiting) during a typical weekday morning arrival peak hour. During a typical weekday afternoon dismissal peak hour, the proposed school expansion is expected to generate 70 additional new trips (30 entering/40 exiting). On a typical weekday, the proposed school expansion is expected to generate approximately 220 additional new trips (110 entering/110 exiting) under full build conditions.

In addition, the traffic volumes expected to be generated by the identified off-site developments are based on the size and type of the proposed land uses and on fitted curve equations as published in the ITE *Trip Generation Manual, 11th Edition*. Due to the land use types assumed, no linked or pass-by trip reductions were included in the traffic assumptions.

Under future year build conditions, the proposed Sawyer Creek Crossing off-site development is expected to generate 85 new trips (20 entering/65 exiting) during a typical weekday morning peak hour. During a typical weekday afternoon peak hour, the proposed Sawyer Creek Crossing off-site development is expected to generate 110 new trips (70 entering/40 exiting). On a typical weekday, the proposed Sawyer Creek Crossing off-site development is expected to generate approximately 1,410 new trips (705 entering/705 exiting) under future year full build conditions.

Under future year build conditions, the potential southeast off-site development is expected to generate 70 new trips (15 entering/55 exiting) during a typical weekday morning peak hour. During a typical weekday afternoon peak hour, the potential southeast off-site development is expected to generate 90 new trips (55 entering/35 exiting). On a typical weekday, the potential southeast off-site development is expected to generate approximately 1,100 new trips (550 entering/550 exiting) under future year full build conditions.

B5. Proposed Access

As shown in Exhibit 1-2A, two full access driveways are proposed along the east side of the school onto 20th Avenue for parents and one existing full access driveway is proposed to remain along the west side of the school onto 20th Avenue to accommodate the teacher parking lot.

Since operational issues have been identified at the existing east driveway, two access scenarios were investigated as part of this study, noting that no changes are proposed for the existing west driveway. The east driveway access scenarios investigated are as follows:

> ***Scenario 1: One eastern access driveway*** - Under this scenario, the existing east access drive is proposed to operate as a single access driveway with the potential to add additional exiting turn lanes and an additional entrance lane at the current location and potentially add traffic signal control to the driveway intersection.
>
> ***Scenario 2: Two eastern access driveways*** - Under this scenario, the existing east access drive would be replaced by two access driveways, with the driveways operating under one-way operation. Specifically, the new eastern driveway would operate as a one-way entrance driveway and the new middle driveway would operate as a one-way exit driveway. The driveways would operate with two lanes each.

In addition to driveway access to the site, three pedestrian walkways are provided to the residential neighborhoods located immediately north and east of the school site. Walkway connections are provided along Sawyer Creek Drive/Wellington Drive, Fox Tail Lane, and Woodstock Street.

B6. Recommended Modifications

The study area intersections were analyzed based on the procedures set forth in the *Highway Capacity Manual* (HCM) 7th *Edition*. Intersection operation is defined by "level of service." Level of Service (LOS) is a quantitative measure that refers to the overall quality of flow at an intersection ranging from very good, represented by LOS 'A,' to very poor, represented by LOS 'F.' For the purpose of this study, LOS D or better was used to define acceptable peak hour operating conditions.

Modifications to address traffic impacts are shown in Exhibit 1-3 for the Year 2026 and Year 2036. Traffic conditions have been split into three categories:

- "26 Build Traffic" – These modifications are expected to be necessary to accommodate Year 2026 Build traffic volumes, which include only the proposed on-site school expansion.
- "36 Build Traffic" – These modifications are expected to be necessary to accommodate Year 2036 Build traffic volumes, which include ten years of general background growth as well as the proposed on-site school expansion.
- "36 Total Traffic" – These modifications are expected to be necessary to accommodate Year 2036 Total traffic volumes, which include the previously identified off-site

developments as well as ten years of general background growth and the proposed on-site school expansion.

The analysis was conducted using existing intersection geometrics and traffic control. The following modifications, as shown in Exhibit 1-3, are recommended to accommodate the Year 2026 and Year 2036 build and total traffic volumes, respectively. *Modifications are for jurisdictional consideration and are not legally binding. The City of Oshkosh reserves the right to determine alternative solutions.*

20th Avenue (General)

- *26 Build Traffic:*
  - Consider installation of a solar powered Rectangular Rapid Flashing Beacon (RRFB) at the existing crosswalk located immediately west of the west school driveway to enhance the safety at this location.
- *36 Build Traffic:* No additional modifications.
- *36 Total Traffic:* No additional modifications.

20th Avenue & West School Driveway

- *26 Build Traffic:* No modifications.
- *36 Build Traffic:* No modifications.
- *36 Total Traffic:* No modifications.

20th Avenue & East School Driveway (Scenario 1)

- *26 Build Traffic:*
  - Reconstruct the north approach to align with the private driveway located immediately west of the existing school driveway.
  - Construct a dedicated left-turn lane and a dedicated right-turn lane exiting the site (two exit lanes) and two inbound lanes on the new north approach.
  - Provide a dedicated westbound right-turn lane along 20th Avenue.
  - Provide a fully actuated traffic signal with eastbound protected/permitted left-turn phasing.
- *36 Build Traffic:* No additional modifications.
- *36 Total Traffic:* No additional modifications.

20th Avenue & New Exiting School Driveway (Scenario 2 - optional)

- *26 Build Traffic:*
  - Construct a new north approach with a dedicated left-turn lane and a dedicated right-turn lane.
  - Align the new driveway approach directly opposite the landscape company driveway located on the south side of 20th Avenue.
  - Provide stop sign control on the north approach.
  - Provide DO NOT ENTER signs facing 20th Avenue.

  - Provide a fully actuated traffic signal with eastbound protected/permitted left-turn phasing when traffic volume thresholds reach a level where signal warrants are met.

- *36 Build Traffic:* No additional modifications.
- *36 Total Traffic:* No additional modifications.

20th Avenue & New Entering School Driveway (Scenario 2 - optional)

- *26 Build Traffic:*
  - Construct a new north approach with two entering drive aisles into the site as shown on the site plan.
- *36 Build Traffic:* No additional modifications.
- *36 Total Traffic:* No additional modifications.

20th Avenue & Oakwood Road

- *26 Build Traffic:*
  - Consider modifying the lane assignments on the north and south approaches to provide a dedicated left-turn lane and a shared through/right-turn lane. The lanes are currently striped to provide a shared through/left-turn lane and a dedicated right-turn lane.
- *36 Build Traffic:* No additional modifications.
- *36 Total Traffic:* No additional modifications.

Higher than acceptable delays are currently being experienced for southbound motorists at the 20th Avenue intersection with Oakwood Road during the typical weekday morning peak period. These delays are expected to increase over the next ten years with expected background growth in the overall area, with or without the identified off-site developments. Modifications to the lane assignments are expected to allow the intersection to operate acceptably for all movements under the existing and expected future traffic volumes. However, it is noted that the recommended lane assignments on the north and south approaches; specifically, a dedicated left-turn lane and a shared through/right-turn lane, will occasionally require the higher volume right-turn movement vehicles to wait behind a through movement vehicle until the approach gets a green signal indication. Due to the shorter signal cycle length at the intersection, these delays are expected to be minimal and are expected to allow all movements at the intersection to operate within acceptable delay thresholds.

Two access scenarios were evaluated as part of this study, one with a single two-way east access driveway to the school (Scenario 1) and one with two one-way east access driveways to the school (Scenario 2). Scenario 2 is expected to allow the east driveway to operate acceptably under Year 2026 Build conditions without traffic signals. In order for the east driveway to operate acceptably under Year 2026 Build conditions under Scenario 1, traffic signals would also need to be installed. Even though Scenario 2 is expected to allow the east access driveway to operate acceptably under opening day conditions and until traffic signal warrants are met at some point in the future, it is recommended to implement Scenario 1 with installation of traffic signals now, based on the likelihood that traffic signals will be warranted in the near future and to provide a higher level of safety.

Based on the signal warrant analysis completed as part of this study, assuming similar background traffic growth along 20th Avenue as has occurred over the past 20 years, the peak hour traffic signal warrant is expected to be met under either Scenario in about five years without the known off-site developments moving forward. If the two identified developments move forward, the warrant is expected to be met immediately, once both are fully built out without any background growth. In addition, if only the Sawyer Creek Residential development moves forward, the warrant would be expected to be met in as little as two and half years with background growth. Therefore, since traffic signals are very likely to met in the next couple of years, installing traffic signals with the other recommended geometrics under the opening year build conditions is recommended.

Comparing both Scenario 1 and 2, Scenario 2 can operate acceptably without signals in the short-term, however, as traffic grows along 20th Avenue, signals would be warranted in the future. Since both Scenario 1 and 2 require signalization in the future, it is recommended to implement Scenario 1 with two lanes both inbound and outbound on the north approach with signalization to improve traffic operations and to provide a higher level of safety sooner rather than waiting for signals to be installed later.

It is noted that under Scenario 1, which includes modifications to the existing east access driveway including providing an additional entrance lane and an additional exit lane, the east driveway to the school is expected to provide for additional stacking distance within the site during the typical weekday afternoon discharge peak period, thereby helping to reduce the frequency of vehicles backing onto 20th Avenue while waiting in the queue for the afternoon school discharge bell.

It is also noted that based on the Year 2024 WisDOT crash modification factors, with installation of a traffic signal at the east driveway intersection, a 34 percent reduction in *right-angle* crashes and a 14 percent reduction in *all* crashes is expected. However, rear end crashes could increase by about 50 percent. Based on a review of the most recent crashes reported for the east driveway intersection, only two crashes occurred at the intersection over the most recent 5 years of available data and both crashes were reported as right-angle crashes with southbound left-turning vehicles exiting the driveway being hit by westbound vehicles.

B7. Conclusion

Except where noted in Chapter V, all movements at the study area intersections are expected to operate safely and efficiently with the development assumptions outlined in this TIA and with the identified recommended modifications if properly designed and implemented through the Year 2036.





LEGEND

- Study Area Intersection
- School Walkway Location
- Existing School Site Location
- Off-site Development Location

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EXHIBIT 1-1
PROJECT OVERVIEW MAP

OSHKOSH, WISCONSIN

SITE PLAN | CARL TREAGER ELEMENTARY/MIDDLE SCHOOL



SITE PLAN
Scale: 1" = 160'-0"

project 3580 // OSHKOSH AREA SCHOOL DISTRICT • 05/02/24 Scale: 1" = 160'-0"

BRAYARCHITECTS

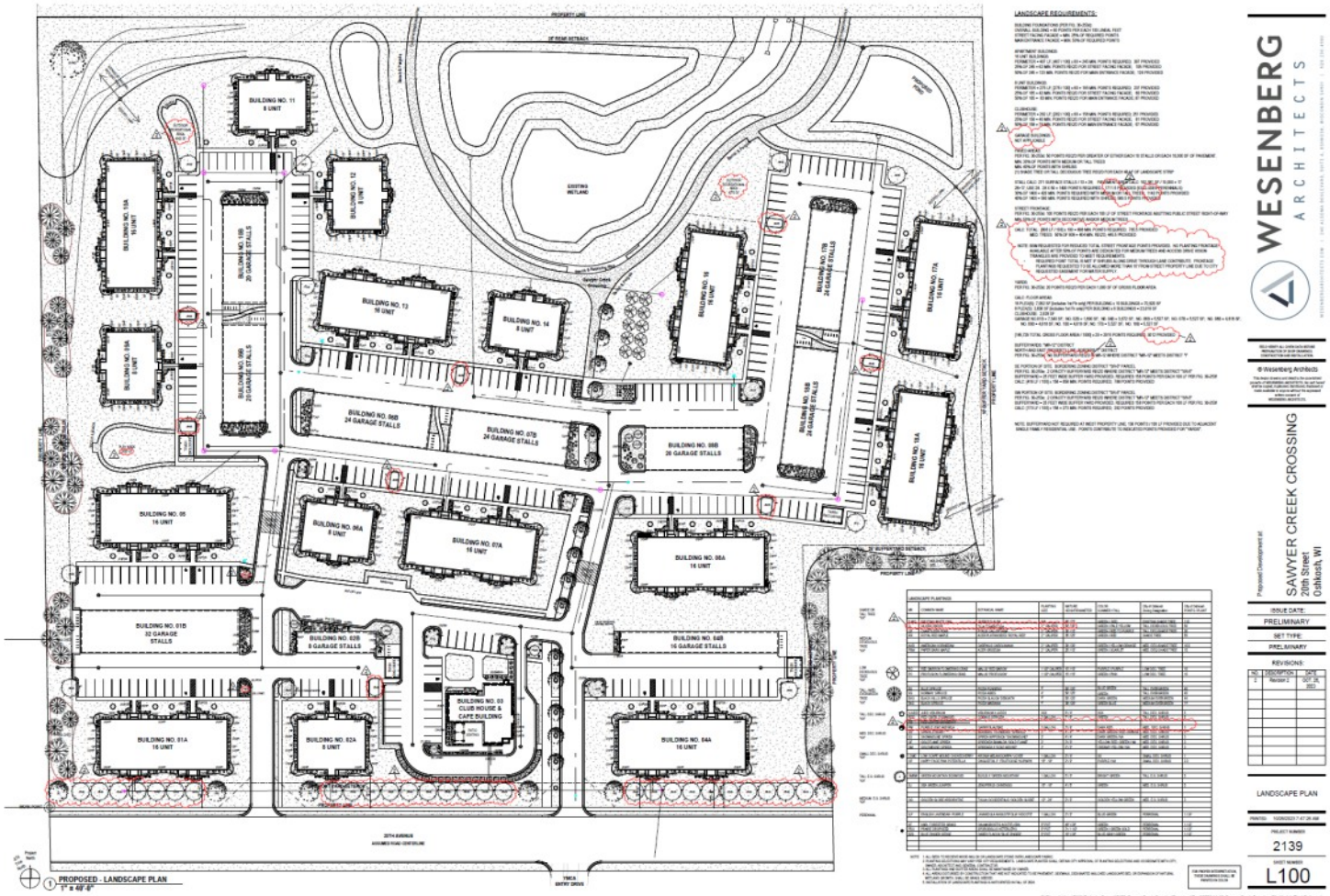
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EXHIBIT 1-2A
CONCEPTUAL SITE PLAN
TRAEGER SCHOOL

OSHKOSH, WISCONSIN



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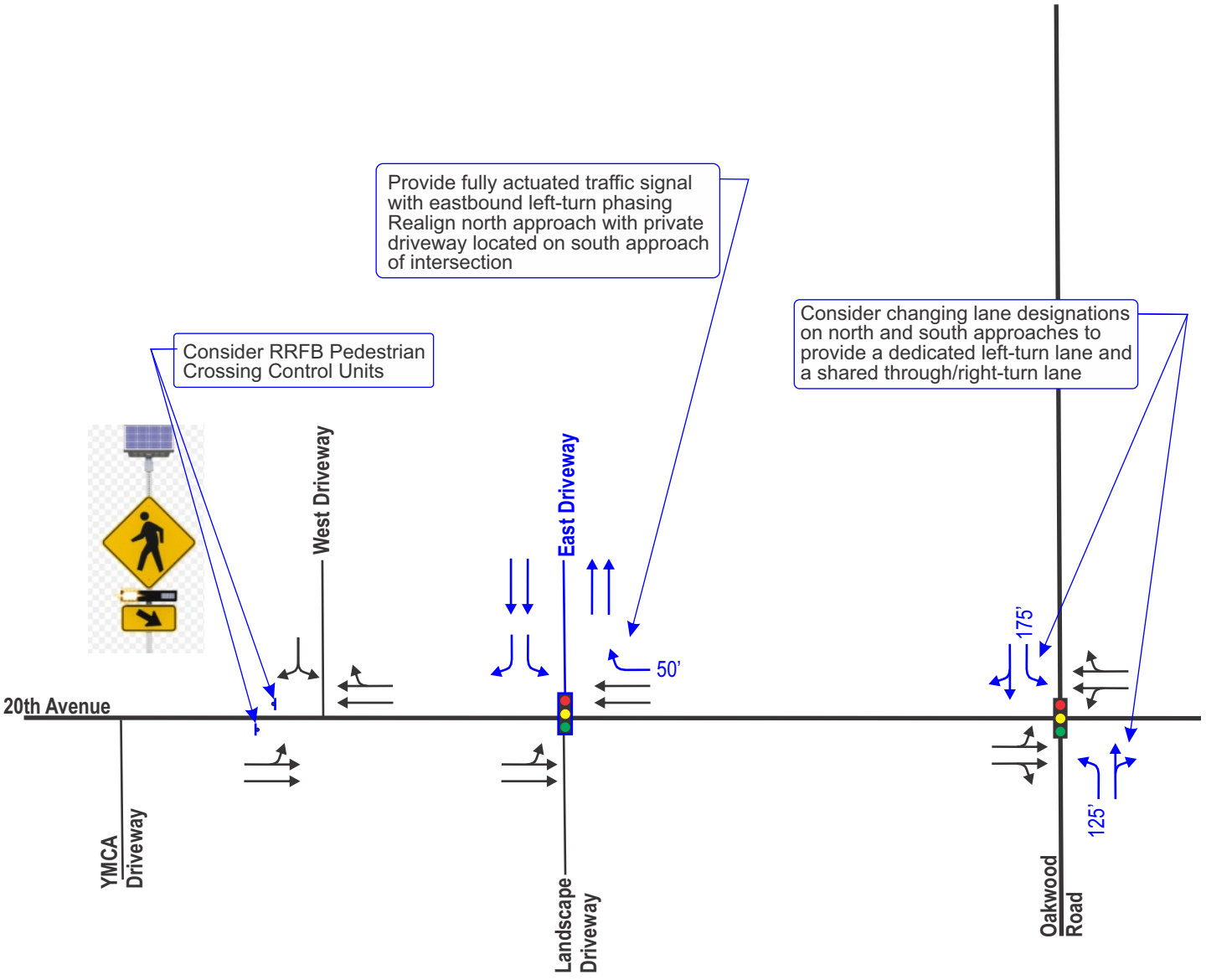
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EXHIBIT 1-2B
CONCEPTUAL SITE PLAN
OFF-SITE SAWYER CREEK CROSSING RESIDENTIAL

OSHKOSH, WISCONSIN

LEGEND

- Traffic Signal Control
- Stop Control
- XX' Storage Length (In Feet)
- Existing Lane Configuration
- **BLUE** Year 2026 Build Traffic Recommended Modifications
- **GREEN** Year 2036 Build Traffic Recommended Modifications



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N
NOT TO SCALE

EXHIBIT 1-3
RECOMMENDED MODIFICATIONS

OSHKOSH, WISCONSIN

CHAPTER II – PROPOSED DEVELOPMENT

PART A – ON-SITE DEVELOPMENT

A1. Development Description and Site Location

The Oshkosh Area School District is planning to upgrade the Carl Traeger Elementary/Middle School located at 3000 West 20th Avenue, on the southwest side of the City of Oshkosh, Winnebago County, Wisconsin. Modifications to the building as well as possible modifications to the access driveways are proposed as part of the expansion plans. A project overview map illustrating the location of the proposed development site is shown in Exhibit 2-1.

A2. Land Use and Intensity

The Carl Traeger Elementary/Middle School provides primary education for grades K-8 for about 870 students. The school is bordered by 20th Avenue to the south, a nature preserve to the west and residential neighborhoods to the north and east. Commercial uses exist along 20th Avenue to the south and west.

A3. Site Plan

A copy of the conceptual site plan for the school expansion is provided on Exhibit 2-2A. As shown, two full access driveways are proposed along the east side of the school onto 20th Avenue for parents and one existing full access driveway is proposed to remain along the west side of the school onto 20th Avenue to accommodate the teacher parking lot.

Since operational issues have been identified at the existing east driveway, two access scenarios were investigated as part of this study, noting that no changes are proposed for the existing west driveway. The east driveway access scenarios investigated are as follows:

> ***Scenario 1: One eastern access driveway*** - Under this scenario, the existing east access drive is proposed to operate as a single access driveway with the potential to add additional exiting turn lanes and an additional entrance lane at the current location and potentially add traffic signal control to the driveway intersection.
>
> ***Scenario 2: Two eastern access driveways*** - Under this scenario, the existing east access drive would be replaced by two access driveways, with the driveways operating under one-way operation. Specifically, the new eastern driveway would operate as a one-way entrance driveway and the new middle driveway would operate as a one-way exit driveway. The driveways would operate with two lanes each.

In addition to driveway access to the site, three pedestrian walkways are provided to the residential neighborhoods located immediately north and east of the school site. Walkway connections are provided along Sawyer Creek Drive/Wellington Drive, Fox Tail Lane, and Woodstock Street.

A4. Development Phasing

The school expansion is expected to accommodate the following student populations over the next several years:

> ***Full Build***
>
> - Expected student population – 100 additional students

The proposed school modifications are expected to be completed by the beginning of the year 2026/2027 school year. For the purpose of this study, full build out was assumed in the Year 2026 Build and Year 2036 Build traffic scenarios.

PART B – STUDY AREA

B1. Influence Area

Based on the type of proposed land uses and the location of the site in relation to 20th Avenue, the proposed school expansion is expected to draw from a local family population base. Therefore, the areas of significant influence include the Carl Traeger Elementary/Middle School boundary within the greater Oshkosh Area School District.

B2. Area of Significant Traffic Impact

The study area for the proposed school expansion includes the following intersections:

- 20th Avenue & west school driveway (one-way stop control)
- 20th Avenue & existing east school driveway/private business driveway (two-way stop control)
- 20th Avenue & proposed east enter only school driveway (one-way stop control)
- 20th Avenue & Oakwood Road (traffic signal control)
- Sawyer Creek Drive/Wellington Drive with pedestrian crossing/walkway
- Fox Tail Lane with pedestrian crossing/walkway
- Woodstock Street with pedestrian crossing/walkway

PART C – OFF-SITE LAND USE AND DEVELOPMENT

Two previously identified off-site developments, as shown in Exhibit 2-1, were identified.

C1. Sawyer Creek Crossing Residential Development

A multi-family residential development has previously been proposed for a parcel of land located about ¼-mile west of the school, immediately north of the Oshkosh Community YMCA facility located at 3303 West 20th Avenue. Access to this site was assumed as a new driveway onto 20th Avenue. A copy of the conceptual site plan for this offsite development is provided on Exhibit 2-2B. The land uses and densities assumed for this off-site development are as follows:

- *Multifamily Housing (Low-Rise/Not Close to Rail Transit)* – 208 units

For the purpose of this study, full buildout of this off -site development is expected to be included in the Year 2036 total traffic volumes.

C2. Southeast Residential Development

A potential multi-family residential development is planned for future construction on a parcel of land located about ¼-mile east of the school, in the southwest quadrant of the 20th Avenue intersection with Oakwood Road. Access to this site was assumed as a new driveway onto 20th Avenue. The land uses and densities assumed for this off-site development are as follows:

- *Multifamily Housing (Low-Rise/Not Close to Rail Transit)* – 160 units

For the purpose of this study, full buildout of this off-site development is expected to be included in the Year 2036 total traffic volumes.

PART D – SITE ACCESSIBILITY

D1. Study Area Roadways

The study area roadways are discussed below:

20th Avenue is a four-lane east/west undivided major collector to the west of Oakwood Road and minor arterial to the east. The posted speed limit on 20th Avenue is 30 miles per hour (mph) within the limits of the school site and changes to 35-mph immediately west of the school's west

driveway. School speed zone signage for 15-mph within the limits of the school site is also posted along the roadway. According to the Wisconsin Department of Transportation (WisDOT), the year 2023 annual average daily traffic (AADT) volumes on 20th Avenue were approximately 6,500 vehicles per day (vpd) east of Oakwood Road and 5,000-vpd (2016 count) to the west of Oakwood Road. Sidewalks are currently provided along the north side of 20th Avenue, throughout the project limits and along the south side of the street, from the Oshkosh Community YMCA driveway up to the 20th Avenue crosswalk located immediately west of the west school driveway.

Oakwood Road is a two-lane north/south undivided minor arterial to the north of 20th Avenue and a four-lane undivided minor arterial to the south. The posted speed limit on Oakwood Road is 30-mph within the limits of the study area. The Year 2023 WisDOT AADT volumes on Oakwood Road were approximately 2,900 vpd south of 20th Avenue and 5,200-vpd (2016 count) to the north. Sidewalks are currently provided along both sides of Oakwood Road to the north of 20th Avenue.

Sawyer Creek Drive is a two-lane east/west undivided local roadway with a posted speed limit of 25-mph within the limits of the study area. There are no AADT volumes currently available along Sawyer Creek Drive within the limits of the study area. Sidewalks are currently provided along both sides of the street within the limits of the study area.

Fox Tail Lane is a two-lane east/west undivided local roadway with a posted speed limit of 25-mph within the limits of the study area. There are no AADT volumes currently available along Fox Tail Lane within the limits of the study area. Sidewalks are currently provided along both sides of the street within the limits of the study area.

Woodstock Street is a two-lane north/south undivided local roadway with a posted speed limit of 25-mph within the limits of the study area. There are no AADT volumes currently available along Woodstock Street within the limits of the study area. Sidewalks are currently provided along both sides of the street within the limits of the study area.

D2. Alternative Modes of Transportation

As described above, pedestrian sidewalks currently exist along many of the roadways within the limits of the study area. On-street bicycle accommodations are also provided along Oakwood Road, to the north of 20th Avenue. No other on-street bicycle accommodations were identified.

About 15 school buses and one city bus provide service to the two schools during the weekday morning and weekday afternoon peak periods.





LEGEND

- Study Area Intersection
- School Walkway Location
- Existing School Site Location
- Off-site Development Location

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EXHIBIT 2-1
PROJECT OVERVIEW MAP

OSHKOSH, WISCONSIN

SITE PLAN | CARL TREAGER ELEMENTARY/MIDDLE SCHOOL



SITE PLAN
Scale: 1" = 160'-0"

project 3580 // OSHKOSH AREA SCHOOL DISTRICT • 05/02/24 Scale: 1" = 160'-0"

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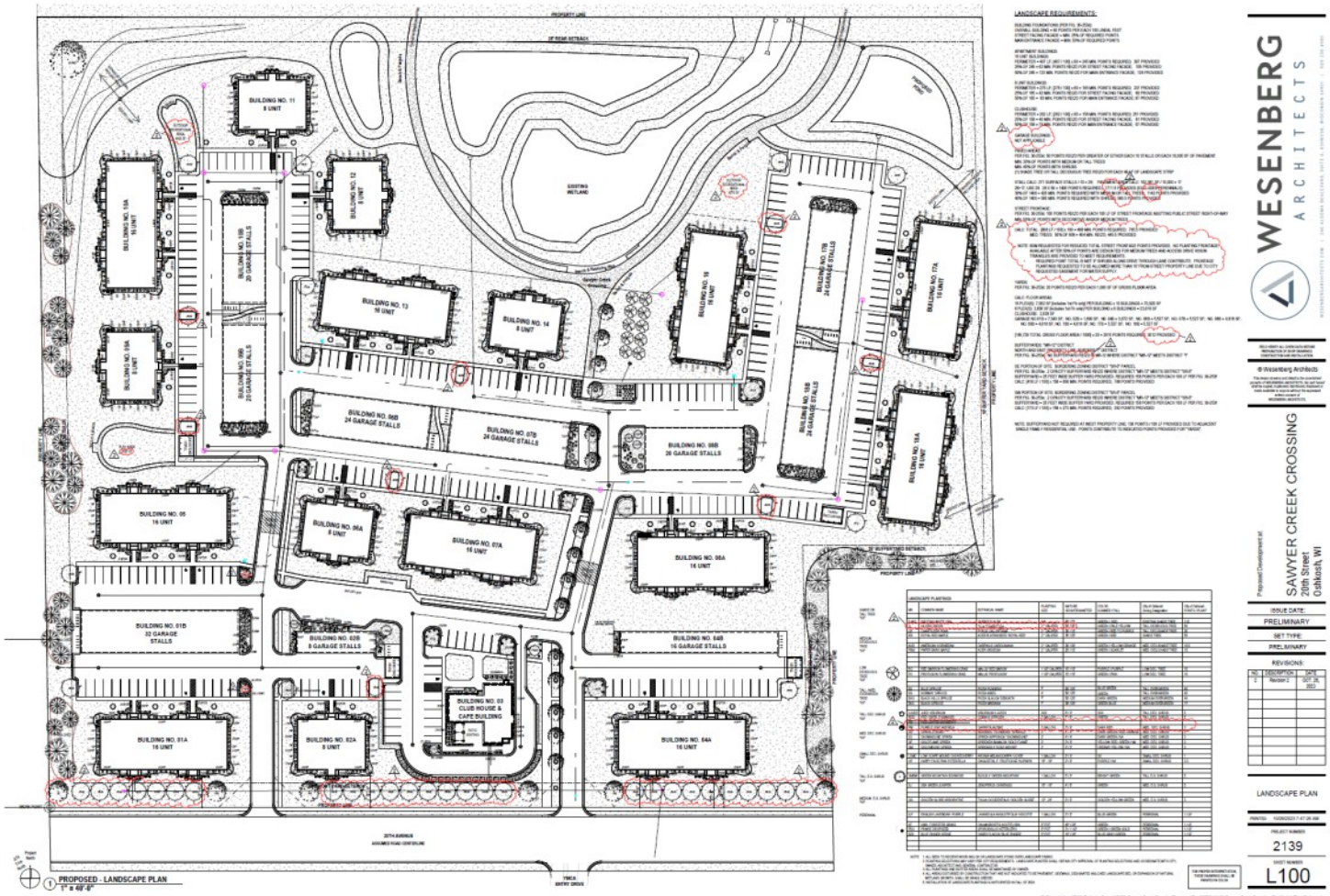
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EXHIBIT 2-2A
CONCEPTUAL SITE PLAN
TRAEGER SCHOOL

OSHKOSH, WISCONSIN



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EXHIBIT 2-2B
CONCEPTUAL SITE PLAN
OFF-SITE SAWYER CREEK CROSSING RESIDENTIAL

OSHKOSH, WISCONSIN

CHAPTER III – ANALYSIS OF EXISTING CONDITIONS

PART A – PHYSICAL CHARACTERISTICS

Exhibit 3-1 shows the existing transportation detail for the study area intersections. More specifically, the exhibit illustrates intersection lane configurations, intersection traffic controls, and posted speed limits.

PART B – TRAFFIC VOLUMES

The weekday morning and weekday afternoon peak hours are expected to drive the improvements needed to adequately accommodate the school expansion, as they represent the highest trip generation for the site and the highest volumes along the adjacent roadways. Therefore, weekday morning (7:00 to 8:30 am) and weekday evening (2:00 to 6:00 pm) turning movement traffic counts were collected by TADI at the existing study area intersections along 20th Avenue and at the three residential walking paths to the school during a typical weekday in late January of 2025. Weather reported on the two days of data collection was dry with highs between 40- and 48-degrees Fahrenheit.

Based on the turning movement counts and the expected school bell schedule, the weekday morning and weekday afternoon peak hours were identified as being 7:15 to 8:15 am and 2:45 to 3:45 pm; respectively. These peak hours coincide with the higher volume elementary school start and end times of 7:45 am and 2:45 pm, respectively. The existing peak hour traffic volumes at the study area intersections, balanced along the study area corridors, are shown in Exhibit 3-2. The traffic counts used to determine peak hour factors and truck percentages have been included in the appendix of this study.

PART C – CAPACITY LEVEL OF SERVICE

C1. Level of Service Definitions

The study area intersections were analyzed based on the procedures set forth in the *Highway Capacity Manual* (HCM) 7*th Edition*. Intersection operation is defined by "level of service." Level of service (LOS) is a quantitative measure that refers to the overall quality of flow at an intersection ranging from very good, represented by LOS 'A,' to very poor, represented by LOS 'F.' For the purpose of this study, LOS D was used to define acceptable peak hour operating conditions. Descriptions of the various levels of service are as follows:

> *LOS A* is the highest level of service that can be achieved. Under this condition, intersection approaches appear quite open, turning movements are easily made, and nearly all drivers find freedom of operation. At signalized and unsignalized intersections, average delays are less than 10 seconds.
>
> *LOS B* represents stable operation. At signalized intersections, average vehicle delays are 10 to 20 seconds. At unsignalized intersections, average delays are 10 to 15 seconds.
>
> *LOS C* still represents stable operation, but periodic backups of a few vehicles may develop behind turning vehicles. Most drivers begin to feel restricted, but not objectionably so. At signalized intersections, average vehicle delays are 20 to 35 seconds. At unsignalized intersections, average delays are 15 to 25 seconds.
>
> *LOS D* represents increasing traffic restrictions as the intersection approaches instability. Delays to approaching vehicles may be substantial during short peaks within the peak period, but periodic clearance of long lines occurs, thus preventing excessive backups. At signalized intersections, average vehicle delays are 35 to 55 seconds. At unsignalized intersections, average delays are 25 to 35 seconds.

LOS E represents the capacity of the intersection. At signalized intersections, average vehicle delays are 55 to 80 seconds. At unsignalized intersections, average delays are 35 to 50 seconds.

LOS F represents jammed conditions where the intersection is over capacity and acceptable gaps for unsignalized intersections in the mainline traffic flow are minimal. At signalized intersections, average vehicle delays exceed 80 seconds. At unsignalized intersections, average delays exceed 50 seconds.

C2. Year 2025 Existing Traffic Operations – No Modifications

Exhibit 3-3 shows the Year 2025 Existing traffic peak hour operating conditions at the study area intersections. The existing traffic analysis was conducted using the existing lane configurations shown in Exhibit 3-1, the Year 2025 Existing traffic volumes shown in Exhibit 3-2 and the existing traffic signal timings as shown in the appendix of this study.

As shown in Exhibit 3-3, all movements are currently operating acceptably at LOS D or better at the study area intersections under the Year 2025 Existing traffic volume conditions except for the following:

- The southbound movements at the 20th Avenue intersection with the east school driveway which are currently operating at LOS F during the weekday morning peak period.
- The southbound through/left-turn movements at the 20th Avenue intersection with Oakwood Road which are currently operating at LOS F during the weekday morning peak period.

Modifications to address these operations are discussed in *Chapters V and VI.*

PART D – SOURCES OF DATA

The following sources of data were obtained for use in conducting this traffic study:

- Turning movement traffic counts – TADI
- Historic WisDOT AADT information – WisDOT
- Existing transportation details – TADI along with Google Earth
- Existing traffic signal timings – City of Oshkosh
- Crash Data – WisDOT
- On-site development information – Oshkosh Area School District and Bray Architects
- Off-site development information – City of Oshkosh
- Transit information – Oshkosh Go Transit

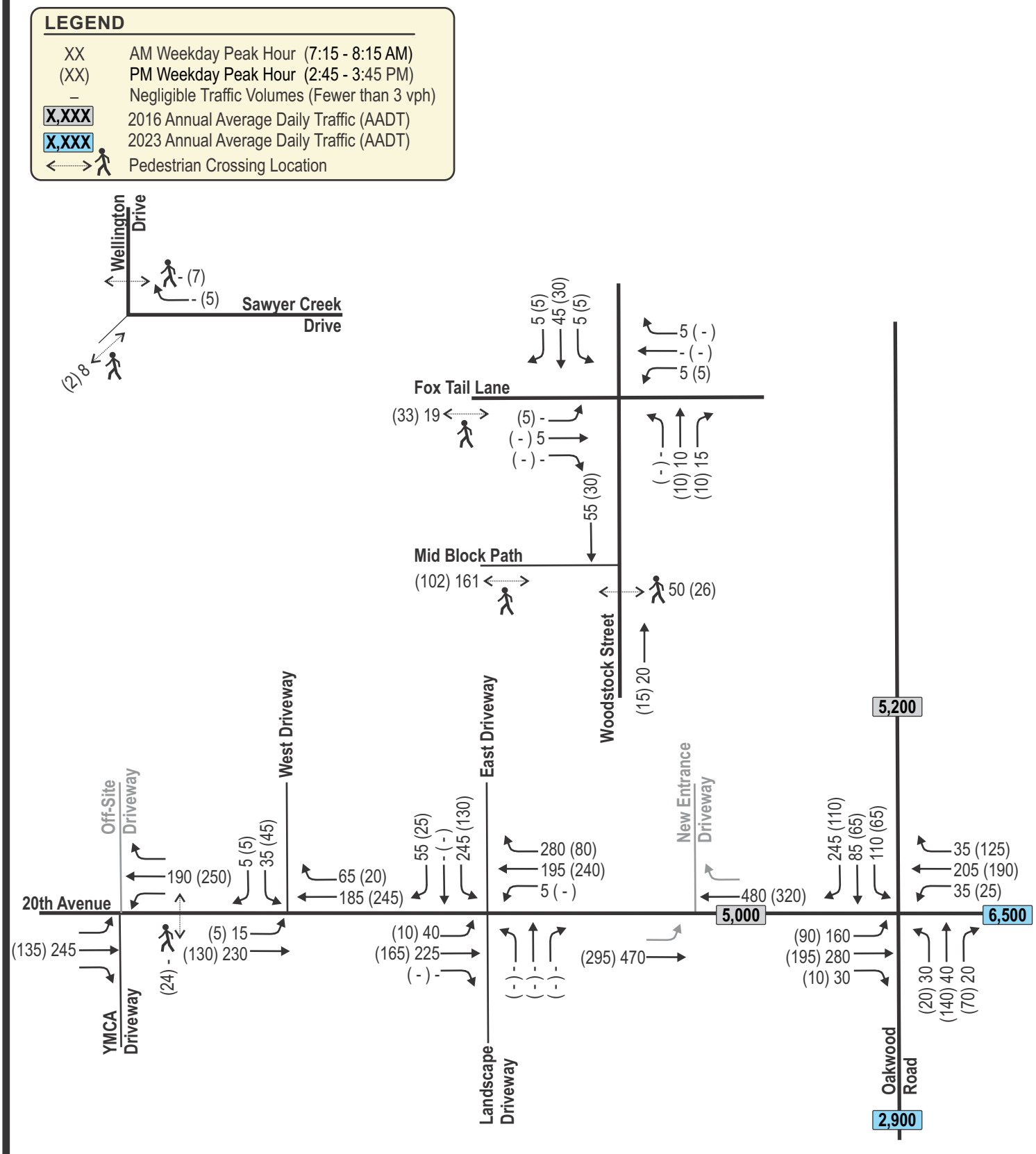


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EXHIBIT 3-1
EXISTING TRANSPORTATION DETAIL

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EXHIBIT 3-2
EXISTING TRAFFIC VOLUMES

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Exhibit 3-3
Existing Traffic Peak Hour Operating Conditions
With Existing Geometrics and Traffic Control

Intersection	Peak Hour	Metric	Level of Service (LOS) per Movement by Approach												I/S LOS & Delay
			Eastbound			Westbound			Northbound			Southbound			
			?	?	?	?	?	?	?	?	?	?	?	?	
Node 100: 20th Avenue & West Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*		-			*1*			
	AM	LOS	A		-	-	*		-			B			
		Delay	7.9		-	-	*		-			13.5			
		Queue	25'		-	-	*		-			25'			
	PM	LOS	A		-	-	*		-			B			
		Delay	8.1		-	-	*		-			13.6			
		Queue	25'		-	-	*		-			25'			
Node 200: 20th Avenue & East Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*		-			*1*			
	AM	LOS	A		-	-	*		-			F			
		Delay	9.1		-	-	*		-			69.4			
		v/c	-		-	-	*		-			0.97			
		Queue	25'		-	-	*		-			280'			
	PM	LOS	A		-	-	*		-			C			
		Delay	8.3		-	-	*		-			16.2			
		Queue	25'		-	-	*		-			45'			
Node 400: 20th Avenue & Oakwood Road[1] *Traffic Signal Control*		*Lanes->*	*1*	-	*1*	*1*	-	*1*	*1*	*1*		*1*		*1*	
	AM	LOS	B	-	B	B	-	B	B	A		F		B	D
		Delay	14.2	-	11.5	10.1	-	10.2	14.2	9.1		254.8		10.7	52.2
		v/c	-	-	-	-	-	-	-	-		1.46		-	
		Queue	95'	-	95'	50'	-	50'	40'	25'		100'		75'	
	PM	LOS	B	-	B	B	-	B	B	A		D		A	B
		Delay	12.3	-	10.4	10.4	-	10.6	11.8	9.4		54.7		9.7	16.3
		Queue	45'	-	45'	50'	-	50'	70'	25'		60'		35'	

(-) indicates a movement that is prohibited or does not exist; (*) indicates a freeflow movement.
Delay is reported in seconds. Queue is the maximum of the 50th & 95th percentile queue, measured in feet.
[1] EB/WB lanes consist of a single shared left/through lane and a single shared right/through lane

CHAPTER IV – FORECASTED TRAFFIC

PART A – BACKGROUND TRAFFIC FORECASTING

To determine the background traffic growth rate to use when calculating the design year traffic volumes, historic WisDOT AADT volumes from the year 1991 through the year 2023 were collected along 20th Avenue and along Oakwood Road at the WisDOT count stations located along the corridors in close proximity to the study area. Using this data, historical AADT trend lines were developed to determine the expected annual growth of traffic that may occur along the corridor between the present and design year 2036. Based on the traffic projections (1991 - 2023) and assuming the historic trends will continue at a linear rate, traffic volumes along the 20th Avenue and Oakwood Road corridors would be expected to increase at a rate of 2.0-percent per year. Therefore, this growth rate was applied to the existing traffic volumes collected as part of this study. The year 2026 background and year 2036 background traffic volumes, which account for this yearly growth rate, are shown in Exhibits 4-1 & 4-2, respectively. The growth rate calculations have been included in the Appendix of this study.

PART B – SITE TRAFFIC FORECASTING

To address any potential future traffic impacts along study area roadways and at the intersections adjacent to the school, it is necessary to identify the hourly and daily volume of traffic generated by the school expansion. The traffic volumes expected to be generated for the expanded student population are based on the trip rates as published in the Institute of Transportation Engineer's (ITE) *Trip Generation Manual, 11th Edition*. Trip rates were calculated based on the peak hour of generator instead of the peak hour of adjacent street traffic to account for the worst-case school traffic conditions. In addition, the traffic volumes expected to be generated by the identified off-site developments are based on the size and type of the proposed land uses and on fitted curve equations as published in the ITE *Trip Generation Manual, 11th Edition*. Due to the land use types assumed, no linked or pass-by trip reductions were included in the traffic assumptions.

B1. Trip Generation

On-Site Trip Generation

As shown in Exhibit 4-3A, under full build conditions, the proposed school expansion is expected to generate 165 additional new trips (90 entering/75 exiting) during a typical weekday morning arrival peak hour. During a typical weekday afternoon dismissal peak hour, the proposed school expansion is expected to generate 70 additional new trips (30 entering/40 exiting). On a typical weekday, the proposed school expansion is expected to generate approximately 220 additional new trips (110 entering/110 exiting) under full build conditions.

Off-Site Trip Generation

As shown in Exhibit 4-3B, under future year build conditions, the proposed Sawyer Creek Crossing off-site development is expected to generate 85 new trips (20 entering/65 exiting) during a typical weekday morning peak hour. During a typical weekday afternoon peak hour, the proposed Sawyer Creek Crossing off-site development is expected to generate 110 new trips (70 entering/40 exiting). On a typical weekday, the proposed Sawyer Creek Crossing off-site development is expected to generate approximately 1,410 new trips (705 entering/705 exiting) under future year full build conditions.

As shown in Exhibit 4-3C, under future year build conditions, the potential southeast off-site development is expected to generate 70 new trips (15 entering/55 exiting) during a typical weekday morning peak hour. During a typical weekday afternoon peak hour, the potential southeast off-site development is expected to generate 90 new trips (55 entering/35 exiting). On

a typical weekday, the potential southeast off-site development is expected to generate approximately 1,100 new trips (550 entering/550 exiting) under future year full build conditions.

B2. Mode Split

Pedestrians and bicyclists are expected to continue to use their respective modes to access the Carl Traeger Elementary/Middle School expansion site. However, to provide for a worst case (highest traffic volume) scenario, it was assumed that the student population increase will access the site via motor vehicle. In addition, all new trips to/from the identified off-site developments were assumed to occur via motor vehicle.

B3. Determination of Linked and Pass-by Trip Traffic

Due to the land use types assumed for the on-site and off-site developments, no linked or pass-by trip reductions were included in the traffic assumptions. A linked trip occurs when a patron of one tenant visits another tenant prior to exiting the site (e.g., a retail patron visits a restaurant in a mixed-use development prior to entering the roadway system). Pass-by trips occur when motorists already on the roadway system stop at a development site prior to continuing on their intended route (e.g., an existing motorist eastbound on 20th Avenue stops at the school to continuing eastbound on 20th Avenue to their ultimate destination).

B4. Trip Distribution

The trip distribution for the school expansion and identified off-site developments, listed below, and shown in table format in Exhibits 4-3A and 4-3B, and graphically on Exhibit 4-4, was determined based on the existing traffic counts, the type of proposed land uses and the location of existing populations within the study area. The trip distribution for the project is as follows:

- 15 percent to/from the west on 20th Avenue
- 40 percent to/from the east on 20th Avenue
- 30 percent to/from the north on Oakwood Road
- 15 percent to/from the south on Oakwood Road

B5. Trip Assignment

Trips expected to be generated by the on-site and off-site developments were assigned to the study area intersections based on the trip distribution summarized in the previous section.

On-Site New Trips

New trips for the proposed school expansion were distributed to the study area intersections under the two access scenarios previously described in *Chapter II, Part A3.Site Plan* and based on the above trip distribution. The full build new trips were assigned to the study area as follows:

- On-Site (Scenario 1 – One Eastern Driveway) New Trips - Exhibit 4-7A
- On-Site (Scenario 2 – Two Eastern Driveways) New Trips - Exhibit 4-7B

In addition, under Scenario 2, with two one-way driveways east of the school, the existing traffic patterns for the current student population are expected to change to access the new driveways. The redistributed trips for the school site under this scenario are shown in Exhibit 4-7C.

Off-Site New Trips

The Sawyer Creek Crossing Residential off-site development new trips are shown in Exhibit 4-10A.

The Southeast Residential off-site development new trips are shown in Exhibit 4-10B.

PART C – BUILD AND TOTAL TRAFFIC

C1. Year 2026 Build Traffic

The Year 2026 background traffic volumes, Exhibit 4-1, were added to on-site (Scenario 1 – One Eastern Driveway) new trips, illustrated in Exhibit 4-7A, to determine the Year 2026 Build (Scenario 1 – One Eastern Driveway) traffic volumes (Exhibit 4-11A).

The Year 2026 background traffic volumes, Exhibit 4-1, were added to on-site (Scenario 2 – Two Eastern Driveways) new trips, illustrated in Exhibit 4-7B, and the redistributed trips site (Scenario 2 – Two Eastern Driveways), illustrated in Exhibit 4-7C, to determine the Year 2026 Build (Scenario 2 – Two Eastern Driveways) traffic volumes (Exhibit 4-11B).

C2. Year 2036 Build Traffic

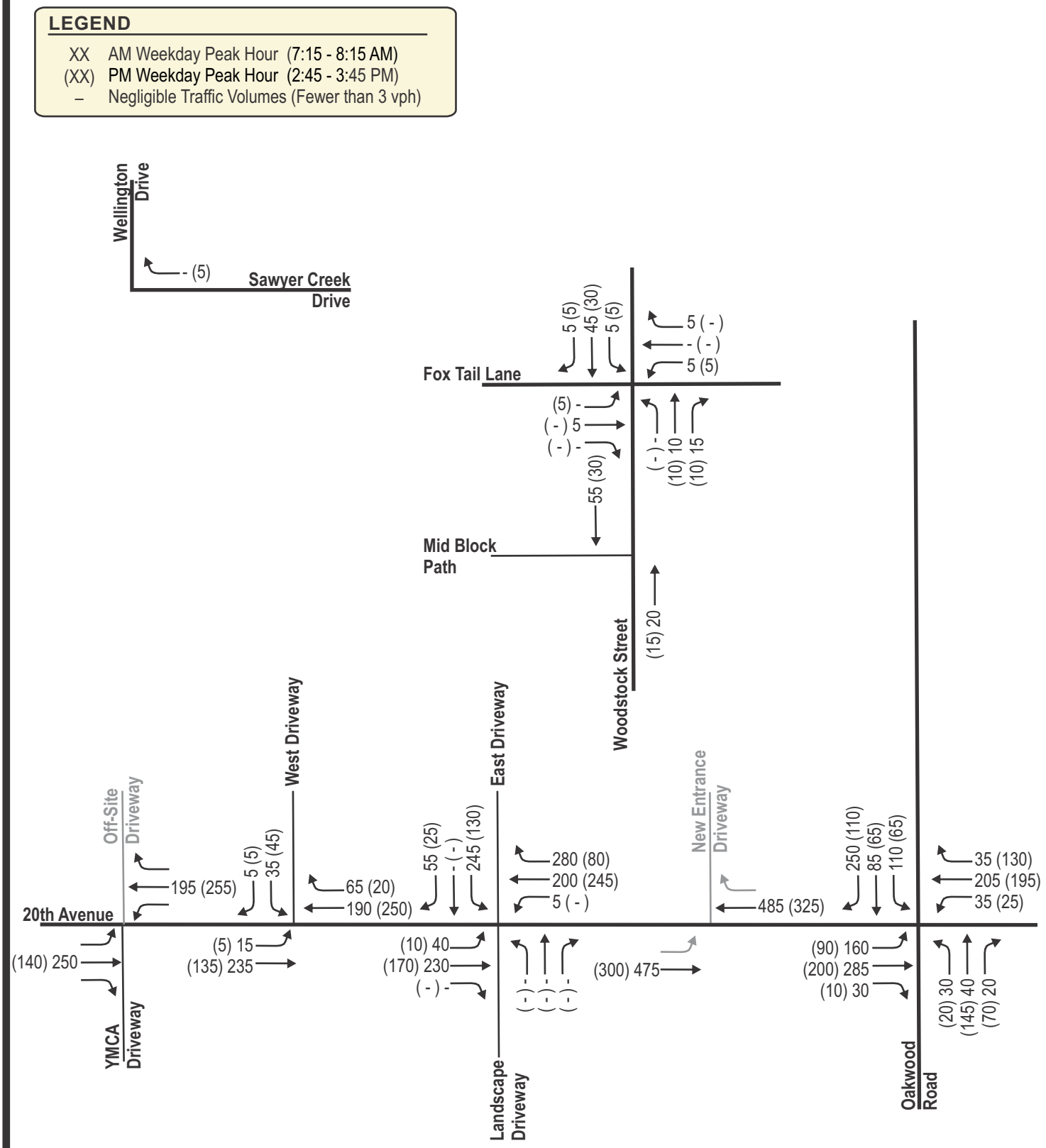
The Year 2036 background traffic volumes, Exhibit 4-2, were added to on-site (Scenario 1 – One Eastern Driveway) new trips, illustrated in Exhibit 4-7A, to determine the Year 2036 Build (Scenario 1 – One Eastern Driveway) traffic volumes (Exhibit 4-13A).

The Year 2036 background traffic volumes, Exhibit 4-2, were added to on-site (Scenario 2 – Two Eastern Driveways) new trips, illustrated in Exhibit 4-7B, and the redistributed trips site (Scenario 2 – Two Eastern Driveways), illustrated in Exhibit 4-7C, to determine the Year 2036 Build (Scenario 2 – Two Eastern Driveways) traffic volumes (Exhibit 4-13B).

C3. Year 2036 Total Traffic

The Year 2036 build (Scenario 1 – One Eastern Driveway) traffic volumes, Exhibit 4-13A, were added to the off-site (Sawyer Creek Crossing Residential) new trips, illustrated in Exhibit 4-10A, and the off-site (Southeast Residential) new trips, illustrated in Exhibit 4-10B, to determine the Year 2036 total (Scenario 1 – One Eastern Driveway) traffic volumes (Exhibit 4-16A).

The Year 2036 build (Scenario 2 – Two Eastern Driveways, One-Way Operation) traffic volumes, Exhibit 4-13B, were added to the off-site (Sawyer Creek Crossing Residential) new trips, illustrated in Exhibit 4-10A, and the off-site (Southeast Residential) new trips, illustrated in Exhibit 4-10B, to determine the Year 2036 total (Scenario 2 – Two Eastern Driveways, One-Way Operation) traffic volumes (Exhibit 4-16B).

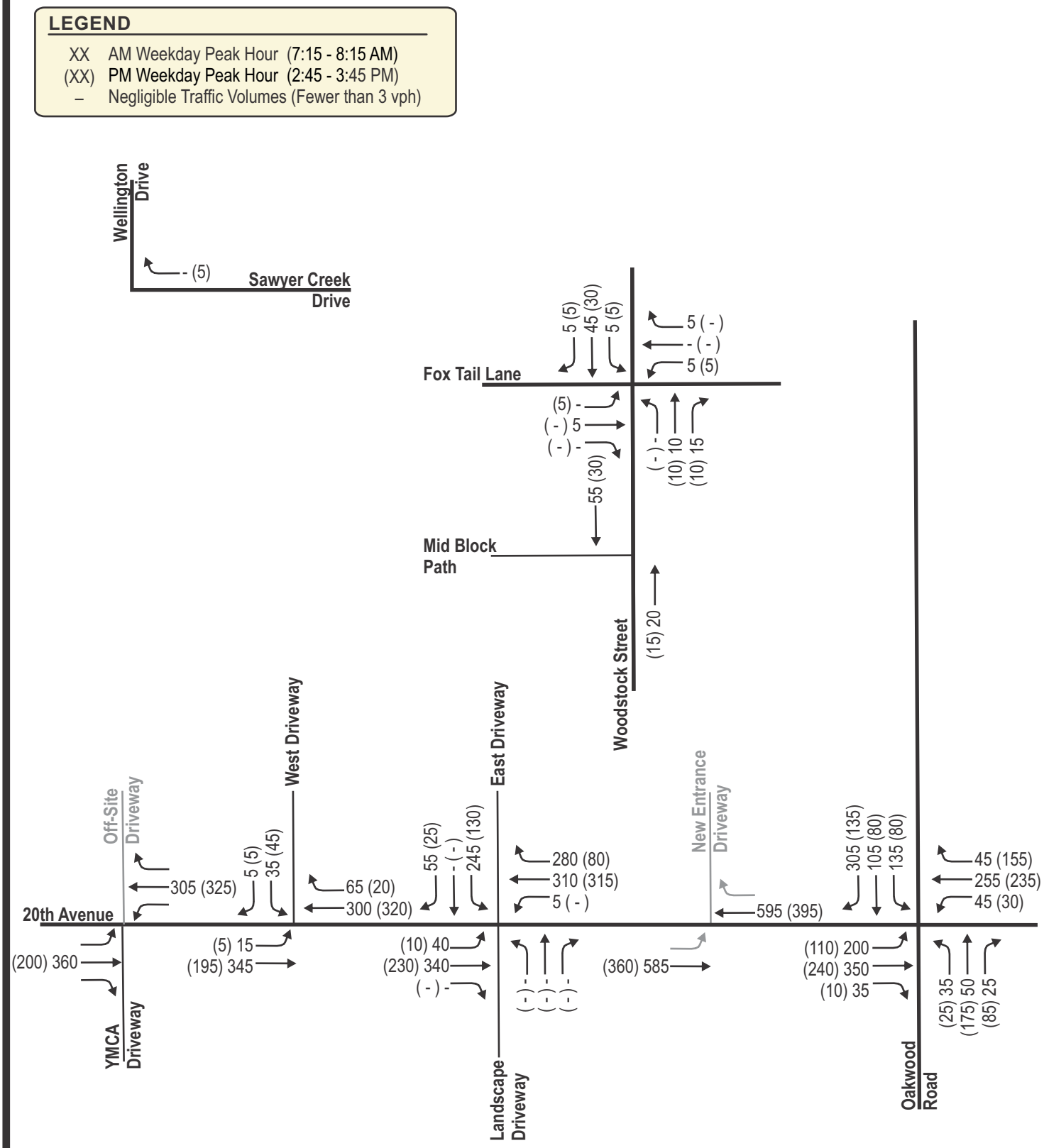


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EXHIBIT 4-1
YEAR 2026 BACKGROUND TRAFFIC VOLUMES

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EXHIBIT 4-2
YEAR 2036 BACKGROUND TRAFFIC VOLUMES

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Exhibit 4-3A

On-Site Trip Generation Table[1]

Land Use	ITE Code	Proposed Size	Weekday Daily	AM Peak In	AM Peak Out	AM Peak Total	PM Peak In	PM Peak Out	PM Peak Total
Elementary School	520	50 Students	110 (2.27)	20 (54%)	20 (46%)	40 (0.75)	10 (46%)	15 (54%)	25 (0.45)
Middle School/Junior High School	522	50 Students	110 (2.10)	70 (55%)	55 (45%)	125 FCE	20 (48%)	25 (52%)	45 (0.36)
Total New Trips			**220**	**90**	**75**	**165**	**30**	**40**	**70**

[1] *ITE Trip Rates (X.XX) and/or Fitted Curve Equations (FCE) are from the ITE Trip Generation Manual, 11th Edition.*

TRIP DISTRIBUTION (New Trips)

West on 20th Avenue	15%	35	15	10		5	5
East on 20th Avenue	40%	85	35	30		10	15
North on Oakwood Road	30%	65	25	25		10	15
South on Oakwood Road	15%	35	15	10		5	5
	100%	***220***	***90***	***75***		***30***	***40***

Exhibit 4-3B

Off-Site (Sawyer Creek Crossing Residential) Trip Generation Table[1]

Land Use	ITE Code	Proposed Size	Weekday Daily	AM Peak In	AM Peak Out	AM Peak Total	PM Peak In	PM Peak Out	PM Peak Total
Multifamily Housing (Low-Rise) (Not Close to Rail Transit)	220	208 Units	1,410 FCE	20 (24%)	65 (76%)	85 FCE	70 (63%)	40 (37%)	110 FCE
Total New Trips			**1,410**	**20**	**65**	**85**	**70**	**40**	**110**

[1] *ITE Trip Rates (X.XX) and/or Fitted Curve Equations (FCE) are from the ITE Trip Generation Manual, 11th Edition.*

TRIP DISTRIBUTION (New Trips)

West on 20th Avenue	15%	210	5	10		10	5
East on 20th Avenue	40%	565	10	25		30	15
North on Oakwood Road	30%	425	5	20		20	15
South on Oakwood Road	15%	210	0	10		10	5
	100%	***1410***	***20***	***65***		***70***	***40***

Exhibit 4-3C

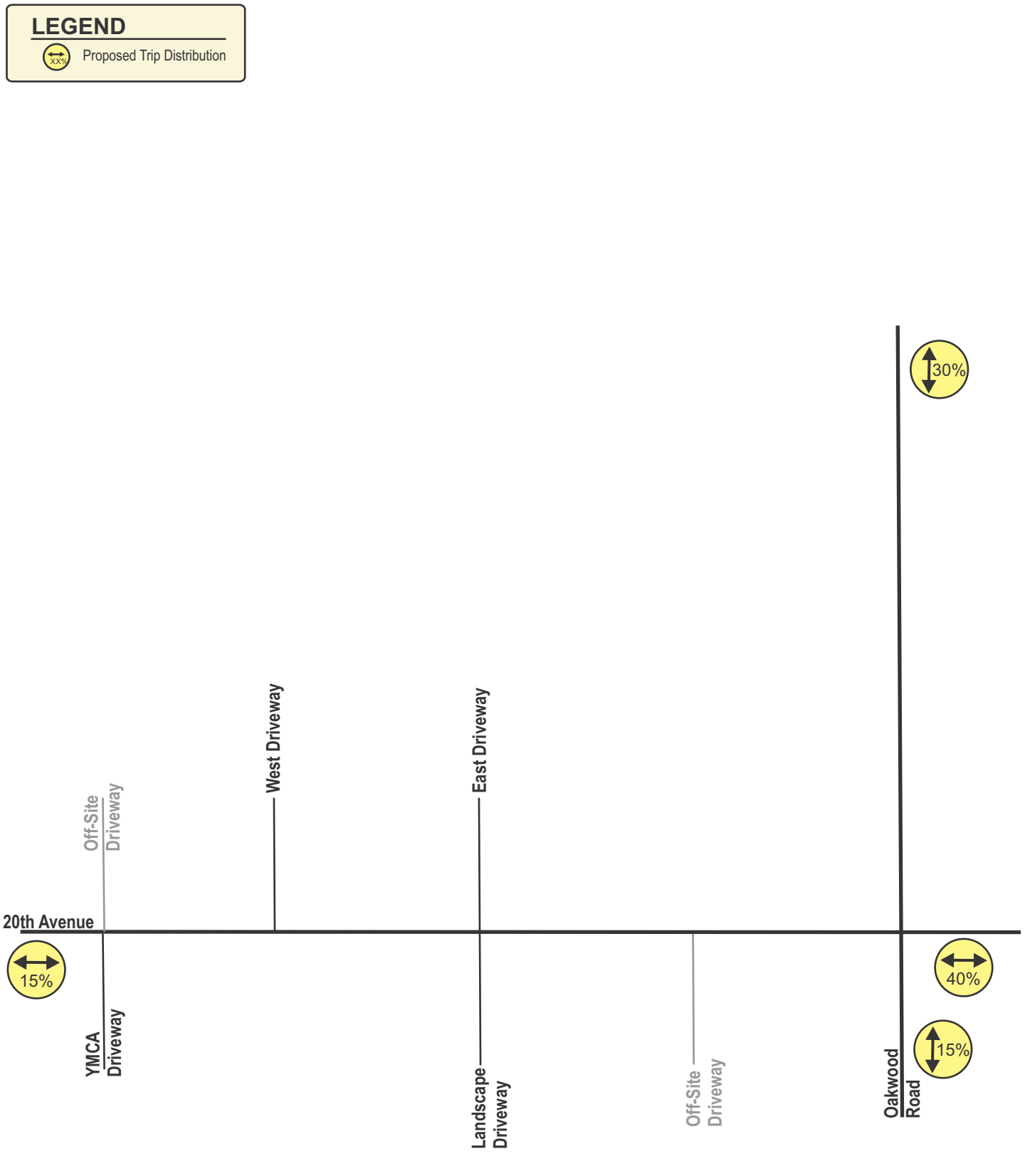
Off-Site (Southeast Residential) Trip Generation Table[1]

Land Use	ITE Code	Proposed Size	Weekday Daily	AM Peak In	AM Peak Out	AM Peak Total	PM Peak In	PM Peak Out	PM Peak Total
Multifamily Housing (Low-Rise) (Not Close to Rail Transit)	220	160 Units	1,100 FCE	15 (24%)	55 (76%)	70 FCE	55 (63%)	35 (37%)	90 FCE
Total New Trips			**1,100**	**15**	**55**	**70**	**55**	**35**	**90**

[1] *ITE Trip Rates (X.XX) and/or Fitted Curve Equations (FCE) are from the ITE Trip Generation Manual, 11th Edition.*

TRIP DISTRIBUTION (New Trips)

West on 20th Avenue	15%	165	5	10		10	5
East on 20th Avenue	40%	440	5	20		20	15
North on Oakwood Road	30%	330	5	15		15	10
South on Oakwood Road	15%	165	0	10		10	5
	100%	***1100***	***15***	***55***		***55***	***35***



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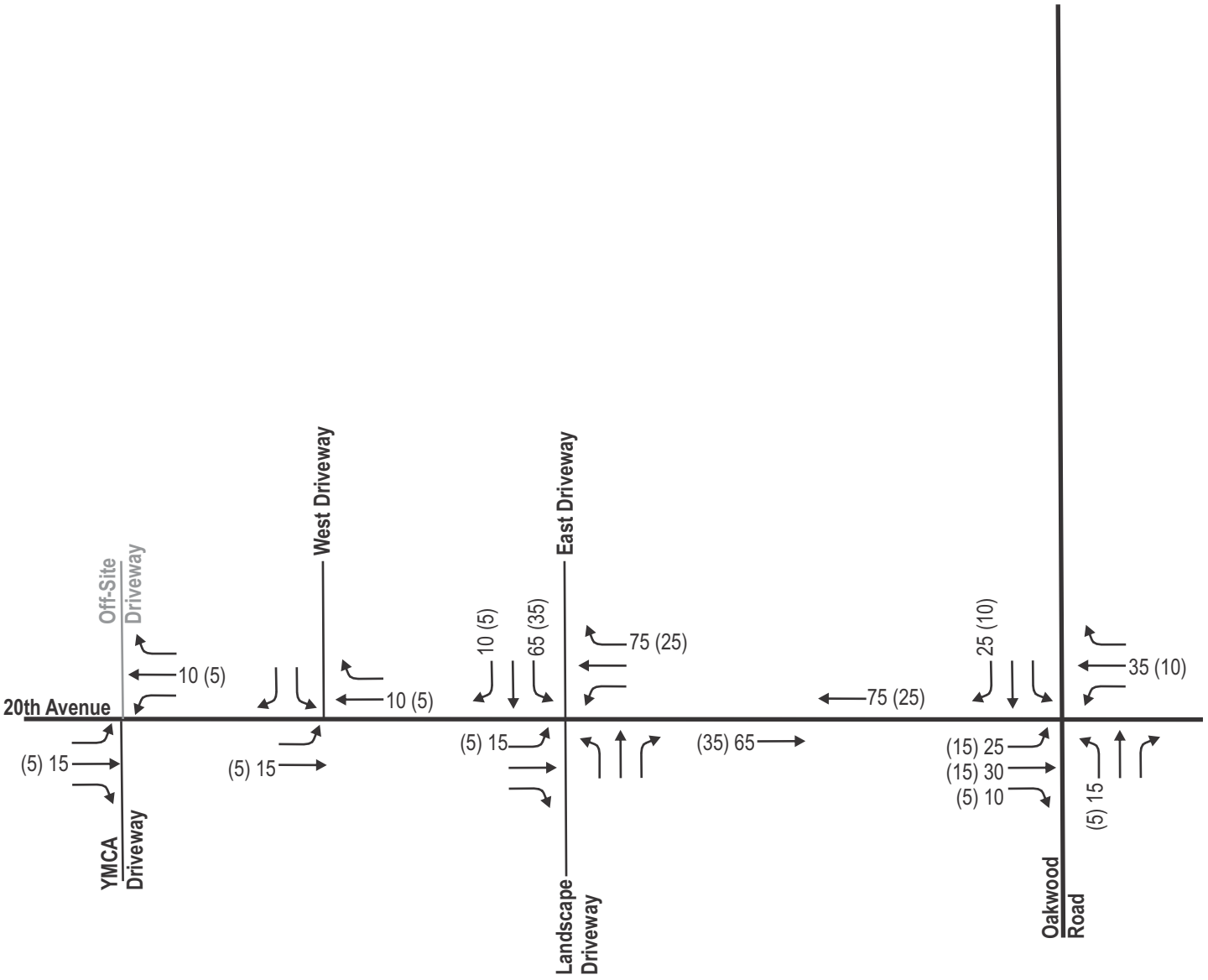
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EXHIBIT 4-4
TRIP DISTRIBUTION DIAGRAM

OSHKOSH, WISCONSIN

LEGEND

XX	AM Weekday Peak Hour (7:15 - 8:15 AM)
(XX)	PM Weekday Peak Hour (2:45 - 3:45 PM)
–	Negligible Traffic Volumes (Fewer than 3 vph)



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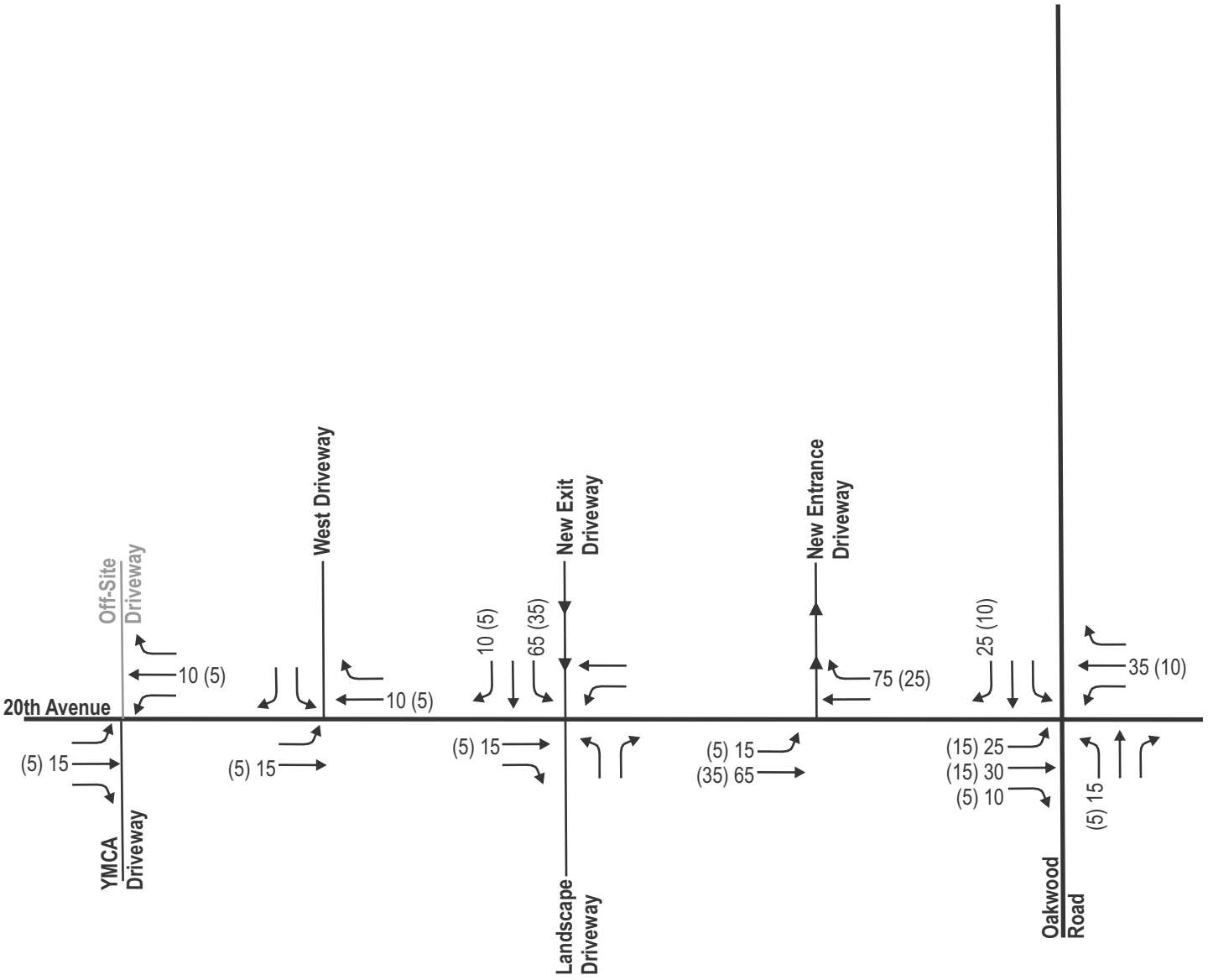
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EXHIBIT 4-7A
ON-SITE NEW TRIPS
SCENARIO 1

OSHKOSH, WISCONSIN

LEGEND

XX	AM Weekday Peak Hour (7:15 - 8:15 AM)
(XX)	PM Weekday Peak Hour (2:45 - 3:45 PM)
–	Negligible Traffic Volumes (Fewer than 3 vph)



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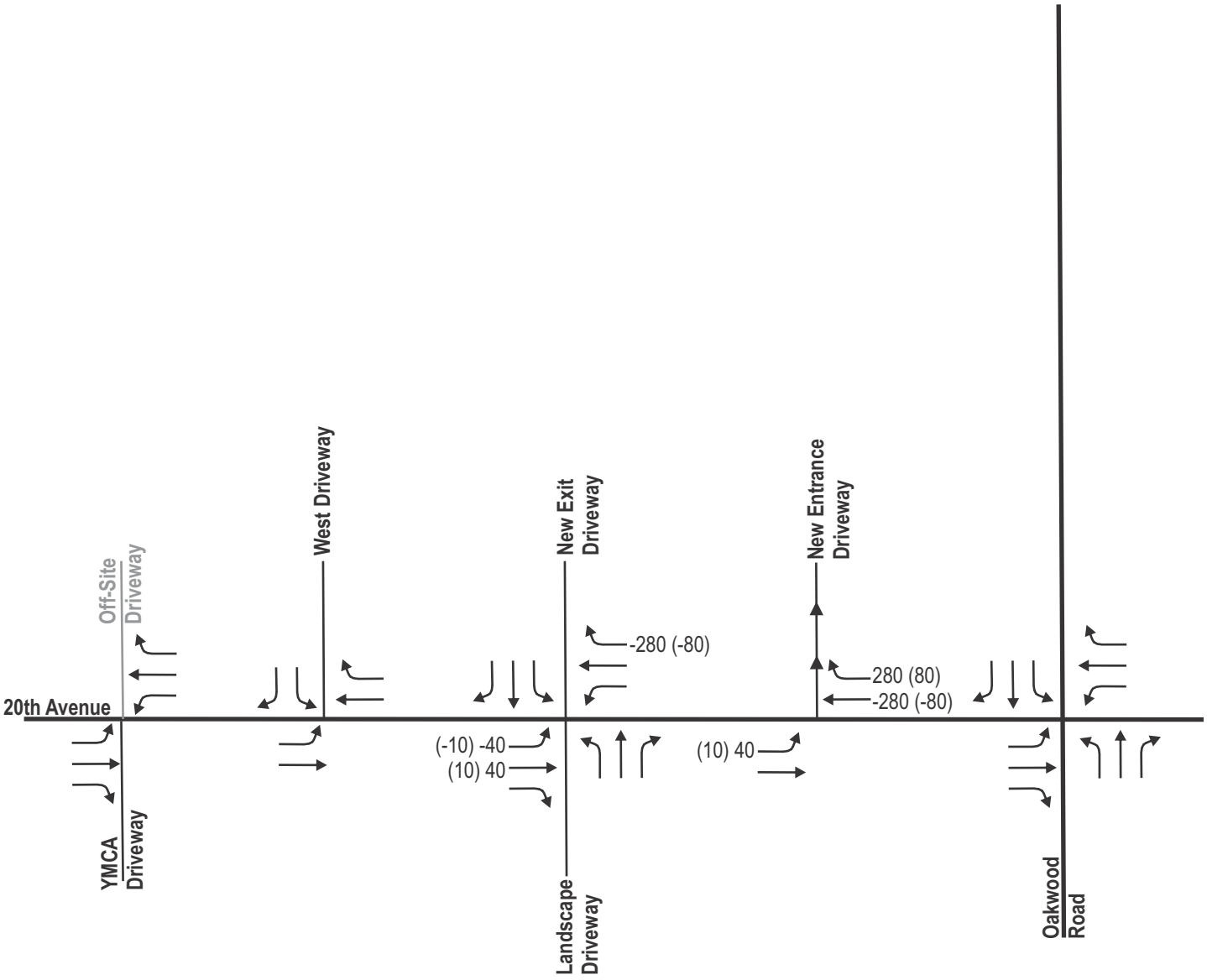
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EXHIBIT 4-7B
ON-SITE NEW TRIPS
SCENARIO 2

OSHKOSH, WISCONSIN

LEGEND

XX	AM Weekday Peak Hour (7:15 - 8:15 AM)
(XX)	PM Weekday Peak Hour (2:45 - 3:45 PM)
–	Negligible Traffic Volumes (Fewer than 3 vph)



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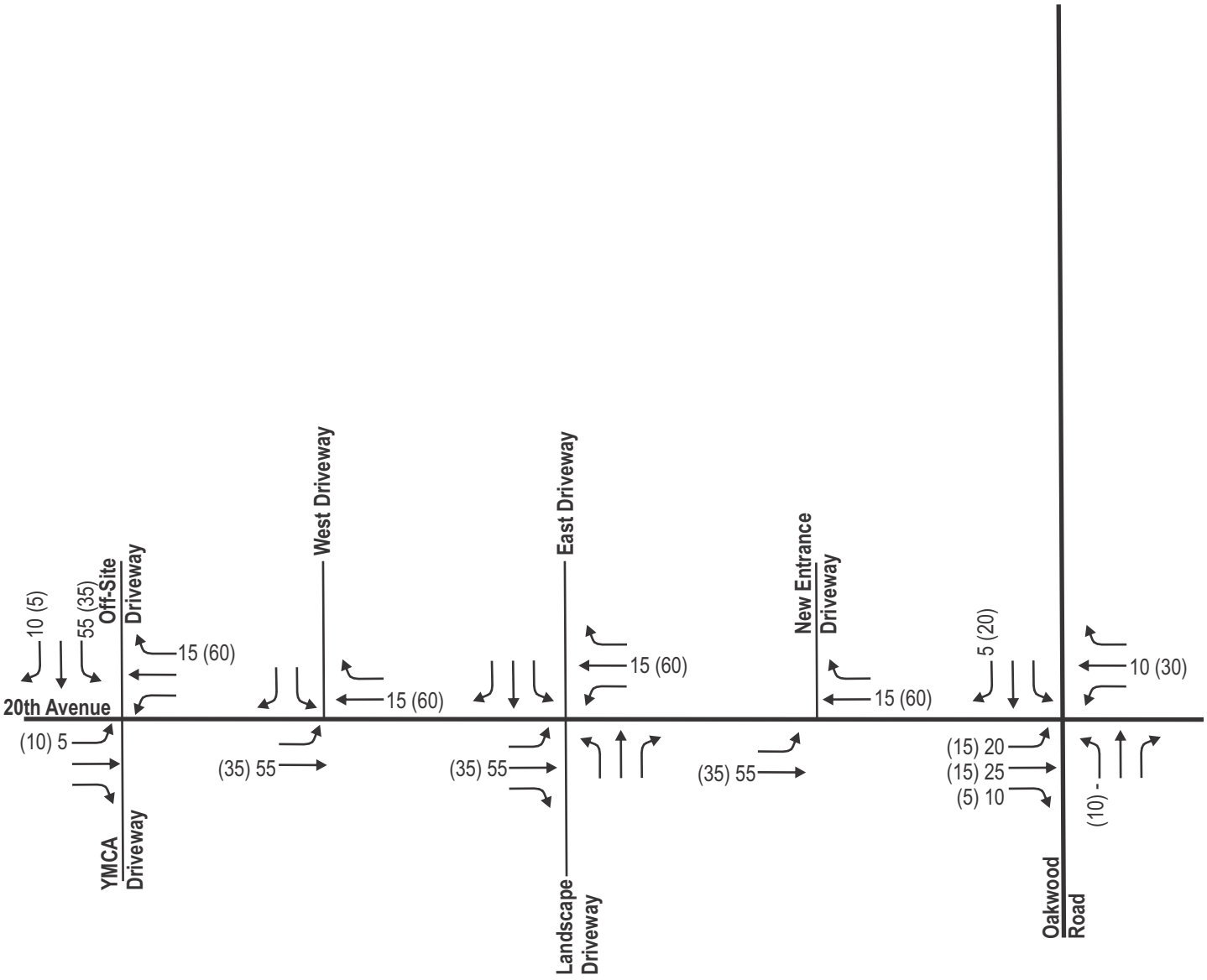
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EXHIBIT 4-7C
REDISTRIBUTED TRIPS
SCENARIO 2

OSHKOSH, WISCONSIN

LEGEND

XX	AM Weekday Peak Hour (7:15 - 8:15 AM)
(XX)	PM Weekday Peak Hour (2:45 - 3:45 PM)
–	Negligible Traffic Volumes (Fewer than 3 vph)



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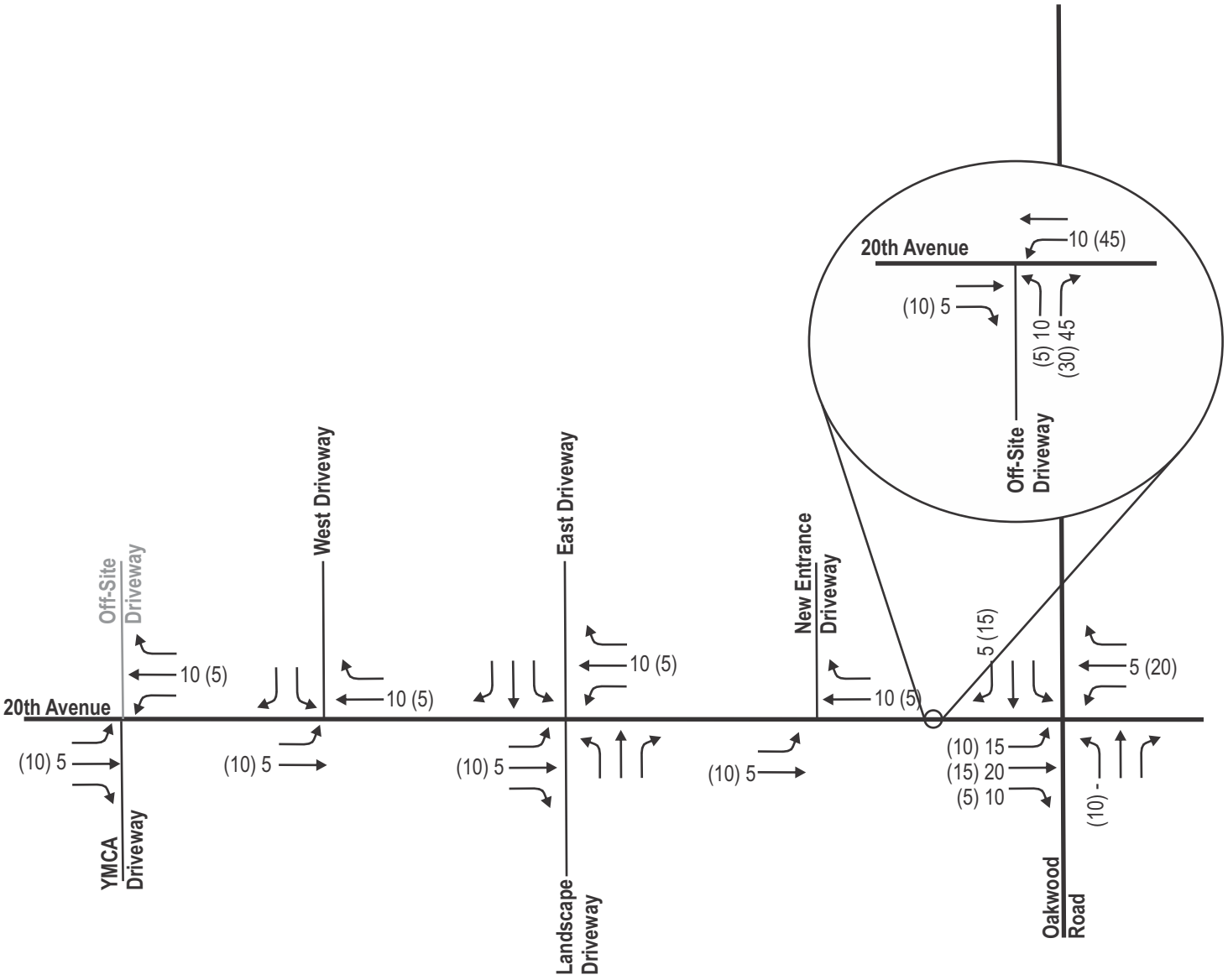
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EXHIBIT 4-10A
OFF-SITE NEW TRIPS
SAWYER CREEK CROSSING RESIDENTIAL

OSHKOSH, WISCONSIN

LEGEND

XX	AM Weekday Peak Hour (7:15 - 8:15 AM)
(XX)	PM Weekday Peak Hour (2:45 - 3:45 PM)
–	Negligible Traffic Volumes (Fewer than 3 vph)



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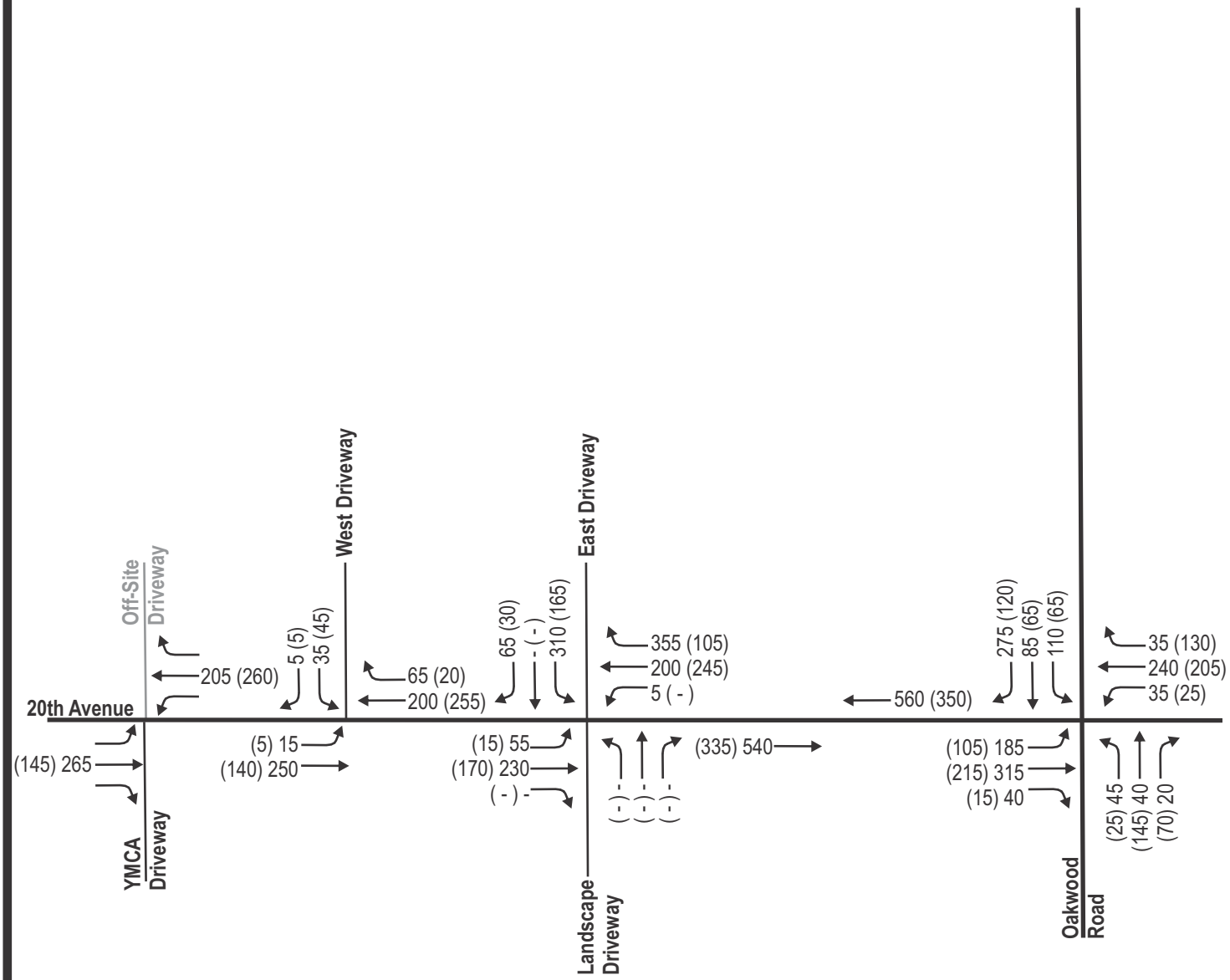
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EXHIBIT 4-10B
OFF-SITE NEW TRIPS
SOUTHEAST RESIDENTIAL

OSHKOSH, WISCONSIN

LEGEND

XX	AM Weekday Peak Hour (7:15 - 8:15 AM)
(XX)	PM Weekday Peak Hour (2:45 - 3:45 PM)
–	Negligible Traffic Volumes (Fewer than 3 vph)



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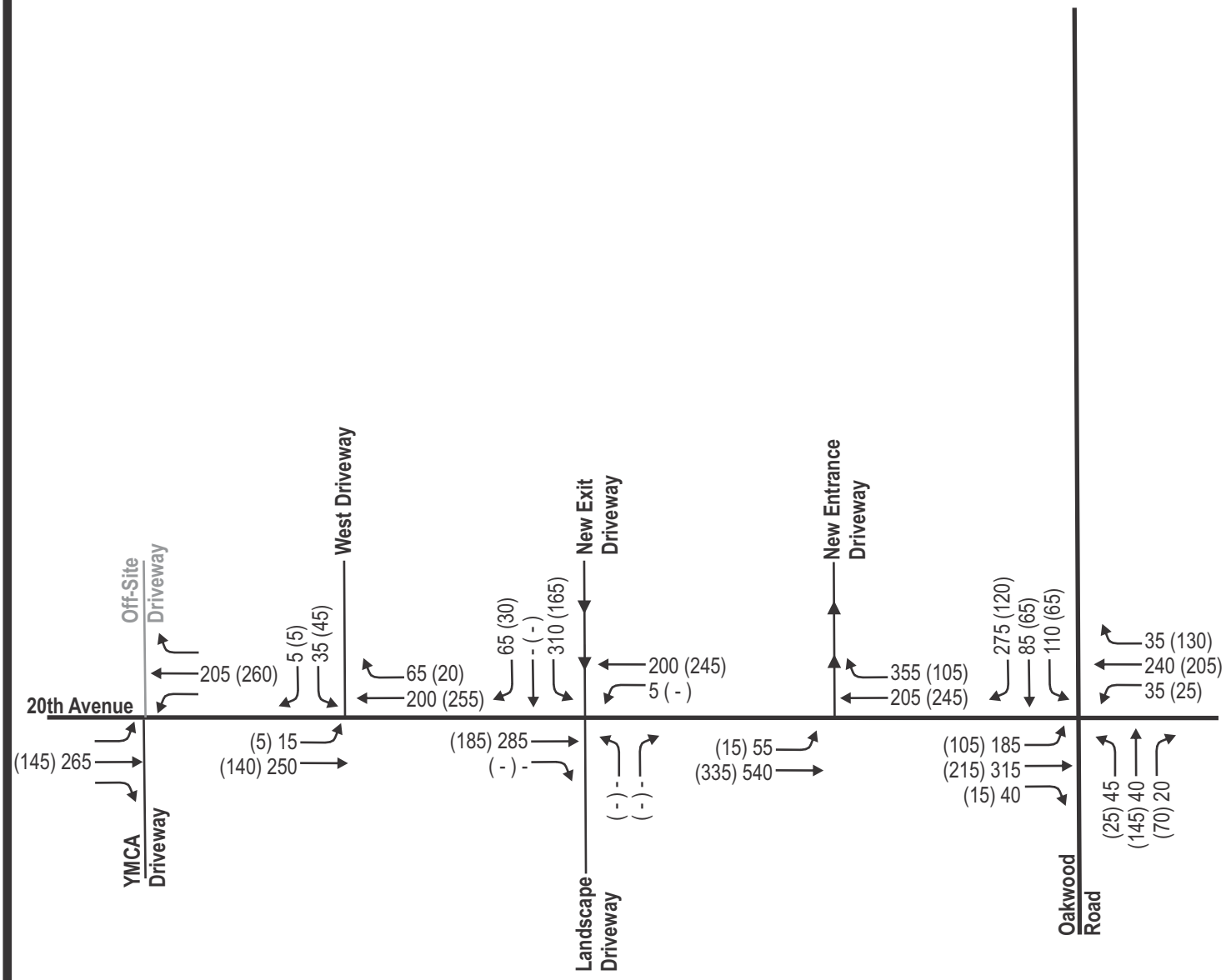
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EXHIBIT 4-11A
YEAR 2026 BUILD TRAFFIC VOLUMES
SCENARIO 1

OSHKOSH, WISCONSIN

LEGEND

XX	AM Weekday Peak Hour (7:15 - 8:15 AM)
(XX)	PM Weekday Peak Hour (2:45 - 3:45 PM)
–	Negligible Traffic Volumes (Fewer than 3 vph)



TADI
TRAFFIC ANALYSIS & DESIGN, INC.
3415 ~ 5/7/25

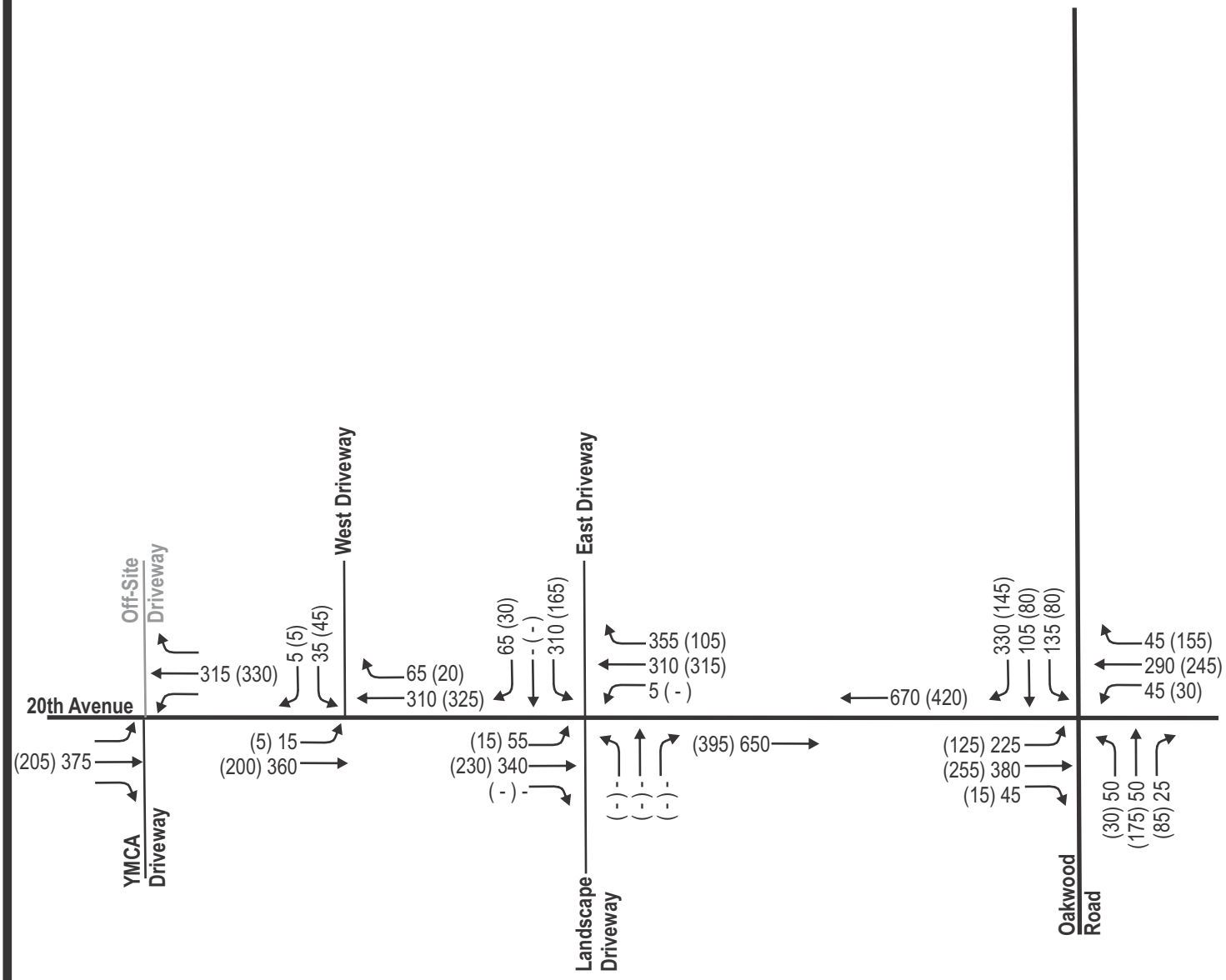
N
NOT TO SCALE

EXHIBIT 4-11B
YEAR 2026 BUILD TRAFFIC VOLUMES
SCENARIO 2

OSHKOSH, WISCONSIN

LEGEND

XX	AM Weekday Peak Hour (7:15 - 8:15 AM)
(XX)	PM Weekday Peak Hour (2:45 - 3:45 PM)
–	Negligible Traffic Volumes (Fewer than 3 vph)



TADI
TRAFFIC ANALYSIS & DESIGN, INC.
3415 ~ 5/7/25

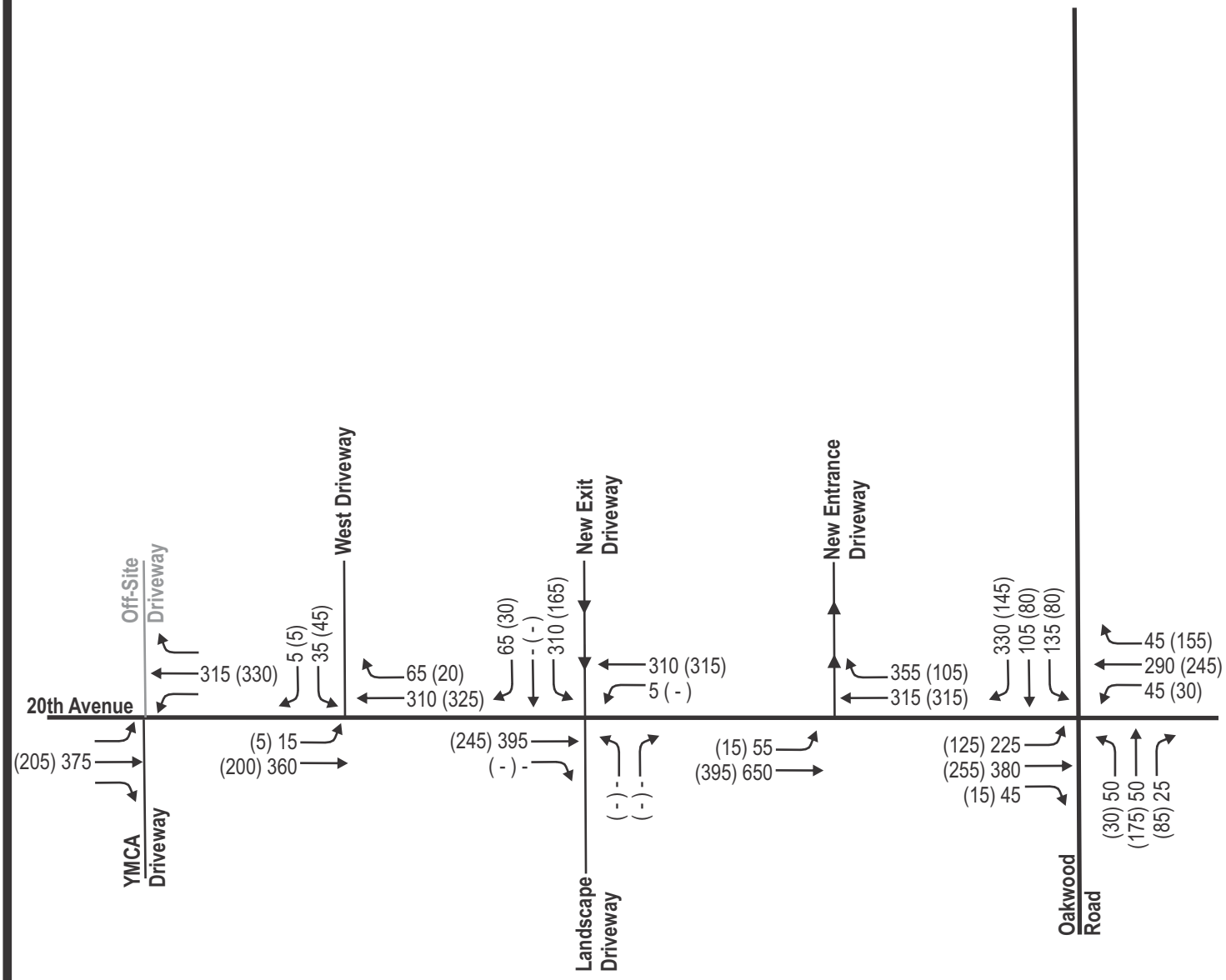
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EXHIBIT 4-13A
YEAR 2036 BUILD TRAFFIC VOLUMES
SCENARIO 1

OSHKOSH, WISCONSIN

LEGEND

XX	AM Weekday Peak Hour (7:15 - 8:15 AM)
(XX)	PM Weekday Peak Hour (2:45 - 3:45 PM)
–	Negligible Traffic Volumes (Fewer than 3 vph)



TADI
TRAFFIC ANALYSIS & DESIGN, INC.
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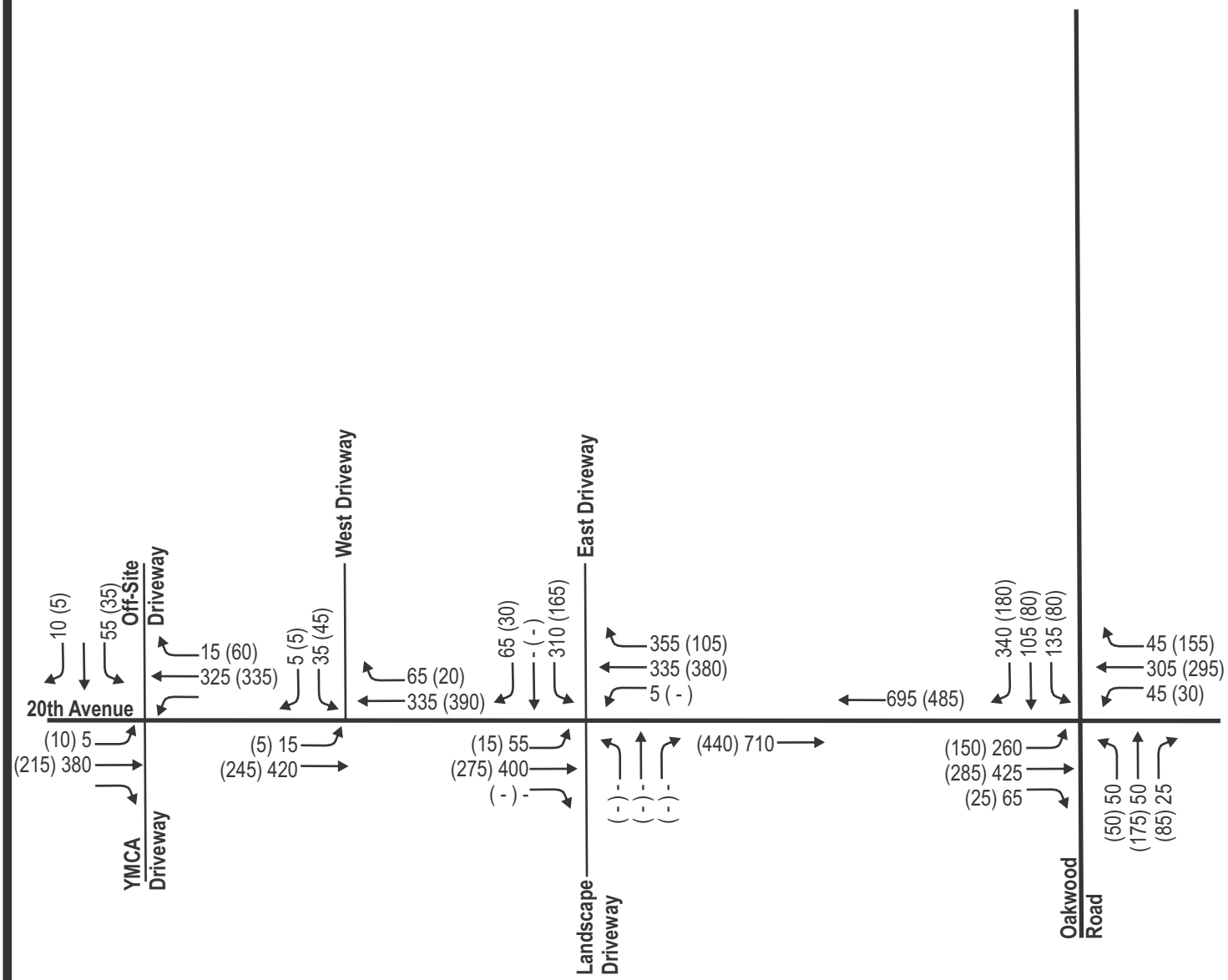
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NOT TO SCALE

EXHIBIT 4-13B
YEAR 2036 BUILD TRAFFIC VOLUMES
SCENARIO 2

OSHKOSH, WISCONSIN

LEGEND

XX	AM Weekday Peak Hour (7:15 - 8:15 AM)
(XX)	PM Weekday Peak Hour (2:45 - 3:45 PM)
–	Negligible Traffic Volumes (Fewer than 3 vph)



TADI
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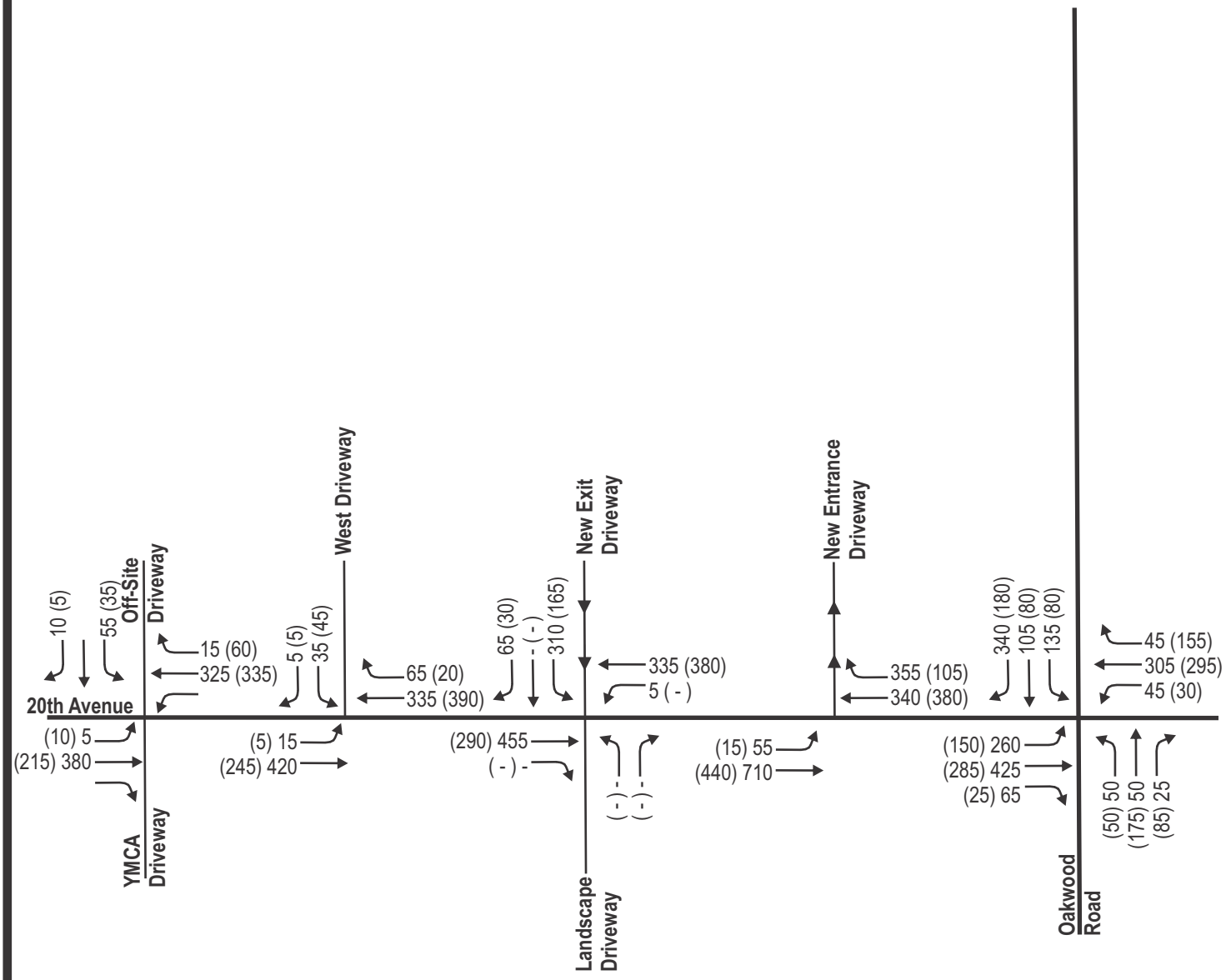
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NOT TO SCALE

EXHIBIT 4-16A
YEAR 2036 TOTAL TRAFFIC VOLUMES
SCENARIO 1

OSHKOSH, WISCONSIN

LEGEND

XX	AM Weekday Peak Hour (7:15 - 8:15 AM)
(XX)	PM Weekday Peak Hour (2:45 - 3:45 PM)
–	Negligible Traffic Volumes (Fewer than 3 vph)



TADI
TRAFFIC ANALYSIS & DESIGN, INC.
3415 ~ 5/7/25

N
NOT TO SCALE

EXHIBIT 4-16B
YEAR 2036 TOTAL TRAFFIC VOLUMES
SCENARIO 2

OSHKOSH, WISCONSIN

CHAPTER V – TRAFFIC AND IMPROVEMENT ANALYSIS

PART A – SITE ACCESS

Two full access driveways are proposed along the east side of the school onto 20th Avenue for parents and one existing full access driveway is proposed to remain along the west side of the school onto 20th Avenue to accommodate the teacher parking lot.

Since operational issues have been identified at the existing east driveway, two access scenarios were investigated as part of this study, noting that no changes are proposed for the existing west driveway. The east driveway access scenarios investigated are as follows:

> ***Scenario 1: One eastern access driveway*** - Under this scenario, the existing east access drive is proposed to operate as a single access driveway with the potential to add additional exiting turn lanes and an additional entrance lane at the current location and potentially add traffic signal control to the driveway intersection.
>
> ***Scenario 2: Two eastern access driveways*** - Under this scenario, the existing east access drive would be replaced by two access driveways, with the driveways operating under one-way operation. Specifically, the new eastern driveway would operate as a one-way entrance driveway and the new middle driveway would operate as a one-way exit driveway. The driveways would operate with two lanes each.

In addition to driveway access to the site, three pedestrian walkways are provided to the residential neighborhoods located immediately north and east of the school site. Walkway connections are provided along Sawyer Creek Drive/Wellington Drive, Fox Tail Lane, and Woodstock Street.

PART B – CAPACITY LEVEL OF SERVICE ANALYSIS

B1. Year 2026 Build Traffic Operating Conditions – No Modifications

Exhibits 5-3A&B show the Year 2026 build traffic peak hour operating conditions at the study area intersections under the two aforementioned access scenarios. The Year 2026 build traffic includes only the proposed on-site school expansion student population estimates. The Year 2026 build traffic analysis was conducted using existing intersection configurations and traffic control.

As shown in Exhibit 5-3A, all movements are expected to operate at LOS D or better conditions under Scenario 1, except the following:

- The southbound movements at the 20th Avenue intersection with the east school driveway which are expected to continue to operate at LOS F during the weekday morning peak period.
- The southbound through/left-turn movements at the 20th Avenue intersection with Oakwood Road which are expected to continue to operate at LOS F during the weekday morning peak period.

As shown in Exhibit 5-3B, all movements are expected to operate at LOS D or better conditions under Scenario 2, except the following:

- The southbound through/left-turn movements at the 20th Avenue intersection with Oakwood Road which are expected to continue to operate at LOS F during the weekday morning peak period.

B2. Year 2036 Build Traffic Operating Conditions – No Modifications

Exhibits 5-5A&B show the Year 2036 build traffic peak hour operating conditions at the study area intersections under the two aforementioned access scenarios. The Year 2036 build traffic includes ten years of general background growth as well as the proposed on-site school expansion student population estimates. The Year 2036 build traffic analysis was conducted using existing intersection configurations and traffic control.

As shown in Exhibit 5-5A, all movements are expected to operate at LOS D or better conditions under Scenario 1, except the following:

- The southbound movements at the 20th Avenue intersection with the east school driveway which are expected to continue to operate at LOS F during the weekday morning peak period.
- The southbound through/left-turn movements at the 20th Avenue intersection with Oakwood Road which are expected to operate at LOS F during the weekday morning and afternoon peak periods.
- The northbound through/left-turn movements at the 20th Avenue intersection with Oakwood Road which are expected to operate at LOS E during the weekday morning peak period.

As shown in Exhibit 5-5B, all movements are expected to operate at LOS D or better conditions under Scenario 2, except the following:

- The southbound movements at the 20th Avenue intersection with the new school exit driveway which are expected to operate at LOS F during the weekday morning peak period.
- The southbound through/left-turn movements at the 20th Avenue intersection with Oakwood Road which are expected to operate at LOS F during the weekday morning and afternoon peak periods.
- The northbound through/left-turn movements at the 20th Avenue intersection with Oakwood Road which are expected to operate at LOS E during the weekday morning peak period.

B3. Year 2036 Total Traffic Operating Conditions – No Modifications

Exhibits 5-8A&B show the Year 2036 total traffic peak hour operating conditions at the study area intersections under the two aforementioned access scenarios. The Year 2036 total traffic includes the previously identified off-site developments as well as ten years of general background growth and the proposed on-site school expansion student population estimates. The Year 2036 total traffic analysis was conducted using existing intersection configurations and traffic control.

As shown in Exhibit 5-8A, all movements are expected to operate at LOS D or better conditions under Scenario 1, except the following:

- The southbound movements at the 20th Avenue intersection with the east school driveway which are expected to continue to operate at LOS E/F during the weekday morning and afternoon peak periods.
- The southbound through/left-turn movements at the 20th Avenue intersection with Oakwood Road which are expected to operate at LOS F during the weekday morning and afternoon peak periods.
- The northbound through/left-turn movements at the 20th Avenue intersection with Oakwood Road which are expected to operate at LOS F during the weekday morning peak period.

As shown in Exhibit 5-8B, all movements are expected to operate at LOS D or better conditions under Scenario 2, except the following:

- The southbound movements at the 20th Avenue intersection with the new school exit driveway which are expected to operate at LOS F during the weekday morning peak period.
- The southbound through/left-turn movements at the 20th Avenue intersection with Oakwood Road which are expected to operate at LOS F during the weekday morning and afternoon peak periods.
- The northbound through/left-turn movements at the 20th Avenue intersection with Oakwood Road which are expected to operate at LOS F during the weekday morning peak period.

B4. Traffic Operating Conditions – *With Modifications*

Modifications to accommodate the build and total traffic volumes are summarized in *Chapter VI – Recommendations and Conclusion*. The following outlines the location of the expected peak hour operating conditions with modifications at the study area intersections. The analysis outputs are included in the Appendix of this report.

- Exhibit 5-12A – Year 2026 (Scenario 1 – One Eastern Driveway) Build Traffic Operations – *With Modifications*
- Exhibit 5-12B – Year 2026 (Scenario 2 – Two Eastern Driveways) Build Traffic Operations – *With Modifications*
- Exhibit 5-14A – Year 2036 (Scenario 1 – One Eastern Driveway) Build Traffic Operations – *With Modifications*
- Exhibit 5-14B – Year 2036 (Scenario 2 – Two Eastern Driveways) Build Traffic Operations – *With Modifications*
- Exhibit 5-17A – Year 2036 Total (Scenario 1 – One Eastern Driveway) Traffic Operations – *With Modifications*
- Exhibit 5-17B – Year 2036 Total (Scenario 2 – Two Eastern Driveways) Traffic Operations – *With Modifications*

As shown, all movements are expected to operate desirably at LOS D or better conditions except as follows:

- *Year 2026 (Scenario 1 – One Eastern Driveway) Build Traffic:* At the 20th Avenue intersection with the east school driveway, the southbound left-turn movements are expected to operate at LOS F during the weekday morning peak period under one-way stop sign control. Traffic signal warrants are not expected to be met for about ten years. It is recommended to monitor operations until signals are warranted.

- *Year 2036 (Scenario 2 – Two Eastern Driveways) Build Traffic:* At the 20th Avenue intersection with the new school exit driveway, the southbound left-turn movements are expected to operate at LOS F during the weekday morning peak period under one-way stop sign control. Traffic signal warrants are expected to be met with background traffic and school population growth. Therefore, traffic signals could be considered once actual volumes reach the warrant thresholds at some point in the future. It is noted that the warrant is just met under a ten-year traffic scenario. Assuming similar background traffic growth along 20th Avenue as has occurred over the past 20 years, it is expected that signals won't be warranted for about ten years. It is recommended to monitor operations until signals are warranted.

- *Year 2036 (Scenario 2 – Two Eastern Driveways) Total Traffic:* At the 20th Avenue intersection with the new school exit driveway, the southbound left-turn movements are expected to operate at LOS F during the weekday morning peak period under one-way stop sign control. Traffic signal warrants are expected to be met with background traffic growth and additional development traffic. Therefore, traffic signals could be considered once actual volumes reach the warrant thresholds at some point in the future. It is noted that the warrant is just met under a ten-year traffic scenario. Assuming similar background along 20th Avenue as has occurred over the past 20 years, it is expected that signals won't be warranted for about ten years. It is recommended to monitor operations until signals are warranted.

PART C – QUEUEING ANALYSIS

To estimate storage length requirements for turn bays at the study area intersections with modifications, a queuing analysis has been conducted. Note that the 95th percentile probable queue lengths were used for the design of turn bay storage at traffic signal and stop sign-controlled intersections. The following is a list of where the results of the queuing analysis can be found. Only the build scenarios with identified modifications are listed.

- Year 2026 (Scenario 1 – One Eastern Driveway) Build Traffic – Exhibit 5-12A
- Year 2026 (Scenario 2 – Two Eastern Driveways) Build Traffic – Exhibit 5-12B
- Year 2036 (Scenario 1 – One Eastern Driveway) Build Traffic – Exhibit 5-14A
- Year 2036 (Scenario 2 – Two Eastern Driveways) Build Traffic – Exhibit 5-14B
- Year 2036 (Scenario 1 – One Eastern Driveway) Total Traffic – Exhibit 5-17A
- Year 2036 (Scenario 2 – Two Eastern Driveways) Total Traffic – Exhibit 5-17B

PART D – PEDESTRIAN, BICYCLE, BUS SERVICE AND MULTI-USE TRAIL CONSIDERATIONS

D1. Pedestrian Enhancements

As previously described, sidewalks are currently provided along the north side of 20th Avenue, throughout the project limits and along the south side of the street, from the Oshkosh Community YMCA driveway up to the 20th Avenue crosswalk located immediately west of the west school driveway. The crosswalk provides a marked and signed crossing location for students to traverse 20th Avenue to get to the YMCA for after school activities. A crossing guard is present for each of the crossing times (two separate time periods) during the weekday afternoon discharge peak periods noting that a crossing guard joins the group of students as they walk from the school for the elementary and middle school discharge peak periods. Providing a higher level of safety at this crosswalk location was considered as part of this study. A Rectangular Rapid Flashing Beacon (RRFB) was considered to provide for a controlled crossing location.

The MUTCD does not include a warrant for the installation of a RRFB. However, WisDOT and many communities allow the installation of a RRFB at pedestrian locations where a marked crossing exists, and higher volumes of pedestrians are present. There are also studies from other states that utilize thresholds of 300 vehicles and 20 pedestrians present at the crossing during any hour or more than one pedestrian being struck over a ten-year period.

The vehicular and pedestrian volume thresholds along the corridor are met along 20th Avenue at this crosswalk location. Therefore, since the 20th Avenue crossing meets the vehicular and pedestrian volume thresholds and is allowed by WisDOT and many local communities as an effective pedestrian crossing system, the installation of an RRFB could be considered a good

application for this location along the 20th Avenue corridor to provide for an extra level of safety for the crossing guards helping the students cross.

Three pedestrian walkways are provided to the residential neighborhoods located immediately north and east of the school site. Walkway connections are provided along Sawyer Creek Drive/Wellington Drive, Fox Tail Lane, and Woodstock Street. Pedestrian counts at the three locations, as shown in Exhibit 3-2 show that the highest pedestrian counts were recorded at the mid-block crossing along Woodstock Street, whereas the Sawyer Creek Drive and Fox Tail Lane locations had very few pedestrians. Images taken from the video counts conducted as part of the data collection at these three locations are provided in the appendix of this report to show the existing conditions at different times. For the Sawyer Creek Drive and Fox Tail Lane locations, images are provided showing the highest volume times. At the Woodstock Street location, images are provided for several different times during the weekday morning and afternoon peaks to show the differences over the duration of the highest pedestrian volume times. In most cases, parents were parking near (or on the same side of the road) as the walkways so only a small number of students were required to cross the street. However, at the location of Woodstock Street, parents parked on both sides of the street with students crossing the street wherever their vehicle was parked. Based on observations as part of the data collection completed as part of this study, and because the traffic at all of the locations is local school traffic, all locations are currently operating safely, and no enhanced pedestrian treatments are recommended. However, consideration could be given to providing additional sidewalk connections between the street and the sidewalk (within the terrace area) along Woodstock Street, near the Woodstock Street location to provide for less distance that students need to spend on the street between driveways before accessing the sidewalks. Consideration could also be given to restricting parking within 25 feet of the crosswalk on the east side of the street, similar to the existing restrictions on the west side of the street.

It is noted that with improved operations at the school access driveways expected due to the modifications recommended as part of this study, it is expected that in lieu of the neighborhood walkway connection drop-off/pick-up locations, more parents may utilize the school driveways to drop off and pick up their students at the school.

D2. Internal Site Operations

The parent parking lots and drop-off/pick-up operations for the two schools are located on the east side of the school. Parents currently use two areas for transfer of the students. Most parents utilize the drop-off/pick-up aisles adjacent to the school doors; however, a significant number of parents also drop off and pick up their young students by parking in the parking lot and walking to the school doors. After drop off or pick up, the vehicles head back to the south where they enter the exit lane of the driveway onto 20th Avenue noting that once the driveway exiting vehicle line queues back up past the southern end of the parking lot, the vehicles from the drop-off/pick-up lane and the vehicles from the parking lot take turns as they merge into a single exit queue as they head towards 20th Avenue.

It was observed that the queues trying to exit the site backed up past this merge point starting at about 7:34 am and lasted about 13 to 14 minutes, up to about 7:48 am, during the typical weekday morning peak period. During the typical weekday evening peak period, exiting vehicles started to back up past this merge point starting at about 2:50 pm and lasting about 5 minutes, up to 2:55 pm. Images taken from the video counts conducted as part of the data collection at the south end of the parking lot merge point are provided in the appendix of this report to show specific points in time under the existing conditions during both the weekday morning and afternoon peak periods.

During the typical weekday discharge peak period, vehicles arrived early to pick up their students at the end of the day and queued up along the pick-up aisle adjacent to the school. This line of vehicles backed up past the southern entrance of the parking lot onto the entrance driveway towards 20th Avenue starting around 2:34 pm with the queue reaching 20th Avenue at about 2:40 pm. Due to the long queue, some vehicles were forced to park on 20th Avenue beyond 2:40 pm for about 5 minutes, with the driveway queue south of the parking lot existing within the limits of the entrance driveway until about 2:46 pm. It is also noted that while the entrance queue was backed up from the south end of the parking lot towards 20th Avenue, some vehicles drove in the exit lanes of the driveway to bypass the queued vehicles to access the parking lot to the east. Even though this is not a safe condition or operation, it did function without conflicts since no vehicles were exiting the site as they were waiting in the queue to pick up their students. Images taken from the video counts conducted as part of the data collection at the south end of the driveway at 20th Avenue are provided in the appendix of this report to show this existing condition.

The proposed two driveway scenario (Access Scenario 2), with a new dedicated entrance driveway and a new dedicated exit driveway is proposed to separate the inbound and outbound operations along with increased capacity providing for two drive lanes in each driveway. For entering vehicles, this allows vehicles wanting to park in the parking lots a lane to bypass the vehicles queued up waiting to enter or exit the drop-off/pick-up aisles. For the exiting vehicles, the two lanes allow the vehicles wanting to make left-turn and right-turn movements at 20th Avenue to stack within their respective exit lanes, which in turn allows for additional stacking distance within the overall site.

Since queueing during the typical weekday afternoon pick-up queues up to and onto 20th Avenue, the additional stacking distance for the inbound lanes as well as the outbound lanes should limit any queuing back onto 20th Avenue.

In addition, the proposed design includes a drive aisle at the southern end of the parking lot to allow exiting vehicles to traverse adjacent to and through the entering lanes to access the exiting lanes, without having to drive through the drop-off/pick-up aisles. Based on observations of the existing operations, this “short cut” is expected to operate well as there appear to be many gaps in inbound traffic to allow for vehicles exiting the parking lots to pass through the entering lanes to access the exiting lanes.

D3. Bus Operations

All buses currently utilize the west driveway to access the site with drop-off and pick-up operations on the west side of the school. During the morning peak period, about 15 school buses, plus two city buses (with 15-minute headways), currently provide service for the schools. Most buses entered and exited the site to/from the east with a handful to/from the west. Because of the staggered arrival during the morning peak period, drop-off operations appeared to operate efficiently and safely. During the typical weekday afternoon discharge peak hour, about seven buses and one city bus provide service for each of the two school dismissal time periods. Because of the staggered afternoon bell schedules during the afternoon peak period, bus operations appeared to operate efficiently and safely.

PART E – SPEED CONSIDERATIONS/SIGHT DISTANCE

The party responsible for designing the intersections will be responsible for cross-checking, verifying, and designing for all applicable sight distances. Site observation indicates that intersection sight distance (ISD) is expected to be met at the two new eastern school driveways. ISD must be double checked during the permit application stage of development.

PART F – TRAFFIC CONTROL NEEDS

Modifications to the existing traffic control are recommended at several of the study area intersections as follows.

As recommended to accommodate Year 2026 build traffic (Scenario 1):

20th Avenue & East School Driveway (Scenario 1)

- *26 Build Traffic:*
  - Reconstruct the north approach to align with the private driveway located immediately west of the existing school driveway.
  - Construct a dedicated left-turn lane and a dedicated right-turn lane exiting the site (two exit lanes) and two inbound lanes on the new north approach.
  - Provide a fully actuated traffic signal with eastbound protected/permitted left-turn phasing.
- *36 Build Traffic:* No additional modifications.
- *36 Total Traffic:* No additional modifications.

As recommended to accommodate Year 2026 build traffic (Scenario 2 – optional):

20th Avenue & New Exiting School Driveway (Scenario 2 - optional)

- Construct a new north approach with a dedicated left-turn lane and a dedicated right-turn lane.
- Align the new driveway approach directly opposite the landscape company driveway located on the south side of 20th Avenue.
- Provide stop sign control on the north approach.
- Provide DO NOT ENTER signs facing 20th Avenue.
- Provide a fully actuated traffic signal with eastbound protected/permitted left-turn phasing when traffic volume thresholds reach a level where signal warrants are met.

20th Avenue & New Entering School Driveway (Scenario 2 - optional)

- Construct a new north approach with two entering drive aisles into the site as shown on the site plan.

PART G – TRAFFIC SIGNAL WARRANT ANALYSIS

Warrants should be viewed as guidelines to help decide whether traffic signal controls may be installed. Meeting warrants does not translate to a legal requirement for their installation. Completed warrant analysis worksheets are included in the Appendix of this report. Development-related traffic was included based on the WisDOT hourly distributions of traffic for the various land use types for each included development area. Warrants 2 and 3 were evaluated as a part of this study under urban thresholds.

G1. Scenario 1 – One Eastern Driveway

Traffic signal warrants were investigated at the 20th Avenue intersection with the east school driveway under Year 2025 Existing, Year 2026 Build (Scenario 1 – One Eastern Driveway) and Year 2036 Build (Scenario 1 – One Eastern Driveway) traffic volumes in accordance with the *MUTCD, 11th Edition*. 20th Avenue was analyzed as a major street with two lanes on each approach. The east school driveway was analyzed as a minor street with one lane. Since a right-

turn lane is proposed on the minor street approach, none of the minor street right-turn movements were included in the warrant analysis. The posted speed limit is 30 mph along 20th Avenue therefore urban warrant thresholds were utilized.

The warrant analysis was conducted based on the 5-hour turning movement counts collected along 20th Avenue as part of this study and forecasted to Year 2026 and Year 2036 based on a 2.0% east/west annual linear growth, as reflected in the growth rate calculations provided in the appendix of this report.

Based on the warrant analysis, Warrant 3, Peak Hour Volume is not expected to be met at the 20th Avenue intersection under Year 2025 Existing or Year 2026 Build (Scenario 1 – One Eastern Driveway) traffic volume conditions. However, under Year 2036 Build (Scenario 1 – One Eastern Driveway) traffic volume conditions, which include ten years of general background growth as well as the proposed on-site school expansion, the traffic signal warrant is expected to be met. Therefore, traffic signals should be considered once actual volumes reach the warrant thresholds at some point in the future. It is noted that assuming similar background traffic growth along 20th Avenue as has occurred over the past 20 years, the warrant is expected to be met in about five years without the known developments moving forward. If the two identified developments move forward, the warrant is expected to be met once both are fully built out without any background growth. In addition, if only the Sawyer Creek Residential development moves forward, the warrant would be expected to be met in as little as two and half years.

G2. Scenario 2 – Two Eastern Driveways with one-way operation

Traffic signal warrants were also investigated at the 20th Avenue intersection with the new eastern school driveway under Year 2036 Build (Scenario 2 – Two Eastern Driveways) traffic volumes in accordance with the *MUTCD, 11th Edition*. 20th Avenue was analyzed as a major street with two lanes on each approach. The new eastern school driveway was analyzed as a minor street with one lane. Since a right-turn lane is proposed on the minor street approach, none of the minor street right-turn movements were included in the warrant analysis. The posted speed limit is 30 mph along 20th Avenue therefore urban warrant thresholds were utilized.

The warrant analysis was conducted based on the 5-hour turning movement counts collected at along 20th Avenue as part of this study and forecasted to Year 2036 based on a 2.0% east/west annual linear growth, as reflected in the growth rate calculations provided in the appendix of this report.

Similar to Scenario 1, based on the warrant analysis, Warrant 3, Peak Hour Volume is expected to be met at the 20th Avenue intersection under Year 2036 Build (Scenario 2 – Two Eastern Driveways) traffic volume conditions. Therefore, traffic signals should be considered once actual volumes reach the warrant thresholds at some point in the future. It is noted that assuming similar background traffic growth along 20th Avenue as has occurred over the past 20 years, the warrant is expected to be met in about five years without the known developments moving forward. If the two identified developments move forward, the warrant is expected to be met once both are fully built out without any background growth. In addition, if only the Sawyer Creek Residential development moves forward, the warrant would be expected to be met in as little as two and half years.

All data pertaining to this signal warrant analysis are included in the Appendix of this report.

Exhibit 5-3A
Year 2026 Build (Scenario 1) Traffic Peak Hour Operating Conditions
With Existing Geometrics and Traffic Control

Intersection	Peak Hour	Metric	Level of Service (LOS) per Movement by Approach												I/S LOS & Delay
			Eastbound			Westbound			Northbound			Southbound			
			?	?	?	?	?	?	?	?	?	?	?	?	
Node 100: 20th Avenue & West Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*		-			*1*			
	AM	LOS	A		-	-	*		-			B			
		Delay	8.0		-	-	*		-			13.9			
		Queue	25'		-	-	*		-			25'			
	PM	LOS	A		-	-	*		-			B			
		Delay	8.2		-	-	*		-			13.9			
		Queue	25'		-	-	*		-			25'			
Node 200: 20th Avenue & East Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*		-			*1*			
	AM	LOS	A		-	-	*		-			F			
		Delay	9.7		-	-	*		-			240.1			
		v/c	-		-	-	*		-			1.43			
		Queue	25'		-	-	*		-			630'			
	PM	LOS	A		-	-	*		-			C			
		Delay	8.5		-	-	*		-			20.1			
		Queue	25'		-	-	*		-			75'			
Node 400: 20th Avenue & Oakwood Road[1] *Traffic Signal Control*		*Lanes->*	*1*	-	*1*	*1*	-	*1*	*1*	*1*		*1*	*1*		
	AM	LOS	B	-	B	A	-	B	C	B		F	B		D
		Delay	15.2	-	11.6	9.9	-	10.0	25.1	10.0		283.0	12.0		53.2
		v/c	-	-	-	-	-	-	-	-		1.52	-		
		Queue	110'	-	110'	55'	-	55'	50'	25'		115'	95'		
	PM	LOS	B	-	B	B	-	B	B	A		D	A		B
		Delay	13.3	-	10.6	10.5	-	10.7	12.4	9.4		54.8	9.7		16.3
		Queue	50'	-	50'	50'	-	50'	75'	25'		60'	35'		

(-) indicates a movement that is prohibited or does not exist; (*) indicates a freeflow movement.
Delay is reported in seconds. Queue is the maximum of the 50th & 95th percentile queue, measured in feet.
[1] EB/WB lanes consist of a single shared left/through lane and a single shared right/through lane

Exhibit 5-3B
Year 2026 Build (Scenario 2) Traffic Peak Hour Operating Conditions
With Existing Geometrics and Traffic Control

Intersection	Peak Hour	Metric	Level of Service (LOS) per Movement by Approach												I/S LOS & Delay
			Eastbound			Westbound			Northbound			Southbound			
			?	?	?	?	?	?	?	?	?	?	?	?	
Node 100: 20th Avenue & West Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*		-			*1*			
	AM	LOS	A		-	-	*		-			B			
		Delay	8.0		-	-	*		-			13.9			
		Queue	25'		-	-	*		-			25'			
	PM	LOS	A		-	-	*		-			B			
		Delay	8.2		-	-	*		-			13.9			
		Queue	25'		-	-	*		-			25'			
Node 200: 20th Avenue & East Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*		-			*1*			
	AM	LOS	*		-	-	*		-			D			
		Delay	*		-	-	*		-			32.9			
		Queue	*		-	-	*		-			210'			
	PM	LOS	*		-	-	*		-			C			
		Delay	*		-	-	*		-			16.2			
		Queue	*		-	-	*		-			60'			
Node 300: 20th Avenue & New Second East Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*		-			-			
	AM	LOS	A		-	-	*		-			-			
		Delay	9.7		-	-	*		-			-			
		Queue	25'		-	-	*		-			-			
	PM	LOS	A		-	-	*		-			-			
		Delay	8.5		-	-	*		-			-			
		Queue	25'		-	-	*		-			-			
Node 400: 20th Avenue & Oakwood Road[1] *Traffic Signal Control*		*Lanes->*	*1*	-	*1*	*1*	-	*1*	*1*	*1*		*1*		*1*	
	AM	LOS	B	-	B	A	-	B	C	B		F		B	D
		Delay	15.2	-	11.6	9.9	-	10.0	25.1	10.0		283.0		12.0	53.2
		v/c	-	-	-	-	-	-	-	-		1.52		-	
		Queue	110'	-	110'	55'	-	55'	50'	25'		115'		95'	
	PM	LOS	B	-	B	B	-	B	B	A		D		A	B
		Delay	13.3	-	10.6	10.5	-	10.7	12.4	9.4		54.8		9.7	16.3
		Queue	50'	-	50'	50'	-	50'	75'	25'		60'		35'	

(-) indicates a movement that is prohibited or does not exist; (*) indicates a freeflow movement.
Delay is reported in seconds. Queue is the maximum of the 50th & 95th percentile queue, measured in feet.
[1] EB/WB lanes consist of a single shared left/through lane and a single shared right/through lane

Exhibit 5-5A
Year 2036 Build (Scenario 1) Traffic Peak Hour Operating Conditions
With Existing Geometrics and Traffic Control

Intersection	Peak Hour	Metric	Level of Service (LOS) per Movement by Approach												I/S LOS & Delay
			Eastbound			Westbound			Northbound			Southbound			
			?	?	?	?	?	?	?	?	?	?	?	?	
Node 100: 20th Avenue & West Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*		-			*1*			
	AM	LOS	A		-	-	*		-			C			
		Delay	8.4		-	-	*		-			17.7			
		Queue	25'		-	-	*		-			25'			
	PM	LOS	A		-	-	*		-			C			
		Delay	8.4		-	-	*		-			16.2			
		Queue	25'		-	-	*		-			25'			
Node 200: 20th Avenue & East Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*		-			*1*			
	AM	LOS	B		-	-	*		-			F			
		Delay	10.3		-	-	*		-			477.4			
		v/c	-		-	-	*		-			1.96			
		Queue	25'		-	-	*		-			865'			
	PM	LOS	A		-	-	*		-			D			
		Delay	8.8		-	-	*		-			27.4			
		Queue	25'		-	-	*		-			105'			
Node 400: 20th Avenue & Oakwood Road[1] *Traffic Signal Control*		*Lanes->*	*1*	-	*1*	*1*	-	*1*	*1*	*1*	*1*		*1*		
	AM	LOS	B	-	B	A	-	A	E	B	F		B	F	
		Delay	17.3	-	10.9	9.1	-	8.9	62.5	14.0	681.1		18.0	117.0	
		v/c	-	-	-	-	-	-	0.87	-	2.40		-		
		Queue	140'	-	140'	65'	-	65'	75'	25'	*#205'*		145'		
	PM	LOS	B	-	B	B	-	B	B	A	F		A	C	
		Delay	15.2	-	11.0	10.9	-	11.1	14.4	9.5	112.4		9.9	24.1	
		v/c	-	-	-	-	-	-	-	-	1.09		-		
		Queue	80'	-	80'	80'	-	80'	85'	25'	75'		40'		

(-) indicates a movement that is prohibited or does not exist; (*) indicates a freeflow movement.
Delay is reported in seconds. Queue is the maximum of the 50th & 95th percentile queue, measured in feet.
[1] EB/WB lanes consist of a single shared left/through lane and a single shared right/through lane

Exhibit 5-5B
Year 2036 Build (Scenario 2) Traffic Peak Hour Operating Conditions
With Existing Geometrics and Traffic Control

Intersection	Peak Hour	Metric	Level of Service (LOS) per Movement by Approach												I/S LOS & Delay
			Eastbound			Westbound			Northbound			Southbound			
			?	?	?	?	?	?	?	?	?	?	?	?	
Node 100: 20th Avenue & West Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*		-			*1*			
	AM	LOS	A		-	-	*		-			C			
		Delay	8.4		-	-	*		-			17.7			
		Queue	25'		-	-	*		-			25'			
	PM	LOS	A		-	-	*		-			C			
		Delay	8.4		-	-	*		-			16.2			
		Queue	25'		-	-	*		-			25'			
Node 200: 20th Avenue & East Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*		-			*1*			
	AM	LOS	*		-	-	*		-			F			
		Delay	*		-	-	*		-			99.3			
		v/c	-		-	-	*		-			1.09			
		Queue	*		-	-	*		-			405'			
	PM	LOS	*		-	-	*		-			C			
		Delay	*		-	-	*		-			20.6			
		Queue	*		-	-	*		-			80'			
Node 300: 20th Avenue & New Second East Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*		-			-			
	AM	LOS	B		-	-	*		-			-			
		Delay	10.4		-	-	*		-			-			
		Queue	25'		-	-	*		-			-			
	PM	LOS	A		-	-	*		-			-			
		Delay	8.8		-	-	*		-			-			
		Queue	25'		-	-	*		-			-			
Node 400: 20th Avenue & Oakwood Road[1] *Traffic Signal Control*		*Lanes->*	*1*	-	*1*	*1*	-	*1*	*1*	*1*		*1*	*1*		
	AM	LOS	B	-	B	A	-	A	E	B		F	B		F
		Delay	17.3	-	10.9	9.1	-	8.9	62.5	14.0		681.1	18.0		117.0
		v/c	-	-	-	-	-	-	0.87	-		2.40	-		
		Queue	140'	-	140'	65'	-	65'	75'	25'		*#205'*	145'		
	PM	LOS	B	-	B	B	-	B	B	A		F	A		C
		Delay	15.2	-	11.0	10.9	-	11.1	14.4	9.5		112.4	9.9		24.1
		v/c	-	-	-	-	-	-	-	-		1.09	-		
		Queue	80'	-	80'	80'	-	80'	85'	25'		75'	40'		

(-) indicates a movement that is prohibited or does not exist; (*) indicates a freeflow movement.
Delay is reported in seconds. Queue is the maximum of the 50th & 95th percentile queue, measured in feet.
[1] EB/WB lanes consist of a single shared left/through lane and a single shared right/through lane

Exhibit 5-8A
Year 2036 Total (Scenario 1) Traffic Peak Hour Operating Conditions
With Existing Geometrics and Traffic Control

Intersection	Peak Hour	Metric	Level of Service (LOS) per Movement by Approach												I/S LOS & Delay
			Eastbound			Westbound			Northbound			Southbound			
			?	?	?	?	?	?	?	?	?	?	?	?	
Node 100: 20th Avenue & West Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*		-			*1*			
	AM	LOS	A		-	-	*		-			C			
		Delay	8.5		-	-	*		-			19.4			
		Queue	25'		-	-	*		-			25'			
	PM	LOS	A		-	-	*		-			C			
		Delay	8.7		-	-	*		-			18.9			
		Queue	25'		-	-	*		-			25'			
Node 200: 20th Avenue & East Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*		-			*1*			
	AM	LOS	B		-	-	*		-			F			
		Delay	10.5		-	-	*		-			577.1			
		v/c	-		-	-	*		-			2.17			
		Queue	25'		-	-	*		-			935'			
	PM	LOS	A		-	-	*		-			E			
		Delay	9.1		-	-	*		-			39.4			
		v/c	-		-	-	*		-			0.74			
		Queue	25'		-	-	*		-			140'			
Node 400: 20th Avenue & Oakwood Road[1] *Traffic Signal Control*		*Lanes->*	*1*	-	*1*	*1*	-	*1*	*1*	*1*		*1*	*1*		
	AM	LOS	C	-	B	A	-	A	F	B		F	C		F
		Delay	20.8	-	11.7	9.0	-	8.2	89.4	16.6		889.1	22.3		141.8
		v/c	-	-	-	-	-	-	0.95	-		2.85	-		
		Queue	180'	-	180'	70'	-	70'	75'	25'		#205'	150'		
	PM	LOS	B	-	B	B	-	B	D	B		F	B		C
		Delay	16.3	-	10.8	10.4	-	10.6	50.4	11.1		143.3	11.9		31.7
		v/c	-	-	-	-	-	-	-	-		1.17	-		
		Queue	95'	-	95'	90'	-	90'	110'	30'		85'	60'		

(-) indicates a movement that is prohibited or does not exist; (*) indicates a freeflow movement.
Delay is reported in seconds. Queue is the maximum of the 50th & 95th percentile queue, measured in feet.
[1] EB/WB lanes consist of a single shared left/through lane and a single shared right/through lane

Exhibit 5-8B
Year 2036 Total (Scenario 2) Traffic Peak Hour Operating Conditions
With Existing Geometrics and Traffic Control

Intersection	Peak Hour	Metric	Level of Service (LOS) per Movement by Approach												I/S LOS & Delay
			Eastbound			Westbound			Northbound			Southbound			
			?	?	?	?	?	?	?	?	?	?	?	?	
Node 100: 20th Avenue & West Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*		-			*1*			
	AM	LOS	A		-	-	*		-			C			
		Delay	8.5		-	-	*		-			19.4			
		Queue	25'		-	-	*		-			25'			
	PM	LOS	A		-	-	*		-			C			
		Delay	8.7		-	-	*		-			18.9			
		Queue	25'		-	-	*		-			25'			
Node 200: 20th Avenue & East Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*		-			*1*			
	AM	LOS	*		-	-	*		-			F			
		Delay	*		-	-	*		-			141.1			
		v/c	*		-	-	*		-			1.20			
		Queue	*		-	-	*		-			485'			
	PM	LOS	*		-	-	*		-			D			
		Delay	*		-	-	*		-			27.2			
		Queue	*		-	-	*		-			105'			
Node 300: 20th Avenue & New Second East Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*		-			-			
	AM	LOS	B		-	-	*		-			-			
		Delay	10.6		-	-	*		-			-			
		Queue	25'		-	-	*		-			-			
	PM	LOS	A		-	-	*		-			-			
		Delay	9.1		-	-	*		-			-			
		Queue	25'		-	-	*		-			-			
Node 400: 20th Avenue & Oakwood Road[1] *Traffic Signal Control*		*Lanes->*	*1*	-	*1*	*1*	-	*1*	*1*	*1*		*1*	*1*		
	AM	LOS	C	-	B	A	-	A	F	B		F	C		F
		Delay	20.8	-	11.7	9.0	-	8.2	89.4	16.6		889.1	22.3		141.8
		v/c	-	-	-	-	-	-	0.95	-		2.85	-		
		Queue	180'	-	180'	70'	-	70'	75'	25'		#205'	150'		
	PM	LOS	B	-	B	B	-	B	D	B		F	B		C
		Delay	16.3	-	10.8	10.4	-	10.6	50.4	11.1		143.3	11.9		31.7
		v/c	-	-	-	-	-	-	-	-		1.17	-		
		Queue	95'	-	95'	90'	-	90'	110'	30'		85'	60'		

(-) indicates a movement that is prohibited or does not exist; (*) indicates a freeflow movement.
Delay is reported in seconds. Queue is the maximum of the 50th & 95th percentile queue, measured in feet.
[1] EB/WB lanes consist of a single shared left/through lane and a single shared right/through lane

Exhibit 5-12A
Year 2026 Build (Scenario 1) Traffic Peak Hour Operating Conditions
With Modified Geometrics and Traffic Control

Intersection	Peak Hour	Metric	Level of Service (LOS) per Movement by Approach												I/S LOS & Delay
			Eastbound			Westbound			Northbound			Southbound			
			↗	→	↘	↙	←	↖	↖	↑	↗	↘	↓	↙	
Node 100: 20th Avenue & West Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*			-			*1*		
	AM	LOS	A		-	-	*			-			B		
		Delay	8.0		-	-	*			-			13.9		
		Queue	25'		-	-	*			-			25'		
	PM	LOS	A		-	-	*			-			B		
		Delay	8.2		-	-	*			-			13.9		
		Queue	25'		-	-	*			-			25'		
Node 200: 20th Avenue & East Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*			-		*1*	-	*1*	
	AM	LOS	A		-	-	*			-		F	-	B	
		Delay	9.7		-	-	*			-		191.4	-	11.5	
		v/c	-		*	-	*			-		1.30	-	-	
		Queue	14'		-	-	*			-		485'	-	35'	
	PM	LOS	A		-	-	*			-		C	-	A	
		Delay	8.5		-	-	*			-		19.6	-	9.9	
		Queue	25'		-	-	*			-		65'	-	25'	
Node 400: 20th Avenue & Oakwood Road[1] *Traffic Signal Control*		*Lanes->*	*1*	-	*1*	*1*	-	*1*	*1*	*1*		*1*	*1*		
	AM	LOS	B	-	A	A	-	A	B	B		B	B		B
		Delay	10.2	-	8.1	6.9	-	7.0	18.3	11.1		13.2	15.3		10.5
		Queue	130'	-	130'	65'	-	65'	35'	35'		70'	150'		
	PM	LOS	A	-	A	A	-	A	B	B		B	B		A
		Delay	7.3	-	6.2	6.2	-	6.3	14.4	13.8		16.4	13.1		9.3
		Queue	55'	-	55'	55'	-	55'	25'	80'		35'	60'		

(-) indicates a movement that is prohibited or does not exist; (*) indicates a freeflow movement.
Delay is reported in seconds. Queue is the maximum of the 50th & 95th percentile queue, measured in feet.
[1] EB/WB lanes consist of a single shared left/through lane and a single shared right/through lane

Exhibit 5-12B
Year 2026 Build (Scenario 2) Traffic Peak Hour Operating Conditions
With Modified Geometrics and Traffic Control

Intersection	Peak Hour	Metric	Level of Service (LOS) per Movement by Approach												I/S LOS & Delay
			Eastbound			Westbound			Northbound			Southbound			
			↗	→	↘	↙	←	↖	↖	↑	↗	↘	↓	↙	
Node 100: 20th Avenue & West Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*		-			*1*			
	AM	LOS	A		-	-	*		-			B			
		Delay	8.0		-	-	*		-			13.9			
		Queue	25'		-	-	*		-			25'			
	PM	LOS	A		-	-	*		-			B			
		Delay	8.2		-	-	*		-			13.9			
		Queue	25'		-	-	*		-			25'			
Node 200: 20th Avenue & East Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*		-			*1*	-	*1*	
	AM	LOS	*		-	-	*		-			D	-	A	
		Delay	*		-	-	*		-			27.0	-	9.4	
		Queue	*		-	-	*		-			150'	-	25'	
	PM	LOS	*		-	-	*		-			C	-	A	
		Delay	*		-	-	*		-			15.9	-	9.4	
		Queue	*		-	-	*		-			50'	-	25'	
Node 300: 20th Avenue & New Second East Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*		-			-			
	AM	LOS	A		-	-	*		-			-			
		Delay	9.7		-	-	*		-			-			
		Queue	25'		-	-	*		-			-			
	PM	LOS	A		-	-	*		-			-			
		Delay	8.5		-	-	*		-			-			
		Queue	25'		-	-	*		-			-			
Node 400: 20th Avenue & Oakwood Road[1] *Traffic Signal Control*		*Lanes->*	*1*	-	*1*	*1*	-	*1*	*1*	*1*		*1*	*1*		
	AM	LOS	B	-	A	A	-	A	B	B		B	B		B
		Delay	10.2	-	8.1	6.9	-	7.0	18.3	11.1		13.2	15.3		10.5
		Queue	130'	-	130'	65'	-	65'	35'	35'		70'	150'		
	PM	LOS	A	-	A	A	-	A	B	B		B	B		A
		Delay	7.3	-	6.2	6.2	-	6.3	14.4	13.8		16.4	13.1		9.3
		Queue	55'	-	55'	55'	-	55'	25'	80'		35'	60'		

(-) indicates a movement that is prohibited or does not exist; (*) indicates a freeflow movement.
Delay is reported in seconds. Queue is the maximum of the 50th & 95th percentile queue, measured in feet.
[1] EB/WB lanes consist of a single shared left/through lane and a single shared right/through lane

Exhibit 5-14A
Year 2036 Build (Scenario 1) Traffic Peak Hour Operating Conditions
With Modified Geometrics and Traffic Control

Intersection	Peak Hour	Metric	Level of Service (LOS) per Movement by Approach												I/S LOS & Delay
			Eastbound			Westbound			Northbound			Southbound			
			↗	→	↘	↙	←	↖	↖	↑	↗	↘	↓	↙	
Node 100: 20th Avenue & West Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*		-			*1*			
	AM	LOS	A		-	-	*		-			C			
		Delay	8.4		-	-	*		-			17.7			
		Queue	25'		-	-	*		-			25'			
	PM	LOS	A		-	-	*		-			C			
		Delay	8.4		-	-	*		-			16.2			
		Queue	25'		-	-	*		-			25'			
Node 200: 20th Avenue & East Driveway *Traffic Signal Control*		*Lanes->*	*2*		-	-	*2*		-			*1*	-	*1*	
	AM	LOS	A		-	-	A		-			B	-	B	A
		Delay	6.7		-	-	8.3		-			15.8	-	11.1	9.4
		Queue	85'		-	-	150'		-			170'	-	40'	
	PM	LOS	A		-	-	A		-			B	-	B	A
		Delay	5.0		-	-	5.5		-			13.3	-	11.4	7.0
		Queue	30'		-	-	50'		-			65'	-	25'	
Node 400: 20th Avenue & Oakwood Road[1] *Traffic Signal Control*		*Lanes->*	*1*	-	*1*	*1*	-	*1*	*1*	*1*		*1*	*1*		
	AM	LOS	B	-	B	A	-	A	C	B		B	C		B
		Delay	18.3	-	11.1	9.2	-	9.0	26.8	14.4		17.9	22.8		15.4
		Queue	165'	-	165'	75'	-	75'	45'	45'		90'	205'		
	PM	LOS	B	-	A	A	-	A	B	B		B	B		B
		Delay	10.1	-	7.6	7.5	-	7.7	14.4	13.4		17.0	12.7		10.3
		Queue	75'	-	75'	75'	-	75'	25'	100'		45'	75'		

(-) indicates a movement that is prohibited or does not exist; (*) indicates a freeflow movement.
Delay is reported in seconds. Queue is the maximum of the 50th & 95th percentile queue, measured in feet.
[1] EB/WB lanes consist of a single shared left/through lane and a single shared right/through lane

Exhibit 5-14B
Year 2036 Build (Scenario 2) Traffic Peak Hour Operating Conditions
With Modified Geometrics and Traffic Control

Intersection	Peak Hour	Metric	Level of Service (LOS) per Movement by Approach												I/S LOS & Delay
			Eastbound			Westbound			Northbound			Southbound			
			↗	→	↘	↙	←	↖	↖	↑	↗	↘	↓	↙	
Node 100: 20th Avenue & West Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*		-			*1*			
	AM	LOS	A		-	-	*		-			C			
		Delay	8.4		-	-	*		-			17.7			
		Queue	25'		-	-	*		-			25'			
	PM	LOS	A		-	-	*		-			C			
		Delay	8.4		-	-	*		-			16.2			
		Queue	25'		-	-	*		-			25'			
Node 200: 20th Avenue & East Driveway *Traffic Signal Control*		*Lanes->*	*2*		-	-	*2*		-			*1*	-	*1*	
	AM	LOS	A		-	-	A		-			B	-	B	A
		Delay	6.3		-	-	6.0		-			15.7	-	11.1	9.2
		Queue	70'		-	-	55'		-			120'	-	30'	
	PM	LOS	A		-	-	A		-			B	-	B	A
		Delay	4.9		-	-	5.0		-			13.3	-	11.4	7.1
		Queue	30'		-	-	40'		-			65'	-	25'	
Node 300: 20th Avenue & New Second East Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*		-			-			
	AM	LOS	B		-	-	*		-			-			
		Delay	10.4		-	-	*		-			-			
		Queue	25'		-	-	*		-			-			
	PM	LOS	A		-	-	*		-			-			
		Delay	8.8		-	-	*		-			-			
		Queue	25'		-	-	*		-			-			
Node 400: 20th Avenue & Oakwood Road[1] *Traffic Signal Control*		*Lanes->*	*1*	-	*1*	*1*	-	*1*	*1*	*1*		*1*	*1*		
	AM	LOS	B	-	B	A	-	A	C	B		B	C		B
		Delay	18.3	-	11.1	9.2	-	9.0	26.8	14.4		17.9	22.8		15.4
		Queue	165'	-	165'	75'	-	75'	45'	45'		90'	205'		
	PM	LOS	B	-	A	A	-	A	B	B		B	B		B
		Delay	10.1	-	7.6	7.5	-	7.7	14.4	13.4		17.0	12.7		10.3
		Queue	75'	-	75'	75'	-	75'	25'	100'		45'	75'		

(-) indicates a movement that is prohibited or does not exist; (*) indicates a freeflow movement.
Delay is reported in seconds. Queue is the maximum of the 50th & 95th percentile queue, measured in feet.
[1] EB/WB lanes consist of a single shared left/through lane and a single shared right/through lane

With Modified Geometrics and Traffic Control - One-way Stop Control at East Driveway

Intersection	Peak Hour	Metric	Level of Service (LOS) per Movement by Approach												I/S LOS & Delay
			Eastbound			Westbound			Northbound			Southbound			
			↗	→	↘	↙	←	↖	↖	↑	↗	↘	↓	↙	
Node 200: 20th Avenue & East Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*		-			*1*	-	*1*	
	AM	LOS	*		-	-	*		-			F	-	B	
		Delay	*		-	-	*		-			73.7	-	10.0	
		v/c	-		-	-	*		-			0.99	-	-	
		Queue	*		-	-	*		-			300'	-	25'	
	PM	LOS	*		-	-	*		-			C	-	A	
		Delay	*		-	-	*		-			20.3	-	9.7	
		Queue	*		-	-	*		-			65'	-	25'	

(-) indicates a movement that is prohibited or does not exist; (*) indicates a freeflow movement.
Delay is reported in seconds. Queue is the maximum of the 50th & 95th percentile queue, measured in feet.

Exhibit 5-17A
Year 2036 Total (Scenario 1) Traffic Peak Hour Operating Conditions
With Modified Geometrics and Traffic Control

Intersection	Peak Hour	Metric	Level of Service (LOS) per Movement by Approach												I/S LOS & Delay
			Eastbound			Westbound			Northbound			Southbound			
			↗	→	↘	↙	←	↖	↖	↑	↗	↘	↓	↙	
Node 100: 20th Avenue & West Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*		-			*1*			
	AM	LOS	A		-	-	*		-			C			
		Delay	8.5		-	-	*		-			19.4			
		Queue	25'		-	-	*		-			25'			
	PM	LOS	A		-	-	*		-			C			
		Delay	8.7		-	-	*		-			18.9			
		Queue	25'		-	-	*		-			25'			
Node 200: 20th Avenue & East Driveway *Traffic Signal Control*		*Lanes->*	*2*		-	-	*2*		-			*1*	-	*1*	
	AM	LOS	A		-	-	A		-			B	-	B	A
		Delay	6.9		-	-	8.3		-			15.8	-	11.1	9.3
		Queue	100'		-	-	150'		-			175'	-	40'	
	PM	LOS	A		-	-	A		-			B	-	B	A
		Delay	5.1		-	-	5.7		-			13.3	-	11.4	7.0
		Queue	35'		-	-	60'		-			65'	-	25'	
Node 400: 20th Avenue & Oakwood Road[1] *Traffic Signal Control*		*Lanes->*	*1*	-	*1*	*1*	-	*1*	*1*	*1*		*1*	*1*		
	AM	LOS	C	-	B	B	-	A	C	B		C	C		B
		Delay	24.5	-	13.2	10.0	-	9.0	32.6	17.1		21.3	31.7		19.2
		Queue	195'	-	195'	75'	-	75'	45'	50'		95'	*#245'*		
	PM	LOS	B	-	A	A	-	A	B	B		B	B		B
		Delay	11.7	-	8.0	7.7	-	7.9	15.5	13.4		17.1	13.1		10.6
		Queue	95'	-	95'	90'	-	90'	35'	115'		50'	100'		

(-) indicates a movement that is prohibited or does not exist; (*) indicates a freeflow movement.
Delay is reported in seconds. Queue is the maximum of the 50th & 95th percentile queue, measured in feet.
[1] EB/WB lanes consist of a single shared left/through lane and a single shared right/through lane

Exhibit 5-17B
Year 2036 Total (Scenario 2) Traffic Peak Hour Operating Conditions
With Modified Geometrics and Traffic Control

Intersection	Peak Hour	Metric	Level of Service (LOS) per Movement by Approach												I/S LOS & Delay
			Eastbound			Westbound			Northbound			Southbound			
			↗	→	↘	↙	←	↖	↖	↑	↗	↘	↓	↙	
Node 100: 20th Avenue & West Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*		-			*1*			
	AM	LOS	A		-	-	*		-			C			
		Delay	8.5		-	-	*		-			19.4			
		Queue	25'		-	-	*		-			25'			
	PM	LOS	A		-	-	*		-			C			
		Delay	8.7		-	-	*		-			18.9			
		Queue	25'		-	-	*		-			25'			
Node 200: 20th Avenue & East Driveway *Traffic Signal Control*		*Lanes->*	*2*		-	-	*2*		-			*1*	-	*1*	
	AM	LOS	A		-	-	A		-			B	-	B	A
		Delay	6.5		-	-	6.1		-			15.7	-	11.1	9.1
		Queue	85'		-	-	60'		-			120'	-	30'	
	PM	LOS	A		-	-	A		-			B	-	B	A
		Delay	5.0		-	-	5.2		-			13.3	-	11.4	6.9
		Queue	35'		-	-	45'		-			65'	-	25'	
Node 300: 20th Avenue & New Second East Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*		-			-			
	AM	LOS	B		-	-	*		-			-			
		Delay	10.6		-	-	*		-			-			
		Queue	25'		-	-	*		-			-			
	PM	LOS	A		-	-	*		-			-			
		Delay	9.1		-	-	*		-			-			
		Queue	25'		-	-	*		-			-			
Node 400: 20th Avenue & Oakwood Road[1] *Traffic Signal Control*		*Lanes->*	*1*	-	*1*	*1*	-	*1*	*1*	*1*		*1*	*1*		
	AM	LOS	C	-	B	B	-	A	C	B		C	C		B
		Delay	24.5	-	13.2	10.0	-	9.0	32.6	17.1		21.3	31.7		19.2
		Queue	195'	-	195'	75'	-	75'	45'	50'		95'	*#245'*		
	PM	LOS	B	-	A	A	-	A	B	B		B	B		B
		Delay	11.7	-	8.0	7.7	-	7.9	15.5	13.4		17.1	13.1		10.6
		Queue	95'	-	95'	90'	-	90'	35'	115'		50'	100'		

(-) indicates a movement that is prohibited or does not exist; (*) indicates a freeflow movement.
Delay is reported in seconds. Queue is the maximum of the 50th & 95th percentile queue, measured in feet.
[1] EB/WB lanes consist of a single shared left/through lane and a single shared right/through lane

With Modified Geometrics and Traffic Control - One-way Stop Control at East Driveway

Intersection	Peak Hour	Metric	Level of Service (LOS) per Movement by Approach												I/S LOS & Delay
			Eastbound			Westbound			Northbound			Southbound			
			↗	→	↘	↙	←	↖	↖	↑	↗	↘	↓	↙	
Node 200: 20th Avenue & East Driveway *One-Way Stop Control*		*Lanes->*	*2*		-	-	*2*		-			*1*	-	*1*	
	AM	LOS	*		-	-	*		-			F	-	B	
		Delay	*		-	-	*		-			108.5	-	10.1	
		v/c	-		-	-	*		-			1.09	-	-	
		Queue	*		-	-	*		-			365'	-	25'	
	PM	LOS	*		-	-	*		-			D	-	B	
		Delay	*		-	-	*		-			26.3	-	10.1	
		Queue	*		-	-	*		-			85'	-	25'	

(-) indicates a movement that is prohibited or does not exist; (*) indicates a freeflow movement.
Delay is reported in seconds. Queue is the maximum of the 50th & 95th percentile queue, measured in feet.

TRAFFIC ANALYSIS & DESIGN, INC.
3415 ~ 5/7/25

EXHIBIT 5-17B
YEAR 2036 TOTAL TRAFFIC OPERATIONS
WITH MODIFICATIONS
SCENARIO 2

OSHKOSH, WISCONSIN

CHAPTER VI – RECOMMENDATIONS AND CONCLUSION

PART A – RECOMMENDATIONS

The study area intersections were analyzed based on the procedures set forth in the *Highway Capacity Manual* (HCM) 7th *Edition*. Intersection operation is defined by "level of service." Level of Service (LOS) is a quantitative measure that refers to the overall quality of flow at an intersection ranging from very good, represented by LOS 'A,' to very poor, represented by LOS 'F.' For the purpose of this study, LOS D or better was used to define acceptable peak hour operating conditions.

Modifications to address traffic impacts are shown in Exhibit 1-3 for the Year 2026 and Year 2036. Traffic conditions have been split into three categories:

- "26 Build Traffic" – These modifications are expected to be necessary to accommodate Year 2026 Build traffic volumes, which include only the proposed on-site school expansion.
- "36 Build Traffic" – These modifications are expected to be necessary to accommodate Year 2036 Build traffic volumes, which include ten years of general background growth as well as the proposed on-site school expansion.
- "36 Total Traffic" – These modifications are expected to be necessary to accommodate Year 2036 Total traffic volumes, which include the previously identified off-site developments as well as ten years of general background growth and the proposed on-site school expansion.

The analysis was conducted using existing intersection geometrics and traffic control. The following modifications, as shown in Exhibit 1-3, are recommended to accommodate the Year 2026 and Year 2036 build and total traffic volumes, respectively. *Modifications are for jurisdictional consideration and are not legally binding. The City of Oshkosh reserves the right to determine alternative solutions.*

20th Avenue (General)

- *26 Build Traffic:*
  - Consider installation of a solar powered Rectangular Rapid Flashing Beacon (RRFB) at the existing crosswalk located immediately west of the west school driveway to enhance the safety at this location.
- *36 Build Traffic:* No additional modifications.
- *36 Total Traffic:* No additional modifications.

20th Avenue & West School Driveway

- *26 Build Traffic:* No modifications.
- *36 Build Traffic:* No modifications.
- *36 Total Traffic:* No modifications.

20th Avenue & East School Driveway (Scenario 1)

- *26 Build Traffic:*
  - Reconstruct the north approach to align with the private driveway located immediately west of the existing school driveway.

- Construct a dedicated left-turn lane and a dedicated right-turn lane exiting the site (two exit lanes) and two inbound lanes on the new north approach.
- Provide a dedicated westbound right-turn lane along 20th Avenue.
- Provide a fully actuated traffic signal with eastbound protected/permitted left-turn phasing.

- *36 Build Traffic:* No additional modifications.
- *36 Total Traffic:* No additional modifications.

20th Avenue & New Exiting School Driveway (Scenario 2 - optional)

- *26 Build Traffic:*
  - Construct a new north approach with a dedicated left-turn lane and a dedicated right-turn lane.
  - Align the new driveway approach directly opposite the landscape company driveway located on the south side of 20th Avenue.
  - Provide stop sign control on the north approach.
  - Provide DO NOT ENTER signs facing 20th Avenue.
  - Provide a fully actuated traffic signal with eastbound protected/permitted left-turn phasing when traffic volume thresholds reach a level where signal warrants are met.
- *36 Build Traffic:* No additional modifications.
- *36 Total Traffic:* No additional modifications.

20th Avenue & New Entering School Driveway (Scenario 2 - optional)

- *26 Build Traffic:*
  - Construct a new north approach with two entering drive aisles into the site as shown on the site plan.
- *36 Build Traffic:* No additional modifications.
- *36 Total Traffic:* No additional modifications.

20th Avenue & Oakwood Road

- *26 Build Traffic:*
  - Consider modifying the lane assignments on the north and south approaches to provide a dedicated left-turn lane and a shared through/right-turn lane. The lanes are currently striped to provide a shared through/left-turn lane and a dedicated right-turn lane.
- *36 Build Traffic:* No additional modifications.
- *36 Total Traffic:* No additional modifications.

Higher than acceptable delays are currently being experienced for southbound motorists at the 20th Avenue intersection with Oakwood Road during the typical weekday morning peak period. These delays are expected to increase over the next ten years with expected background growth in the overall area, with or without the identified off-site developments. Modifications to the lane assignments are expected to allow the intersection to operate acceptably for all movements under

the existing and expected future traffic volumes. However, it is noted that the recommended lane assignments on the north and south approaches; specifically, a dedicated left-turn lane and a shared through/right-turn lane, will occasionally require the higher volume right-turn movement vehicles to wait behind a through movement vehicle until the approach gets a green signal indication. Due to the shorter signal cycle length at the intersection, these delays are expected to be minimal and are expected to allow all movements at the intersection to operate within acceptable delay thresholds.

Two access scenarios were evaluated as part of this study, one with a single two-way east access driveway to the school (Scenario 1) and one with two one-way east access driveways to the school (Scenario 2). Scenario 2 is expected to allow the east driveway to operate acceptably under Year 2026 Build conditions without traffic signals. In order for the east driveway to operate acceptably under Year 2026 Build conditions under Scenario 1, traffic signals would also need to be installed. Even though Scenario 2 is expected to allow the east access driveway to operate acceptably under opening day conditions and until traffic signal warrants are met at some point in the future, it is recommended to implement Scenario 1 with installation of traffic signals now, based on the likelihood that traffic signals will be warranted in the near future and to provide a higher level of safety. A conceptual drawing of the recommended modifications is shown in Exhibit 6-1.

Based on the signal warrant analysis completed as part of this study, assuming similar background traffic growth along 20th Avenue as has occurred over the past 20 years, the peak hour traffic signal warrant is expected to be met under either Scenario in about five years without the known off-site developments moving forward. If the two identified developments move forward, the warrant is expected to be met immediately, once both are fully built out without any background growth. In addition, if only the Sawyer Creek Residential development moves forward, the warrant would be expected to be met in as little as two and half years with background growth. Therefore, since traffic signals are very likely to met in the next couple of years, installing traffic signals with the other recommended geometrics under the opening year build conditions is recommended.

Comparing both Scenario 1 and 2, Scenario 2 can operate acceptably without signals in the short-term, however, as traffic grows along 20th Avenue, signals would be warranted in the future. Since both Scenario 1 and 2 require signalization in the future, it is recommended to implement Scenario 1 with two lanes both inbound and outbound on the north approach with signalization to improve traffic operations and to provide a higher level of safety sooner rather than waiting for signals to be installed later.

It is noted that under Scenario 1, which includes modifications to the existing east access driveway including providing an additional entrance lane and an additional exit lane, the east driveway to the school is expected to provide for additional stacking distance within the site during the typical weekday afternoon discharge peak period, thereby helping to reduce the frequency of vehicles backing onto 20th Avenue while waiting in the queue for the afternoon school discharge bell.

It is also noted that based on the Year 2024 WisDOT crash modification factors, with installation of a traffic signal at the east driveway intersection, a 34 percent reduction in *right-angle* crashes and a 14 percent reduction in *all* crashes is expected. However, rear end crashes could increase by about 50 percent. Based on a review of the most recent crashes reported for the east driveway intersection, only two crashes occurred at the intersection over the most recent 5 years of available data and both crashes were reported as right-angle crashes with southbound left-turning vehicles exiting the driveway being hit by westbound vehicles.

PART B – CONCLUSION

Except where noted in Chapter V, all movements at the study area intersections are expected to operate safely and efficiently with the development assumptions outlined in this TIA and with the identified recommended modifications if properly designed and implemented through the Year 2036.



TRAFFIC ANALYSIS & DESIGN, INC.

3415 ~ 5/7/25

EXHIBIT 6-1
CONCEPTUAL DESIGN
RECOMMENDED MODIFICATIONS

OSHKOSH, WISCONSIN

TO:	Honorable Mayor and Members of the Common Council
FROM:	Jim Collins, Director of Transportation
DATE:	September 23, 2025
SUBJECT:	*Ord 25-505 Amend Section 27-36(j)(2)(c) of the City of Oshkosh Municipal Code pertaining to Parking Permits within Municipal Parking Lots and Repeal Section 27-36(e) pertaining to Hours of Enforcement within Municipal Parking Lots

BACKGROUND

There are occasions when downtown tenants have visitors and/or guests staying with them. In some cases, there is no on-street parking available in the immediate area and/or there is a temporary need for overnight parking in the lot. Through our vendor, we can offer a 24-hour limited-time parking permit through the mobile app. This product would allow for 24-hour parking in the permitted spaces. The hours of enforcement are defined on signage as well as in the app. Therefore; section 27-36e is no longer needed and can be repealed for clarity.

ANALYSIS

As we already allow overnight parking in the permitted spaces with a monthly or annual permit, adding a 24-hour permit should have minimal impact. We discussed a $6 rate for the 24-hour permit. A daily permit is $3, so it makes sense that a 24-hour permit would be double the cost of the daily fee.

BOARD/COMMISSION INFORMATION

Transportation Committee approved.

FISCAL IMPACT

There is not an extra cost to add this product to our app. This new timed permit would add some revenue to the parking utility.

Attachments

Ord 25-505

09/23/2025 25-505 ORDINANCE
FIRST READING

CARRIED 7-0

PURPOSE: AMEND SECTION 27-36(J)(2)(c) OF THE CITY OF OSHKOSH MUNICIPAL CODE PERTAINING TO PARKING PERMITS WITHIN MUNICIPAL PARKING LOTS AND REPEAL SECTION 27-36(E) PERTAINING TO HOURS OF ENFORCEMENT WITHIN MUNICIAL PARKING LOTS

INITIATED BY: TRANSPORTATION DEPARTMENT

TRANSPORTATION COMMITTEE - APPROVED

A GENERAL ORDINANCE OF THE CITY OF OSHKOSH AMENDING REGULATIONS PERTAINING TO PARKING PERMITS AND REPEALING SPECIFIC HOURS OF ENFORCEMENT FOR PARKING REGULATIONS WITHIN MUNICIPAL PARKING LOTS

WHEREAS, there is demand for a 24-hour parking permit option in municipal parking lots for visitors to the city; and

WHEREAS, in the spring of 2025 the City transitioned to an application-based parking permit system; and

WHEREAS, the 24-hour temporary permit can be added as an option within the application-based parking system; and

WHEREAS, the ordinance currently contains specific hours of enforcement for various types of parking, however through signage and the application parking users are informed of the parking regulations and violations of regulations may be enforced at any time they are observed or reported, making the current provision outdated and obsolete.

SECTION 1. That Section 27-36(E) pertaining to hours of Enforcement for Permit Parking, Leased Parking and Time Limited Parking is hereby repealed.

SECTION 2. That Section 27-36(J)(2)(c) pertaining to Parking Permits – Daily Permits is hereby repealed and recreated to read as follows:

c) Daily permits may be issued for the period from 7 am to 6 pm or for a 24-hour period. A daily permit may be used in any stall designated for permit parking on the date indicated on the permit.

SECTION 3. This ordinance shall be in full force and effect from and after its Passage and publication.

SECTION 4. Publication Notice. Please take notice that the City of Oshkosh enacted ordinance #25-505 on September 23, 2025 AMEND SECTION 27-36(J)(2)(c) OF THE CITY OF OSHKOSH MUNICIPAL CODE PERTAINING TO PARKING PERMITS WITHIN MUNICIPAL PARKING LOTS AND REPEAL SECTION 27-36(E) PERTAINING TO HOURS OF ENFORCEMENT WITHIN MUNICIAL PARKING LOTS (A GENERAL ORDINANCE OF THE CITY OF OSHKOSH AMENDING REGULATIONS PERTAINING TO PARKING PERMITS AND REPEALING SPECIFIC HOURS OF ENFORCEMENT FOR PARKING REGULATIONS WITHIN MUNICIPAL PARKING LOTS). The Ordinance will allow for issuance of two types of daily permits to park within municipal parking lots for the period from 7 am to 6 pm or

for a 24-hour period. The Ordinance also repeals provisions specifying certain hours for parking enforcement as the regulations for enforcement and times are now designated through the maps contained in the appendix to Chapter 27 and the application-based parking system.

The full text of the ordinance may be obtained at the Office of the City Clerk, 215 Church Avenue and through the City's website at www.oshkoshwi.gov, Phone: 920/236-5011.

TO:	Honorable Mayor and Members of the Common Council
FROM:	Lynn Lorenson, City Attorney
DATE:	September 23, 2025
SUBJECT:	*Ord 25-506 Amend Sections 2-19, 2-20 and Create Chapter 2 Article VII-1 of the City of Oshkosh Municipal Code all Pertaining to Creation and Enforcement of Rules on City Properties

BACKGROUND

Chapter 64 of the Wisconsin Statutes under which the City of Oshkosh is organized and operates grants the city manager all executive and administrative powers within the city. This would include the power to act for the public health, safety and welfare to create and enforce rules on city properties as well as to enforce those rules.

This general grant of authority has been relied on and accepted for many years. However, more recently the need for clear authority has become necessary due to the variety of properties that the City owns and controls as well as due to increasing scrutiny of rules and regulations by courts which have analyzed a variety of rules in other jurisdictions and provided guidance to municipalities toward creating enforceable rules and regulations governing activities on various public owned and open to the public properties.

ANALYSIS

The proposed ordinance creates two new provisions within the current code sections describing the duties and the authority of the city manager to address the city manager's responsibilities and authority to create and enforce rules for city properties. As noted above, this authority was implicit in the grant of authority in Chapter 64 however, it is recommended that the City set forth the explicit grant of authority in our ordinances to make clear who has the authority to create and enforce rules and the parameters under which those rules may be created. To that end, proposed section 2-20(H) allows the city manager to delegate rule making authority to department directors for property under their control but final authority and responsibility for those rules remains with the city manager. In addition, this section also sets out parameters for any rules created: "The rules must be for the protection and efficient use of City property, and may describe persons authorized to use City property, identify properties or parts of properties that shall not be accessible to the public, the times and manner in which the property can be used, and methods of enforcing the rules to ensure that the public health, safety, and welfare is protected. The rules shall be consistent with the Common Council direction through this Municipal Code, as well as consistent with state and federal law."

Similarly, the proposed Article VII-1 governing city property sets forth general rules for all city properties, excepting traditional public forums. Traditional public forums are places such as streets, sidewalks, public parks and squares that have historically been open to the public for assembly and expression. Rules in these areas receive the highest level of scrutiny from courts who are protective of the public's first amendment rights to speech in these public areas. Rules must be content-neutral time, place and manner restrictions, be supported by a compelling governmental interest and be narrowly tailored to meet the needs of that interest. In areas that

are not traditional public forums, governments are allowed greater freedom under the constitution to provide rules and regulations. The regulations in these non-traditional public forums should still be content-neutral, tailored appropriately to the need for control of the particular area and supported by governmental interests protective of public health, safety and welfare to be reasonable and defensible in case of a challenge. The proposed regulations in this new article are intended to fit within those parameters and regulate behaviors, including behaviors that are potentially destructive of property, such as improper disposal of trash, destruction of property and theft; creating disturbances by unreasonable noise, disorderly conduct or impeding use of the property or facility by others; use of alcohol and drugs on city property; soliciting and vending without authorization; camping on city property, and trespassing on vacant city property. The ordinance would allow creation of additional rules that may be specific to certain properties or areas on properties.

The penalty for violation of rules is proposed to be removal from the property and potential suspension from the property. It should be noted that this is a remedy that has been in place for many years within the parks department and has worked well for that department in dealing with people who fail to follow their rules. Because we are a government and provide services, some of which are essential services or services which may only be obtained through the city, the proposed ordinance also includes alternatives for those who may be removed or suspended to obtain those services that they do need.

FISCAL IMPACT

There is no anticipated fiscal impact to the proposed ordinance changes.

RECOMMENDATION

Staff recommends approval of the proposed ordinance changes.

Attachments

Ord 25-506
2-19 and 2-20 clean
2-19 and 2-20 redline
New Article VII-1 -Property

09/23/2025 25-506 ORDINANCE
FIRST READING

PURPOSE: AMEND SECTIONS 2-19, 2-20 AND CREATE CHAPTER 2 ARTICLE VII-1 OF THE CITY OF OSHKOSH MUNICIPAL CODE ALL PERTAINING TO CREATION AND ENFORCEMENT OF RULES ON CITY PROPERTIES

INITIATED BY: CITY ADMINISTRATION

A GENERAL ORDINANCE OF THE CITY OF OSHKOSH CREATING SECTIONS 2-19, 2-20 AND CREATING CHAPTER 2 ARTICLE VII-1 ALL PERTAINING TO CREATION AND ENFORCEMENT OF RULES ON CITY OWNED, LEASED OR RENTED PROPERTIES

WHEREAS, State law grants the city manager all executive and administrative powers within the city including the power to act for the public health, safety and welfare to create and enforce rules on city properties as well as to enforce those rules; and

WHEREAS, due to the variety of properties that the City owns and controls as well as recent court guidance to municipalities pertaining to the creation of enforceable rules and regulations governing activities on various public owned and open to the public properties, it is advisable to clarify city ordinances pertaining to the authority and responsibility for creation rules and enforcement of those rules on city properties; and

WHEREAS, staff has reviewed recent incidences of conduct on city properties and current rules and recommends rules to regulate behaviors including improper disposal of trash destruction of property and theft; creating disturbances by unreasonable noise, disorderly conduct or impeding use of the property or facility by others; use of alcohol and drugs on city property; soliciting and vending without authorization; camping on city property, and trespassing on vacant city property to be applicable on all city properties except as these rules may not apply to traditional public forums in compliance with constitutional limitations.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Oshkosh as follows:

SECTION 1. That Sections 2-19 and 2-20 of the City of Oshkosh Municipal Code pertaining to the Duties and Responsibilities of and Authority Necessary to Discharge Duties by the City Manager are hereby repealed and recreated to read as shown on the attachment to this Ordinance.

SECTION 2. That Chapter 2 Article VII-1 Property of the City of Oshkosh Municipal Code pertaining to rules on property owned, leased or rented by the City of Oshkosh is hereby created to read as shown on the attachment to this Ordinance.

SECTION 3. This ordinance shall be in full force and effect from and after its passage and publication.

SECTION 4. Publication Notice. Please take notice that the City of Oshkosh enacted ordinance AMEND SECTIONS 2-19, 2-20 AND CREATE CHAPTER 2 ARTICLE VII-1 OF THE CITY OF OSHKOSH MUNICIPAL CODE ALL PERTAINING TO CREATION AND ENFORCEMENT OF RULES ON CITY PROPERTIES (A GENERAL ORDINANCE OF THE CITY OF OSHKOSH CREATING SECTIONS 2-19, 2-20 AND CREATING CHAPTER 2 ARTICLE VII-1 ALL PERTAINING TO CREATION AND ENFORCEMENT OF RULES ON CITY OWNED, LEASED OR RENTED PROPERTIES) on _____, 2025. This ordinance specifies and clarifies the responsibility and authority of the city manager to create rules for city properties and to delegate that authority to department heads under their control.

The rules must be for the protection and efficient use of City property, and may describe persons authorized to use City property, identify properties or parts of properties that shall not be accessible to the public, the times and manner in which the property can be used, and methods of enforcing the rules to ensure that the public health, safety, and welfare is protected. The rules shall be consistent with the Common Council direction through this Municipal Code, as well as consistent with state and federal law. The ordinance also creates a new Article in Chapter 2 of the Municipal Code setting forth general rules for all owned, leased or rented city properties, excepting traditional public forums including rules governing behaviors that are potentially destructive of property such as improper disposal of trash destruction of property and theft; creating disturbances by unreasonable noise, disorderly conduct or impeding use of the property or facility by others; use of alcohol and drugs on city property; soliciting and vending without authorization; camping on city property, and trespassing on vacant city property. The ordinance would allow creation of additional rules that may be specific to certain properties or areas on properties. The penalty for violation of rules will be removal from the property and potential suspension from the property, with alternative options for those who may be removed or suspended to obtain those governmental services that they may need from the City.

The full text of the ordinance may be obtained at the Office of the City Clerk, 215 Church Avenue and through the City's website at www.oshkoshwi.gov. Clerk's phone: 920/236-5011.

SECTION 2-19 DUTIES AND RESPONSIBILITIES

The City Manager shall have the following duties and responsibilities:

(A) Effect the enforcement of all laws and ordinances.

(B) Budget administration and budget preparation.

(C) Enforce all franchises, permits and privileges granted by the City to utilities.

(D) Protection of health, safety and welfare of the community within the standards of services adopted by the City Council.

(E) Maintain and operate parks, playgrounds and any other recreational facilities now owned or acquired hereafter by the City Council.

(F) Maintenance, operation and construction of streets, sewers, water plant and distribution system, sewage disposal plant and all other City owned facilities, buildings and equipment.

(G) Maintain, operate, and protect all City properties and improvements thereon; enforce rules applying to City properties as described in this Municipal Code; and create and enforce additional rules for City properties, as necessary, that: protect the properties and the City's interests in the properties; protect City employees undertaking job functions on the property and citizens needing to utilize City property for services offered; promote the efficient functioning of each property for its intended purpose; and protect the public health, safety, and welfare.

(H) All fiscal transactions of the City.

(I) Assuring the efficiency of all City services.

(J) Keep the Council informed on all matters.

(K) All administrative functions, including those heretofore mentioned.

(L) Perform such other duties as may be required by the Council.

SECTION 2-20 AUTHORITY NECESSARY TO DISCHARGE DUTIES

The City Manager shall have the authority to:

(A) Authority to Appoint Officers; exception
Appoint, suspend, lay-off or dismiss all heads of departments, all subordinate city officials and all employees, except that this subsection shall not be construed as depriving the Board of Fire and Police Commissioners all the powers conferred by Section 62.13 of the Wisconsin Statutes. [Statutory Reference §64.11(3) Wis. Stats.]

(B) Authority to Appoint Temporary Heads of Departments/Divisions
The City Manager may appoint an acting director of any department or manager of any division if the director or manager is absent from the City or incapacitated or a temporary vacancy exists in the position and no person has been designated to be the acting director or manager or the person so designated is unable or unwilling to serve in the acting capacity.

(C) Authority to Promulgate Rules and Regulations
Prepare and put into effect any necessary administrative rules and regulations pertaining to purchasing, personnel, fiscal transactions, city services, and the conduct of employees.

(D) Public Works
Exercise all of the powers of the Board of Public Works.

(E) Emergency Powers
Take whatever action is necessary in purchasing or assignments of employees to protect the health, welfare, and the safety of the citizens of Oshkosh.

(F) Make Recommendation to Council
Make recommendations to the Council on all matters of municipal concern.

(G) Fill Vacancies
Fill all vacancies not to exceed budget allotments, except that this shall not be construed as preventing the Manager from filling the vacancy with a lower paid classification or leaving the position vacant, if, in the Manager's opinion, the

position does not need to be filled. This section shall not be construed to prevent the City Manager from creating or filling positions not specifically budgeted when in the Manager's opinion such action is in the best interest of the City and is temporary in nature.

(H) Rules for Use of City Property

Create and enforce rules for the use and protection of all properties owned or controlled by the City when necessary. The rules must be for the protection and efficient use of City property, and may describe persons authorized to use City property, identify properties or parts of properties that shall not be accessible to the public, the times and manner in which the property can be used, and methods of enforcing the rules to ensure that the public health, safety, and welfare is protected. The rules shall be consistent with the Common Council direction through this Municipal Code, as well as consistent with state and federal law. The authority to create and enforce rules for the use and protection of all City property is delegated to the Director of each City Department. Each Director may create and enforce rules covering property they have been explicitly given authority over, or has historically had authority over, or is the most appropriate Director to have authority over a particular property. However, the City Manager retains final authority for developing and enforcing the rules and final responsibility for the rules and actions of the Directors of the various Departments.

(I) Residual Executive Powers

Exercise all other executive powers conferred upon the Manager in Chapter 64 of the Wisconsin Statutes.

SECTION 2-19 DUTIES AND RESPONSIBILITIES

The City Manager shall have the following duties and responsibilities:

(A) Effect the enforcement of all laws and ordinances.

(B) Budget administration and budget preparation.

(C) Enforce all franchises, permits and privileges granted by the City to utilities.

(D) Protection of health, safety and welfare of the community within the standards of services adopted by the City Council.

(E) Maintain and operate parks, playgrounds and any other recreational facilities now owned or acquired hereafter by the City Council.

(F) Maintenance, operation and construction of streets, sewers, water plant and distribution system, sewage disposal plant and all other City owned facilities, buildings and equipment.

~~(F)~~(G) Maintain, operate, and protect all City properties and improvements thereon~~.~~; ~~E~~enforce rules applying to City properties as described in this Municipal Code~~.~~; and ~~C~~create and enforce additional rules for City properties, as necessary, that: protect the properties~~,~~ and the ~~Cities~~City's interests in the properties~~,~~; protect City employees undertaking job functions on the property~~.~~ and citizens needing to utilize City property for services offered~~,~~; promote the efficient functioning of each property for its intended purpose~~,~~; and protect the public health, safety, and welfare.

~~(G)~~(H) All fiscal transactions of the City.

~~(H)~~(I) Assuring the efficiency of all City services.

~~(I)~~(J) Keep the Council informed on all matters.

~~(J)~~(K) All administrative functions, including those heretofore mentioned.

~~(K)~~(L) Perform such other duties as may be required by the Council.

SECTION 2-20 AUTHORITY NECESSARY TO DISCHARGE DUTIES

The City Manager shall have the authority to:

(A) Authority to Appoint Officers; exception
Appoint, suspend, lay-off or dismiss all heads of departments, all subordinate city officials and all employees, except that this subsection shall not be construed as depriving the Board of Fire and Police Commissioners all the powers conferred by Section 62.13 of the Wisconsin Statutes. [Statutory Reference §64.11(3) Wis. Stats.]

(B) Authority to Appoint Temporary Heads of Departments/Divisions
The City Manager may appoint an acting director of any department or manager of any division if the director or manager is absent from the City or incapacitated or a temporary vacancy exists in the position and no person has been designated to be the acting director or manager or the person so designated is unable or unwilling to serve in the acting capacity.

(C) Authority to Promulgate Rules and Regulations
Prepare and put into effect any necessary administrative rules and regulations pertaining to purchasing, personnel, fiscal transactions, city services, and the conduct of employees.

(D) Public Works
Exercise all of the powers of the Board of Public Works.

(E) Emergency Powers
Take whatever action is necessary in purchasing or assignments of employees to protect the health, welfare, and the safety of the citizens of Oshkosh.

(F) Make Recommendation to Council
Make recommendations to the Council on all matters of municipal concern.

(G) Fill Vacancies
Fill all vacancies not to exceed budget allotments, except that this shall not be construed as preventing the Manager from filling the vacancy with a lower paid classification or leaving the position vacant, if, in the Manager's opinion, the position does not need to be filled. This section shall not be construed to prevent the City Manager from creating or filling positions not specifically budgeted when in the Manager's opinion such action is in the best interest of the City and is temporary in nature.

(H) Rules for Use of City Property
Create and enforce rules for the use and protection of all properties owned or controlled by the City when necessary. The rules must be for the protection and efficient use of City

property, and may describe persons authorized to use City property, identify properties or parts of properties that shall not be accessible to the public, the times and manner in which the property can be used, and methods of enforcing the rules to ensure that the public health, safety, and welfare is protected. The rules shall be consistent with the Common Council direction through this Municipal Code, as well as consistent with state and federal law. The authority to create and enforce rules for the use and protection of all City property is delegated to the Director of each City Department. Each Director may create and enforce rules covering property they have been explicitly given authority over, or has historically had authority over, or is the most appropriate Director to have authority over a particular property. However, the City Manager retains final authority for developing and enforcing the rules and final responsibility for the rules and actions of the Directors of the various Departments.

(I) Residual Executive Powers

Exercise all other executive powers conferred upon the Manager in Chapter 64 of the Wisconsin Statutes.

ARTICLE VII-1 - PROPERTY

SECTION 2-64 APPLICABILITY

The rules in this Article apply to all property owned, leased, or rented by the City of Oshkosh, and to all persons entering in or on such property. The City Manager is responsible for enforcing the observance of these rules and regulations

SECTION 2-65 TRADITIONAL PUBLIC FORUMS

This Article does not apply to traditional public forums. Therefore, these rules do not limit the use of traditional public forums for the purpose of engaging in constitutionally protected speech or activities. This does not mean or imply that actions prohibited on other City property are allowed in traditional public forums. Instead, the traditional public forums are governed by other rules. This Article does not create, extend, or expand the number, locations, or allowed uses of traditional public forums. Traditional public forums are defined as the City's streets, sidewalks, and parks.

SECTION 2-66 PRESERVATION OF PROPERTY

All persons entering in or on City property are prohibited from:

1. Improperly disposing of rubbish on property;
2. Willfully destroying or damaging property;
3. Theft of property;
4. Creating any hazard on property to persons or things; or
5. Throwing articles of any kind from or at a City building or City structure, or climbing on statues, fountains, or any part of a building.

SECTION 2-67 DISTURBANCES

All persons entering in or on City property must conduct specific City business on the City property they enter within a reasonable amount of time. Prohibited conduct in or on City property includes:

1. Creates loud or unusual noise or nuisance;
2. Is disorderly;
3. Unreasonably obstructs the usual use of entrances, foyers, lobbies, corridors, elevators, stairways, or parking lots;

4. Substantially impedes or disrupts the performance of official duties by City employees; or
5. Prevents the general public from obtaining the services provided on the property in a timely manner.

SECTION 2-68 NARCOTICS AND OTHER DRUGS

Except in cases where the drug is being used as prescribed for a patient by a licensed physician, all persons entering in or on City property are prohibited from being under the influence, using, or possessing any narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines.

SECTION 2-69 ALCOHOL BEVERAGES

Except in city parks in compliance with Chapter 19 of this Code, where the City Manager or Department Head has specifically approved, or where the Common Council has approved through a Special Event, the appropriate use of alcoholic beverages, all persons entering in or on City property are prohibited from possessing open intoxicants or consuming alcoholic beverages in or on City property.

SECTION 2-70 SOLICITING AND VENDING

All persons entering in or on City property are prohibited from giving away free samples of anything, posting or affixing materials to City property, distributing materials such as pamphlets, handbills, or flyers, or soliciting alms (including money and non-monetary items) or commercial or political donations, vending merchandise of all kinds, displaying or distributing commercial advertising, or collecting private debts, except for:

1. Solicitation of labor organization membership or dues as authorized by law;
2. Concessions placed by the City, or personal notices posted by employees at authorized locations; or
3. National or local drives for funds for welfare, health, or other similar purposes as authorized by the City Manager.

SECTION 2-71 TRANSIT FACILITIES

All facilities used as part of the City's transit services are intended solely for the purpose of using transit for transportation. These facilities include all busses, bus stops, bus shelters, and the transit center. Transit facilities adjacent to or connect to a street or

sidewalk or other traditional public forum, are not part of the traditional public forum. Only those persons using transit services, or who are waiting to use a specific bus at a specific time, or who are on the bus and have a specific destination at which they will depart the bus, are allowed to use transit facilities.

SECTION 2-72 CAMPING

Camping is not allowed on City property. Camp or camping means the use of a shelter such as a tent, trailer, motor vehicle, tarpaulin, hammock, bedroll, sleeping bag, blanket, or any other shelter for temporary residence, shelter, or any sleeping purpose.

SECTION 2-73 VACANT PROPERTY

Persons shall not enter in or on for any purpose City property that is vacant and not used for any current City business. Such City property will be posted for "No Trespassing" or the equivalent.

SECTION 2-74 OTHER RULES

The City Manager is authorized to create and enforce other rules regarding the conduct upon, and operation of, City buildings, facilities, and property, as necessary, and as more fully described in Chapter 2 of this Municipal Code. The City Manager may delegate this authority to create and enforce rules for City property as allowed by this Municipal Code and by other applicable laws. Any such rules must be made reasonably available to the public for review. Such rules may be posted at the applicable property at the discretion of the City Manager, or their designee.

SECTION 2-75 REMOVAL

In addition to any other Penalty as allowed by this Municipal Code or state law, persons violating these rules are subject to removal from City property. Those violating these rules will be given verbal notice of the violation and ordered to correct the violation of the City property rule, or to remove themselves from the City property. Those refusing to voluntarily remove themselves from the City property, will be involuntarily removed. If a person violates a City property rule three times within a thirty day period, the person will be prohibited from entering or accessing any City property, excluding streets and sidewalks, for a thirty day period and will be so notified in writing. If the person needs to conduct actual City business during that thirty-day period, such business must be conducted by or through electronic services available on

the City's website, or by U.S. Mail, by email, or by telephone. If the person is incapable of conducting City business through the foregoing methods, they may request a reasonable accommodation through one of the foregoing methods from the Department that issued the prohibition.

TO:	Honorable Mayor and Members of the Common Council
FROM:	Rebecca Grill, City Manager
DATE:	September 23, 2025
SUBJECT:	*Ord 25-507 Amend Section 2-10(A) of the City of Oshkosh Municipal Code to remove the requirement that the annual Council Organizational Meeting be held at 12:00 noon

BACKGROUND

State law requires an organizational meeting on the third Tuesday of April, but does not specify a time for the meeting. However, current municipal code stipulates that the organizational meeting be held at 12 noon. At the August 26, 2025 meeting, Council approved an ordinance that allows for the establishment of an annual schedule of meetings. This proposed schedule, considered separately, includes months during the year when Council may only hold one meeting per month; this includes the month of April, due to the local election, when the proposed meeting date also falls on the third Tuesday of April. Removing the requirement that the organizational meeting be held at 12:00 noon from the current City ordinance gives Council and staff the ability to coordinate meeting times and to make allowance for the impact on the City Clerk's office in an election month.

Attachments

Ord 25-507

9/23/2025 25-507 ORDINANCE
FIRST READING

PURPOSE: AMEND SECTION 2-10(A) OF THE CITY OF OSHKOSH MUNICIPAL CODE TO REMOVE THE REQUIREMENT THAT THE ANNUAL COUNCIL ORGANIZATIONAL MEETING BE HELD AT 12:00 NOON

INITIATED BY: CITY ADMINISTRATION

A GENERAL ORDINANCE OF THE CITY OF OSHKOSH AMENDING SECTION 2-10(A) OF THE CITY OF OSHKOSH MUNICIPAL CODE PERTAINING TO THE ORGANIZATIONAL MEETING OF THE COUNCIL TO REMOVE THE REQUIREMENT THAT THE ANNUAL COUNCIL ORGANIZATIONAL MEETING BE HELD AT 12:00 NOON

WHEREAS, state law requires an organizational meeting on the third Tuesday of April but does not specify a time for such meeting, and

WHEREAS, removing the requirement that the organizational meeting be held at 12:00 noon from the current city ordinance gives council and the staff the ability to coordinate meeting times and to make allowance for the impacts to the City Clerk's office in an election month.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Oshkosh as follows:

SECTION 1. That Sections 2-10(A) of the City of Oshkosh Municipal Code pertaining to Council Meetings – Organizational Meeting is hereby repealed and recreated to read as follows:

SECTION 2-10 COUNCIL MEETINGS

(A) Organizational Meeting
Following a regular city election, the new Council shall first meet on the third Tuesday of April in each election year at the Council Chambers in City Hall. [Statutory Reference §64.05(1) Wis. Stats.]

SECTION 2. This ordinance shall be in full force and effect from and after its passage and publication.

SECTION 3. Publication Notice. Please take notice that the City of Oshkosh enacted ordinance AMEND SECTION 2-10(A) OF THE CITY OF OSHKOSH MUNICIPAL CODE TO REMOVE THE REQUIREMENT THAT THE ANNUAL COUNCIL ORGANIZATIONAL MEETING BE HELD AT 12:00 NOON (A GENERAL ORDINANCE OF THE CITY OF OSHKOSH AMENDING SECTION 2-10(A) OF THE CITY OF OSHKOSH MUNICIPAL CODE PERTAINING TO THE ORGANIZATIONAL MEETING OF THE COUNCIL TO REMOVE THE REQUIREMENT THAT THE ANNUAL COUNCIL ORGANIZATIONAL MEETING BE HELD AT 12:00 NOON) on _____, 2025. This ordinance removes the ordinance requirement that the organizational meeting of the Common Council held on the third Tuesday in April each year be held at 12:00 noon on that day.

The full text of the ordinance may be obtained at the Office of the City Clerk, 215 Church Avenue and through the City's website at www.oshkoshwi.gov. Clerk's phone: 920/236-5011.

TO:	Honorable Mayor and Members of the Common Council
FROM:	Rebecca Grill, City Manager
DATE:	September 23, 2025
SUBJECT:	*Ord 25-508 Amend Section 2-16(B) of the City of Oshkosh Municipal Code to eliminate the requirement for two readings of ordinances prior to adoption

BACKGROUND

State law does not require two readings of ordinances prior to adoption, but current municipal codes impose this requirement locally. At the August 26, 2025 meeting, Council approved an ordinance that allows for the establishment of an annual schedule of meetings. This proposed schedule, considered separately, includes months during the year when Council may hold only one meeting per month. In an effort to minimize the impact of this proposed schedule on development and the progress of projects within the City, staff is recommending removal of the requirement for two readings of ordinances. This change would not preclude Council from laying an item over to a future meeting, should the need arise.

Attachments

Ord 25-508

09/23/2025 25-508 ORDINANCE
FIRST READING

CARRIED 7-0

PURPOSE: AMEND SECTION 2-16(B) OF THE CITY OF OSHKOSH MUNICIPAL CODE TO ELIMINATE THE REQUIREMENT FOR TWO READINGS OF ORDINANCES PRIOR TO ADOPTION

INITIATED BY: CITY ADMINISTRATION

A GENERAL ORDINANCE OF THE CITY OF OSHKOSH AMENDING SECTION 2-16(B) OF THE CITY OF OSHKOSH MUNICIPAL CODE PERTAINING TO RULES OF ORDER AND PROCEDURE TO ELIMINATE THE REQUIREMENT FOR TWO READINGS OF ORDINANCES PRIOR TO ADOPTION

WHEREAS, state law does not require two readings of ordinances prior to adoption, but current municipal codes impose such a requirement locally; and

WHEREAS, council has established an annual schedule of meetings which includes months during the year where council will hold only one meeting per month and seeks to limit the impact of fewer Council meetings on development and progress of projects within the city.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Oshkosh as follows:

SECTION 1. That Sections 2-16(B) of the City of Oshkosh Municipal Code pertaining to Rules of Order and Procedure - Ordinances is hereby repealed and recreated to read as follows:

SECTION 2-16 RULES OF ORDER AND PROCEDURE

(B) Ordinances
Unless a request for reading the ordinance in its entirety is made by a member of the Council, reading by title only shall be sufficient and reading in full shall not be required. Where an ordinance shall have the effect of amending, altering or adding to the code of general ordinances, it shall so indicate, stating the section number affected. All ordinances shall be open to any pertinent amendment at any time until their final passage.

SECTION 2. This ordinance shall be in full force and effect from and after its passage and publication.

SECTION 3. Publication Notice. Please take notice that the City of Oshkosh enacted Ordinance #25-508 AMEND SECTION 2-16(B) OF THE CITY OF OSHKOSH MUNICIPAL CODE TO ELIMINATE THE REQUIREMENT FOR TWO READINGS OF ORDINANCES PRIOR TO ADOPTION (A GENERAL ORDINANCE OF THE CITY OF OSHKOSH AMENDING SECTION 2-16(B) OF THE CITY OF OSHKOSH MUNICIPAL CODE PERTAINING TO RULES OF ORDER AND PROCEDURE TO ELIMINATE THE REQUIREMENT FOR TWO READINGS OF ORDINANCES PRIOR TO ADOPTION) on September 23, 2025. This ordinance removes the requirement that ordinances receive two readings before the Council prior to adoption.

The full text of the ordinance may be obtained at the Office of the City Clerk, 215 Church Avenue and through the City's website at www.oshkoshwi.gov. Clerk's phone: 920/236-5011.

TO:	Honorable Mayor and Members of the Common Council
FROM:	Kimberly Gierach, Planning Services Manager
DATE:	September 23, 2025
SUBJECT:	Res 25-509 Approve General Development Plan and Specific Implementation Plan for a building expansion at 2751 Universal Street (Plan Commission recommends approval)

BACKGROUND

The subject site consists of a five-acre parcel located in the Southwest Industrial Park, on Universal Street, just north of West South Park Avenue. The site is home to Millwork Distributors, who manufacture and sell finished wood and composite materials. The site also consists of semi loading/unloading areas and an associated parking lot. The site and surrounding area are zoned Heavy Industrial District (HI) with a mixture of differing industrial land uses. The 2040 Comprehensive Land Use Plan recommends Industrial for the subject area.

ANALYSIS

The applicant has submitted plans to construct a 23,067 sq. ft. building expansion, attached to the west side of the existing building, and install new pavement to accommodate more parking stalls.

RECOMMENDATION

The Plan Commission recommended approval of the requested General Development Plan and Specific Implementation Plan on September 2, 2025. Please see the attached staff report for more information.

Attachments

Res 25-509
GDP.SIP 2751 Universal St

PURPOSE: APPROVE GENERAL DEVELOPMENT PLAN AND SPECIFIC IMPLEMENTATION PLAN FOR A BUILDING EXPANSION AT 2751 UNIVERSAL STREET

INITIATED BY: KELLER INC.

PLAN COMMISSION RECOMMENDATION: Approved

WHEREAS, the Plan Commission finds that the Specific Implementation Plan for a building expansion at 2751 Universal Street, is consistent with the criteria established in Section 30-387 of the Oshkosh Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oshkosh that a Specific Implementation Plan for a building expansion at 2751 Universal Street, per the attached, is hereby approved, with the following findings:

1. The proposed Planned Development project is consistent with the overall purpose and intent of this Chapter because the current land use is consistent with the HI zoning designation and Industrial 2040 Comprehensive Land Use Plan designation.
2. The proposed Planned Development project is consistent with the City's Comprehensive Plan as Industrial land uses are designated for this property in the 2040 Comprehensive Land Use Plan.
3. The proposed Planned Development project would maintain the desired relationships between land uses, land use densities and intensities, and land use impacts in the environs of the subject site because the proposed industrial use is consistent with neighboring industrial uses along Universal Street.
4. Project design does not detract from areas of natural beauty surrounding the site as the applicant plans to install more trees, shrubs, and plants to the site.
5. The proposed Planned Development project will produce significant benefits in terms of environmental design and significant alternative approaches to addressing development performance that relate to and more than compensate for any requested exceptions/base standard modifications variation of any standard or regulation of this Chapter because increased landscaping points and increased planting size will be provided to compensate for BSM requests.

BE IT FURTHER RESOLVED by the Common Council of the City of Oshkosh that the following are conditions of approval for a building expansion at 2751 Universal Street:

1. Base Standard Modification to allow increased impervious surface ratio to 76.6%.
2. Final landscaping plan shall be reviewed and approved by the Department of Community Development.

ITEM: **Public Hearing: Zone Change from Heavy Industrial District (HI) to Heavy Industrial District with a Planned Development Overlay (HI-PD) and Approval of a General Development Plan and Specific Implementation Plan for a Building Expansion at 2751 Universal Street**

Plan Commission Meeting of September 2, 2025

Applicant: Keller Inc.
Property Owner: Millwork Distributors Inc.

Action Requested: The applicant requests approval of a zone change from Heavy Industrial District (HI) to Heavy Industrial District with a Planned Development Overlay (HI-PD) for the property at 2751 Universal Street. The applicant is also requesting General Development Plan and Specific Implementation Plan approval for expansion and remodel of the existing facility.

Applicable Ordinance Provisions: Zoning map amendment standards are found in Section 30-381 of the Zoning Ordinance. Planned Development standards are found in Section 30-387 of the Zoning Ordinance.

Property Location and Background Information: The subject site consists of a five-acre parcel located in the Southwest Industrial Park, on Universal Street, just north of West South Park Avenue. The site is home to Millwork Distributors, who manufacture and sell finished wood and composite materials. The site also consists of semi loading/unloading areas and an associated parking lot. The site and surrounding area are zoned Heavy Industrial District (HI) with a mixture of differing industrial land uses. The 2040 Comprehensive Land Use Plan recommends Industrial for the subject area.

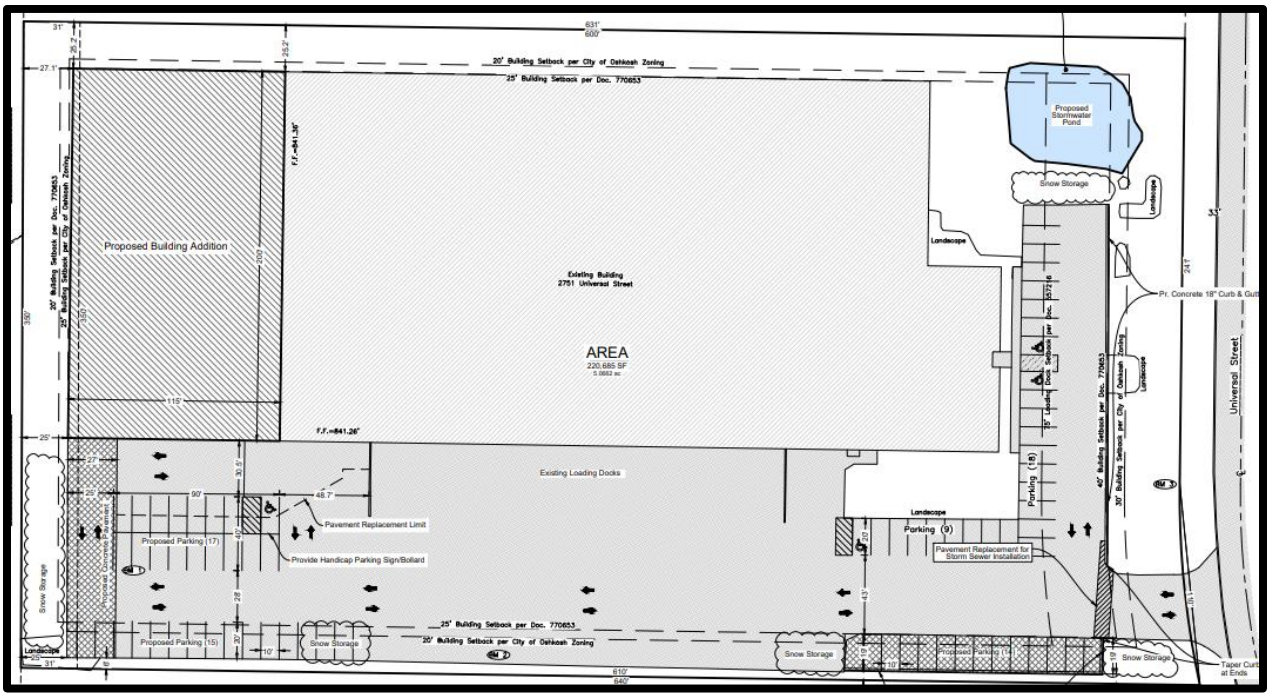
Existing Land Use	*Zoning*
Industrial	HI

Existing Uses		*Zoning*
North	Industrial	HI
South	Vacant	HI
East	Industrial/Professional Services/Commercial	HI
West	Industrial	HI

The applicant is proposing to rezone the subject site to Heavy Industrial District with a Planned Development Overlay (HI-PD) from Heavy Industrial (HI). The requested Planned Development Overlay designation is intended to allow for flexibility in the zoning ordinance to accommodate expansion of the existing facility at the property. The applicant has submitted plans to construct a 23,067 sq. ft. building expansion, attached to the west side of the existing building, and install new pavement to accommodate more parking stalls. Staff is supportive of the proposed rezone as it will assist with accomplishing a building expansion and the need for more employee parking, both related to the increased impervious surface ratio.

Use/Site Design/Access - The current use of the property is unchanged. The proposed building expansion and new parking areas will be accessed by an existing drive lane off of Universal Street as well as a new stormwater pond on the northeast side of the property.

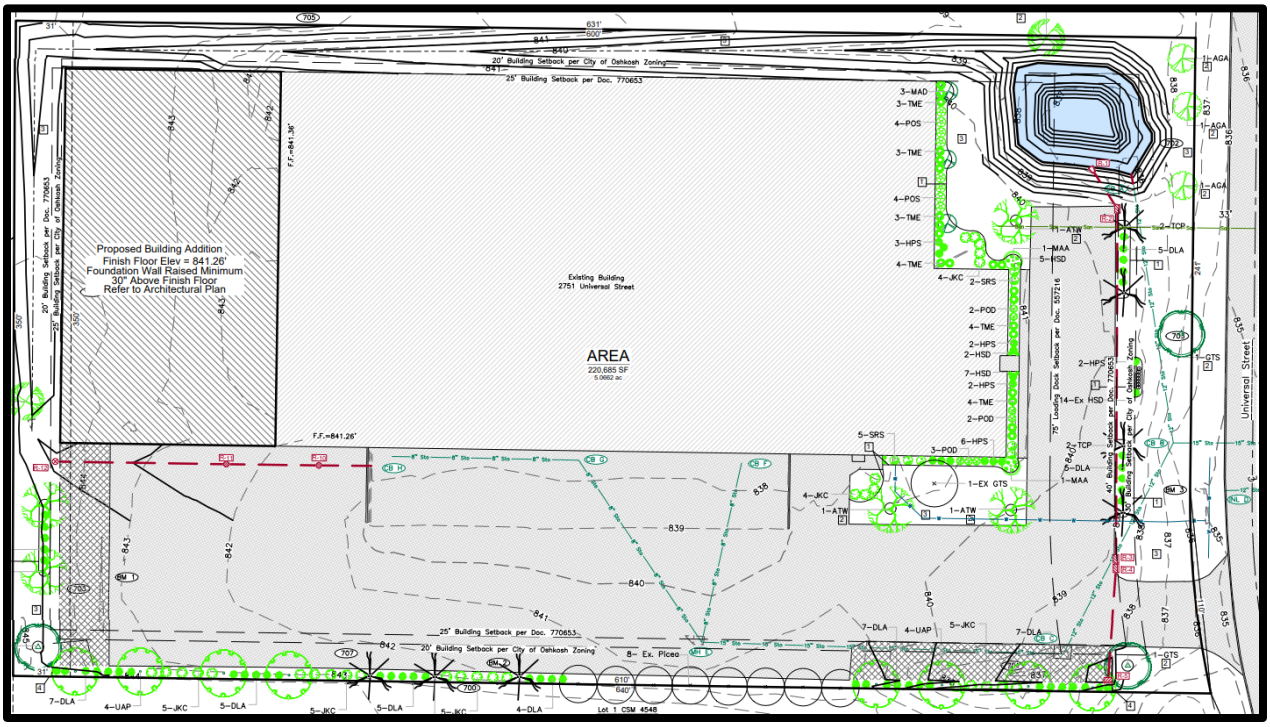
Standards	Required	Provided
Front Setback (east)	30 ft. min.	Existing building
Rear Setback (west)	25 ft. min.	Expansion at 25 ft.
Side Setback (north)	20 ft. min.	Existing building
Side Setback (south)	20 ft. min.	Existing building
Impervious Surface	70% max.	76.6%
Parking Calculation	1 stall per employee = 60	73



Proposed site plan showing building expansion, new parking areas, and new stormwater pond

Zoning code allows for a 70% Maximum Impervious Surface Ratio in all Heavy Industrial Zoning Districts. The applicant is requesting a Base Standard Modification (BSM) to allow for 76.6% of the property to be impervious. Staff is supportive of the BSM request to allow for an increased impervious surface ratio as this will help accommodate needed employee parking, ADA accessible stalls, and the building expansion. To offset this request the applicant is proposing to install landscaping that exceeds zoning code requirements.

Landscaping - The Zoning Ordinance does not require any new landscaping points for this project because the building expansion does not exceed 50 percent of the existing floor area, nor does the new pavement exceed 50 percent of the existing pavement area. The applicant is however improving the overall site by proposing to install more plantings than what code would require to help offset their BSM request.



Proposed Landscaping Plan showing new plantings

Landscape Requirements (Zoned HI - Adjacent to HI)
Total Existing Building Area = 220,685 sf
Total Addition Building Area = 23,000 sf (10.4% increase)
Total Existing Parking Area (excluding entrance) = 64,045 sf + 30 Parking Stalls
Total Addition Parking Area (excluding entrance) = 6,323 sf (9.87% increase) + 43 Parking Stalls

Street Frontage (SF):
30 points per 100' of Length (50% of points = Medium Trees)
Length = 315' (Less Entrance) - Required Points = 94.5 (47.25 pts Medium Trees)
Redesign Actual = 99.5 pts (49.5 pts Medium Trees - 50 pt Tall Tree)

Paved Areas (PA):
30 points per 10 stalls or 10,000 sq ft (Greater of)
(30% of points = Med/Tall Trees, 40% of points = Shrubs)
1 Tree per Parking Island = No Parking Islands Designed - End Row Parking = 7 Trees
1 Tree per 40' Perimeter (of Parking Area) - 480' Length = 12 Required
Actual = 73 Stalls or 70,368 sq ft Required Points = 219 (65.7 pts Trees, 87.6 pts Shrubs)
Actual = 7 Trees in Parking Islands
Actual = 269.2 pts (165 pts Trees - 104.2 pts Shrubs)
Note - Perimeter Tree Pts under Yard Pts

Yard (YD):
10 points per 1,000 sq ft of Building
Total New Area = 23,000 sq ft Required Points = 230
Existing Points = 1,052.4
New Point Total Needed = 1,052.4 + 230 = 1,282.4
Removed Points = 682.4
New Added Points = 1,247.5
Total Actual = 1,617.5

Building Foundation (BF):
20 points per 100' of Building
Total Length New + Existing = 1,414' Required Points = 282.8
Actual = 285.7

Buffer Yard:
0 pts Required When Adjacent to Same Zone
Zoned HI - Adjacent to HI

Screen Utilities & Disposal Area. No Minimum Required Points - Screening Required
Assessment - Generator Area = 25 pts Evergreen Shrub

Landscaping Calculations

Building Foundation - For new development, code requires 20 landscaping points per 100 linear feet of building foundation. According to the submitted landscape plan the applicant is providing more than what would be required, which brings this property into compliance with the current landscaping requirements.

Paved Area - For a new development, code requires 30 landscaping points per ten stalls or 10,000 sq. ft. of pavement. According to the submitted landscape plan, the applicant is providing more than what would be required, bringing the property into compliance.

Street Frontage - For a new development, code requires 30 landscaping points per 100 linear feet of street frontage. According to the submitted landscape plan the applicant is providing more than what would be required, bringing the property into compliance.

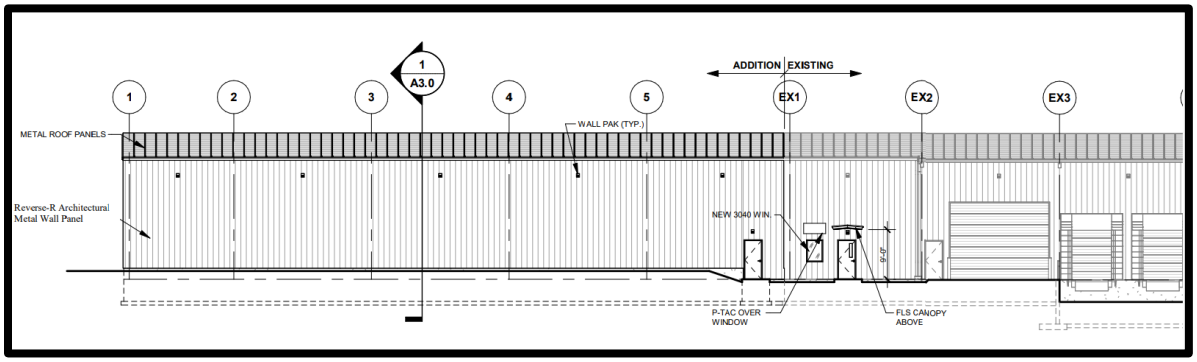
Yards - For a new development, code requires ten landscaping points per 1,000 sq. ft. of gross floor area. According to the submitted landscape plan the applicant is providing more than what would be required, bringing the property into compliance.

According to the applicant, this property currently has a total of 1507.9 landscaping points. A number of these plantings need to be removed due to being dead, in decline, overgrown, or within one of the expansion areas. The proposed landscaping plan shows a total of 2271.9 landscaping points, which is the sum of all new plantings and the existing plantings that can be saved. This increase in overall landscaping sufficiently compensates for the proposed BSM for increased impervious surface ratio.

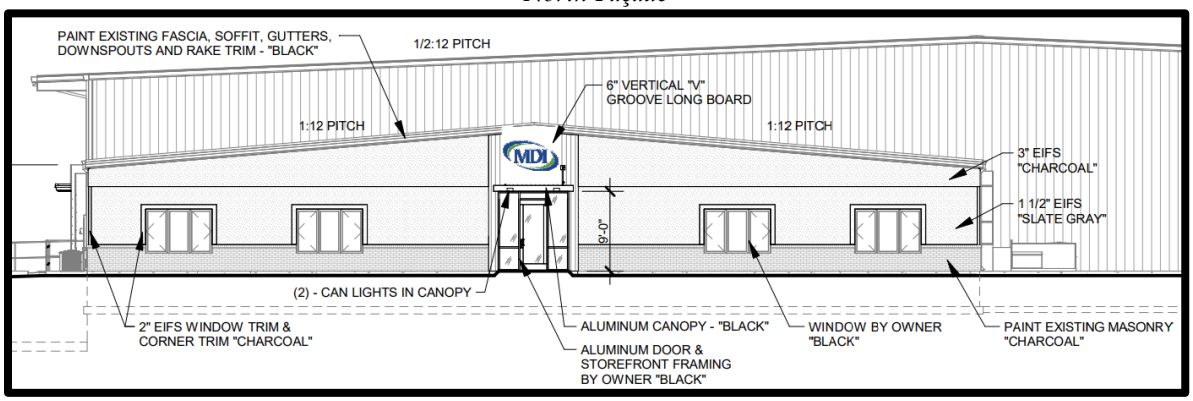
Storm Water Management/Utilities - The Department of Public Works has noted that final submitted plans are required to be in full compliance with the requirements of the City of Oshkosh Municipal Code Chapter 14 for storm water management and a Notice of Intent (NOI) shall be filed with WDNR.

Site Lighting - The applicant submitted a photometric plan for the site. The lighting levels meet the 0.4 foot-candle minimum requirement for new paved areas and driveway access, while not exceeding the maximum of 0.5 foot-candles of light trespass at the property lines. The plan shows light fixtures to be mounted at 25 ft. which is the maximum allowed height to mount a light fixture in the HI District.

Building Facades – The applicant plans to improve exterior front façade by painting the existing brick charcoal and gray colors and replacing window trims with a charcoal color. The exterior material on the building expansion will match the existing metal siding, as shown below, which is compliant with exterior design standards for an addition that is less that 50 percent of an existing building footprint.



North Façade



East Façade

Findings:

In its review and recommendation to the Common Council on an application for a Zoning Map amendment, staff recommends the Plan Commission make the following findings based on the criteria established by Chapter 30-381 (D)(2):

(a) Advances the purposes of this Chapter as outlined in Section 30-03 because the proposed Planned Development Overlay will allow for further review of development on the site.

(b) Is in harmony with the Comprehensive Plan because the underlying zoning designation (HI) is consistent with the 2040 Comprehensive Land Use Plan designation of Industrial.

(c) Maintains the desired overall consistency of land uses, land use intensities, and land use impacts within the pertinent zoning districts because the HI zoning designation is the consistent zoning of neighboring properties.

(d) Addresses any of the following factors that are not properly addressed on the current Official Zoning Map:

(ii) Factors have changed (such as new data, infrastructure, market conditions, development, annexation, or other zoning changes), making the subject property more appropriate for a different zoning district because site expansion has been proposed that may need relief from the bulk regulations of the current zoning ordinance.

In its review and recommendation to the Common Council on an application for a Planned Development district, staff recommends the Plan Commission consider findings based on the criteria established by Chapter 30-387 (C)(6):

(a) The proposed Planned Development project is consistent with the overall purpose and intent of this Chapter because the current land use is consistent with the HI zoning designation and Industrial 2040 Comprehensive Land Use Plan designation.

(b) The proposed Planned Development project is consistent with the City's Comprehensive Plan as Industrial land uses are designated for this property in the 2040 Comprehensive Land Use Plan.

(c) The proposed Planned Development project would maintain the desired relationships between land uses, land use densities and intensities, and land use impacts in the environs of the subject site because the proposed industrial use is consistent with neighboring industrial uses along Universal Street.

(f) Project design does not detract from areas of natural beauty surrounding the site as the applicant plans to install more trees, shrubs, and plants to the site.

(i) The proposed Planned Development project will produce significant benefits in terms of environmental design and significant alternative approaches to addressing development performance that relate to and more than compensate for any requested exceptions/base standard modifications variation of any standard or regulation of this Chapter because increased landscaping points and increased planting size will be provided to compensate for BSM requests.

Recommendation/Conditions:
Staff recommends approval of the Zone Change, General Development Plan, and Specific Implementation Plan with the findings listed above and the following conditions:

1. Base Standard Modification to allow increased impervious surface ratio to 76.6%.
2. Final landscaping plan shall be reviewed and approved by the Department of Community Development.

The Plan Commission recommended approval of the requested General Development Plan and Specific Implementation Plan on September 2, 2025. For a comprehensive record of the proceedings, the official minutes can be obtained by contacting Planning Services.

Dept. of Planning Services
215 Church Ave., P.O. Box 1130
Oshkosh, WI 54901
Room 204
PHONE: (920) 236-5059
Email: planning@oshkoshwi.gov

City of Oshkosh

Planned Development Application

For General Development Plan or Specific Implementation Plan

****PLEASE TYPE OR PRINT USING BLACK INK****

APPLICANT INFORMATION

Petitioner: Keller, Inc. Date: 7-15-2025

Petitioner's Address: N216 State Road 55 City: Kaukauna State: WI Zip: 54130

Telephone #: (920) 427-4461 Email: swinterfeldt@kellerbuilds.com Contact preference: ☐ Phone ☒ Email

Status of Petitioner (Please Check): ☐ Owner ☒ Representative ☐ Tenant ☐ Prospective Buyer

Petitioner's Signature (required): _____ Date: 7-15-25

OWNER INFORMATION

Owner(s): Millwork Distributors Inc. Date: 7-15-2025

Owner(s) Address: 2751 Universal Street City: Oshkosh State: WI Zip: 54904

Telephone #: (920) 232-2685 Email: scott.ryback@mdi-oshkosh.com Contact preference: ☐ Phone ☒ Email

Ownership Status (Please Check): ☐ Individual ☐ Trust ☐ Partnership ☒ Corporation

Property Owner Consent: (required)
By signature hereon, I/We acknowledge that City officials and/or employees may, in the performance of their functions, enter upon the property to inspect or gather other information necessary to process this application. I also understand that all meeting dates are tentative and may be postponed by the Planning Services Division for incomplete submissions or other administrative reasons.

* Property Owner's Signature: _____ Date: 7/16/25

TYPE OF REQUEST:

☐ General Development Plan (GDP) ☐ General Development Plan (GDP) Amendment
☐ Specific Implementation Plan (SIP) ☒ Specific Implementation Plan (SIP) Amendment

SITE INFORMATION

Address/Location of Proposed Project: 2751 Universal Street, Oshkosh, WI 54904
Proposed Project Type: Warehouse Addition, Remodel & Office Facade
Estimated Cost: $2,500,000
Current Use of Property: Industrial / Warehousing Zoning: Heavy Industrial
Land Uses Surrounding Your Site: North: Heavy Industrial
South: Heavy Industrial
East: Heavy Industrial
West: Heavy Industrial

- **It is recommended that the applicant meet with Planning Services staff prior to submittal to discuss the proposal.**
- **Application fees are due at time of submittal. Make check payable to City of Oshkosh.**
- **Please refer to the fee schedule for appropriate fee. FEE IS NON-REFUNDABLE**

For more information please visit the City's website at https://www.oshkoshwi.gov/PlanningServices/

MILLWORK DISTRIBUTORS, INC.
Employee Owned and Operated

August 11, 2025

City of Oshkosh – Plan Commission
215 Church Avenue
Oshkosh, WI 54903

RE: Zoning Map Amendment & Planned Development Application for property located at 2751 Universal Street, Oshkosh, WI 54904; further described as NE 1/4, SW 1/4 of Section 33, T.18N. - R.16E., CITY OF OSHKOSH

Dear Plan Commission:

Thank you for your review of the proposed Zoning Amendment. We appreciate the Plan Commission's willingness to work together to improve the community by expanding business, improving the Industrial Park's curb appeal, and increasing handicap accessibility.

Millwork Distributors, Inc. is proposing a substantial $2,5000,000.00 expansion and remodel to their existing facility. Project goals include:

- Increased warehouse space to accommodate growth.
- Remodel of restrooms and breakroom facilities for employee comfort and handicap accessibility.
- Exterior facade updates for a modern curb appeal.
- Additional parking for increased employment and handicap accessibility.
- Major upgrades to the stormwater systems to meet today's standards for retention and filtration.

* Please see included Architectural and Civil Engineered Plans that illustrate these facility improvements.

The project is scheduled to begin in September 2025 and will be completed in April 2026. Priority during construction will be earthwork, including stormwater facility upgrades, interior and exterior concrete work for site stabilization, and exterior facade work prior to frost conditions. This will allow for general building erection and interior remodel throughout the winter months and prompt completion of landscaping features come springtime.

To accomplish the facility, handicap accessibility, and stormwater upgrades noted above, the site will require a reduction of greenspace from 34.4% to 22.8% of the parcel. Current zoning standards call for 30% greenspace for Heavy Industrial Zoning. As a result, Millwork Distributors is seeking the approval of a Planned Development Overlay Zoning which would allow this project to move forward. In exchange for the reduction of greenspace percentages, landscaping will be provided that will exceed the current requirements (list requirements and additional provided) for Heavy Industrial Zoning. Additionally, the current dry pond will become a landscaped wet pond and the front office facade, facing the roadway, will be refreshed.

We appreciate your consideration to allow these upgrades to this property and the Industrial Park overall.

Scott Ryback, President & CEO
Millwork Distributors, Inc.
2751 Universal Street
Oshkosh, WI 54904

Sam Winterfeldt
Keller, Inc.
N216 State Road 55,
Kaukauna, WI 54130

SHEET INDEX

C1.0	CONCEPTUAL SITE PLAN
EX1.0	EXISTING FLOOR PLAN
EX2.0	EXISTING ELEVATIONS
A1.0	FLOOR PLAN
A1.1	ENLARGED FLOOR PLANS
A2.0	ELEVATIONS
A3.0	SECTIONS
A3.1	SECTIONS
A7.0	REFLECTED CEILING PLAN
S1.0	FOUNDATION PLAN

BUILDING & FIRE AREA SQUARE FOOTAGES

FLOOR AREAS	EXISTING	NEW	SUB-TOTAL
SECOND FLOOR	N/A	------ S.F.	------ S.F.
FIRST FLOOR	74,002 S.F.	24,000 S.F.	98,002 S.F.
CANOPIES (COLUMN SUPPORTED)	77 S.F.	------ S.F.	77 S.F.
BASEMENT	N/A	------ S.F.	------ S.F.
BUILDING AREA SUB-TOTALS	74,079 S.F.	24,000 S.F.	98,079 S.F.
MEZZANINES	9,113 S.F.	------ S.F.	9,113 S.F.
FIRE AREA TOTALS	83,182 S.F.	24,000 S.F.	107,182 S.F.

BUILDING CODE ANALYSIS

PROJECT ADDRESS
2751 UNIVERSAL STREET, OSHKOSH, WI, 54904

APPLICABLE CODES
2015 International Building Code (w/ WI Amendments)
2015 IECC
2015 IEBC (Level 2 Alteration)

OCCUPANCY
S1
Accessory Use
NONE
Incidental Use
NONE
High-Piled Combustible Storage YES
Hazardous Materials NO
Multiple Control Areas NO

HEIGHT & AREA
Building Height: 27'-0" Maximum Allowed: 75'-0"
Number of Stories: 1 Maximum Allowed: 3
Total Building Area: 24,000 S.F. Maximum Allowed: 70,000 S.F.
Total Fire Area: 24,000 S.F. Maximum Allowed: 70,000 S.F.
Mixed/Separated Occupancies
Unlimited Area Building NO

CONSTRUCTION TYPE
Construction Classification IIB
Fire Separation Distance >10'-0"

FIRE PROTECTION SYSTEMS
Assumed Sprinkler Type NFPA 13
Fire Alarm System NO

MEANS OF EGRESS
Occupant Load 48
Panic Hardware NO

STRUCTURAL DESIGN
Risk Category II
Design Loads
Roof Live Load 20 psf
Walk-on IMP Ceiling Live Load N/A psf
Steel Framing
Collateral Load 5 psf
Wood Truss
Top Chord Dead Load N/A psf
Bottom Chord Load N/A psf
Mezzanine/Second Floor/Basemen
Live Load N/A psf
Point Load (Partition) N/A psf
Snow Load Criteria
Ground Snow Load (Pg) 35 psf
Exposure Factor (Ce) 1.0
Thermal Factor (Ct) 1.0
Wind Loads
Wind Load 115 MPH
Surface Roughness B
Exposure Category D
Earthquake Load Criteria
Soil Site Class D
Ss 0.296
S1 0.061

PLUMBING SYSTEMS
Mens WC Required 1
Womens WC Required 1
Drinking Fountain Required 1
Other Source YES
Ambulatory Stall Required YES

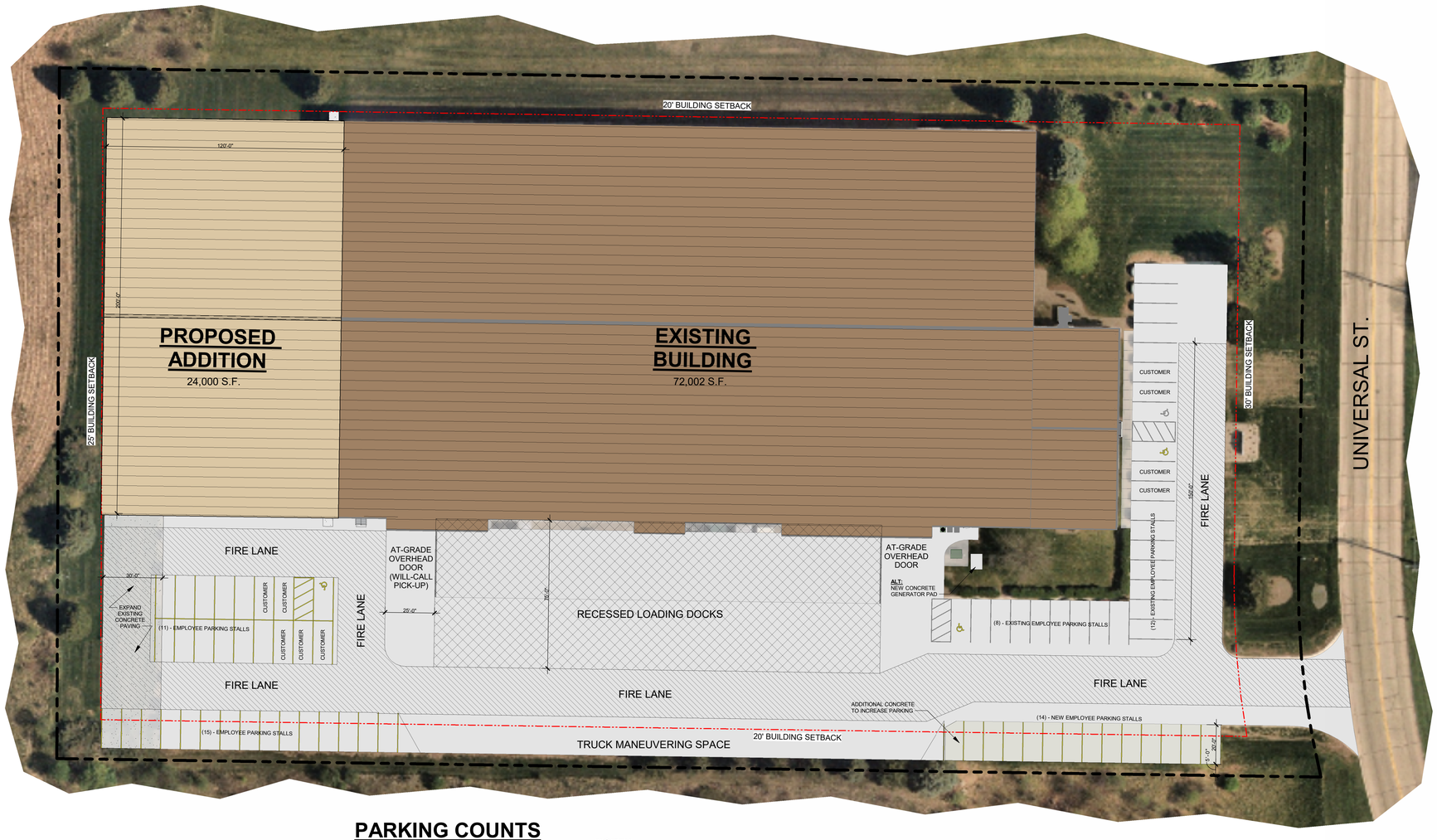
MECHANICAL SYSTEMS
NO SINGLE PIECE OF EQUIPMENT OVER 400,000 BTU
NO BOILERS OVER 15PSI AND 10 HORSEPOWER

SITE INFORMATION

SITE CONTENT

Building Size	96,826 S.F.	43.90%
Hard Surface	65,803 S.F.	29.84%
Green Space	57,929 S.F.	26.26%
Parcel Size (Approx.)	220,558 S.F.	5.06 Acres
Parking Provided	-- Stalls	
Area of Disturbance	-,--- S.F.	

ZONING
Property Zoning --
Setbacks FY -'--" SY -'--" RY -'--"
Hard Surface Setback -'--"
Coverage Limit --%
Greenspace Requirement --%
Parking Required -- Stalls
Refuse Enclosure YES/NO
RTU SCREENING YES/NO



PARKING COUNTS

	NUMBER OF SPACES
HANDICAP	4
EMPLOYEE	60
CUSTOMER	9

NORTH

CONCEPTUAL SITE PLAN
1" = 30'-0"

0' 15' 30' 60' 120'

THE LOT DIMENSIONS AND BEARINGS SHOWN ON THIS PLAN ARE INTERPRETED VALUES. BACKGROUND INFORMATION TAKEN FROM LOCAL GIS DATE. AERIAL IMAGERY AND/OR CLIENT PROVIDED INFORMATION, EASEMENTS, STREAMS AND ROADS ARE APPROXIMATE IN NATURE. FOLLOW UP INVESTIGATION WITH STATE AND LOCAL AUTHORITIES AND/OR WITH CERTIFIED SURVEY MAP DATA WHEN AVAILABLE IS REQUIRED.

PROPOSED FOR:
MILLWORK DISTRIBUTORS INC.
OSHKOSH, WISCONSIN

Keller
PLANNERS | ARCHITECTS | BUILDERS

FOX CITIES
N216 State Road 55
P.O. Box 620
Kaukauna, WI 54130
PHONE (920) 766-5795 / 1-800-236-2534
FAX (920) 766-5004

MADISON
711 Lois Dr.
Sun Prairie, WI 53590
PHONE (608) 318-2336
FAX (608) 318-2337

MILWAUKEE
W204 N11509
Goldendale Rd
Germantown, WI 53022
PHONE (262) 250-9710 / 1-800-236-2534
FAX (262) 250-9740

WAUSAU
5605 Lilac Ave
Wausau, WI 54401
PHONE (715) 849-3141
FAX (715) 849-3181

www.kellerbuilds.com

PROPOSED FOR: MILLWORK DISTRIBUTORS INC. OSHKOSH, WISCONSIN

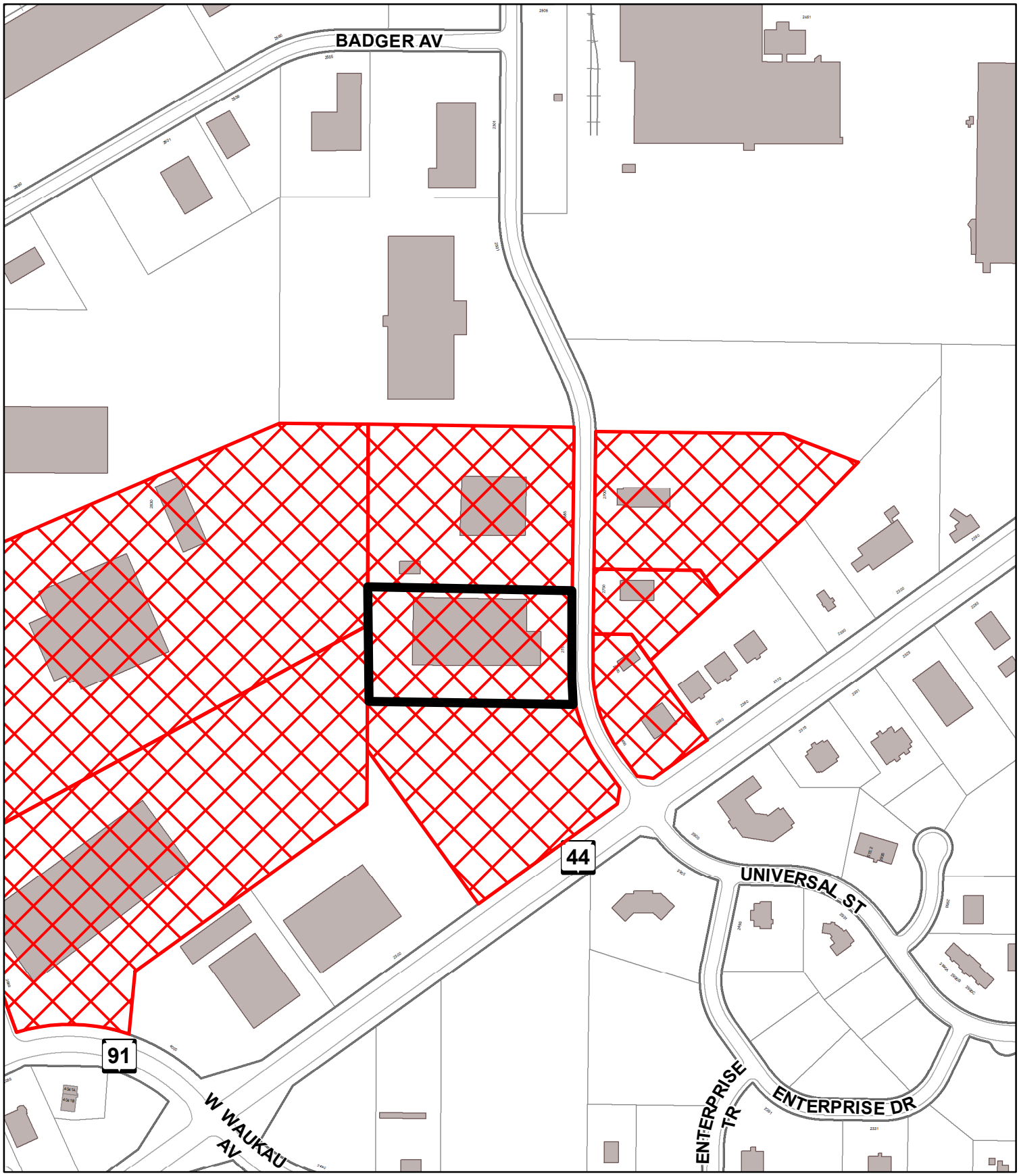
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REVISIONS

1	05.12.2025	KRW
2	05.21.2025	KRW
3	06.05.2025	KRW
4	06.13.2025	TDP
5		
6		

PRELIMINARY - NOT FOR CONSTRUCTION

PROJECT MANAGER: S. WINTERFELDT
DESIGNER: G. STRAUB
INTERIOR DESIGNER: -------
DRAWN BY: TDP
EXPEDITOR: -------
SUPERVISOR: -------
PRELIMINARY NO: P24253
CONTRACT NO: -------
DATE: 10.15.2024
SHEET: C1.0



2751 UNIVERSAL ST NOTICE MAP

N

1 in = 0.08 mi

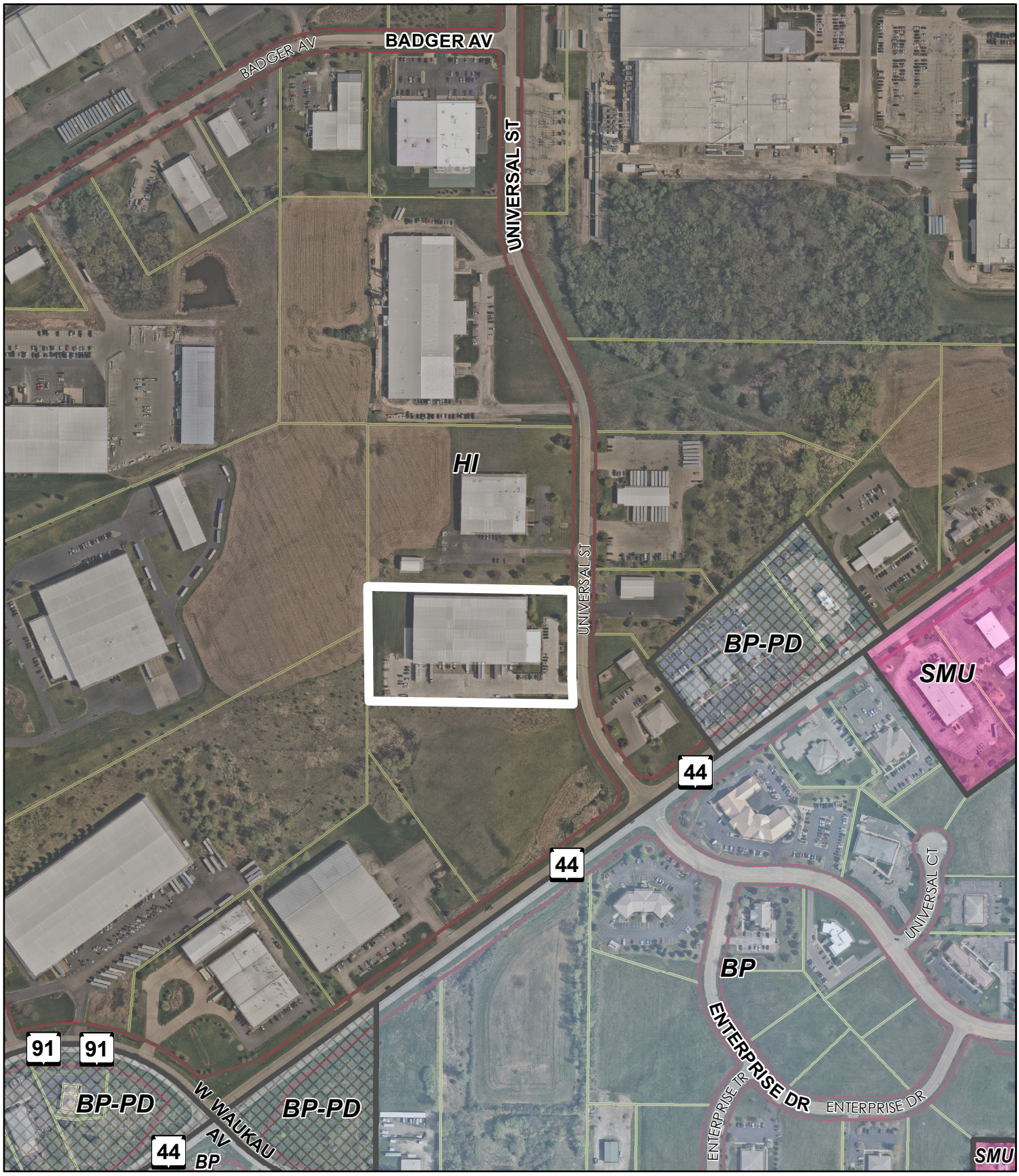
1 in = 400 ft

Printing Date: 8/11/2025

Prepared by: City of Oshkosh, WI

City of Oshkosh

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2751 UNIVERSAL ST
ZONING & AERIAL MAP

N

1 in = 0.08 mi
1 in = 400 ft

Printing Date: 8/11/2025

Prepared by: City of Oshkosh, WI

City of Oshkosh

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TO:	Honorable Mayor and Members of the Common Council
FROM:	Kimberly Gierach, Planning Services Manager
DATE:	September 23, 2025
SUBJECT:	Res 25-510 Approve General Development Plan for a multi-family development located on the south side of the 100 block of West 8th Avenue and the north side of the 100 block of West 9th Avenue (Plan Commission recommends approval)

BACKGROUND

The subject area consists of four vacant lots and one lot with an existing single-family home along West 8th Avenue and five vacant lots along West 9th Avenue. All properties are zoned Two Flat Residential-10 District (TR-10), with the exception of the western-most lot along West 8th Avenue (parcel 90301010000), which is zoned Central Mixed Used District (CMU). The surrounding area consists of residential uses and a church to the south, residential uses to the east, parking lots to the north, and mixed commercial uses to the west along Oregon Street. The 2040 Comprehensive Land Use Plan recommends Center City uses for the subject area.

ANALYSIS

The applicant is proposing a multi-family development consisting of two, ten-unit townhome buildings and two, two-unit buildings; each building is on a separate individual lot. The proposed ten-unit townhomes are not permitted in the TR-10 District. Staff is supportive of a Base Standard Modification (BSM) to allow the proposed development.

A neighborhood meeting was held on August 13th, 2025. Neighbors in attendance were generally supportive of the proposed use.

FISCAL IMPACT

Approval of this may result in an increase in the assessed property value for the site. The applicant is anticipating spending approximately $8 million on the proposed project.

RECOMMENDATION

The Plan Commission recommended approval of the requested General Development Plan on September 2, 2025. Please see the attached staff report for more information.

Attachments

Res 25-510
GDP Pangaea Development

PURPOSE: APPROVE GENERAL DEVELOPMENT PLAN FOR A MULTI-FAMILY DEVELOPMENT LOCATED ON THE SOUTH SIDE OF THE 100 BLOCK OF WEST 8TH AVENUE (PARCELS 90301010000, 90301040000, 90301050000, 90301060000, 90301070000, 90301100000, 90301110000, 90301120000, 90301130000 AND 90301150000)

INITIATED BY: JIBRIL ODOGBA

PLAN COMMISSION RECOMMENDATION: Approved

WHEREAS, the Plan Commission finds that the General Development Plan for a multi-family development at parcels 90301010000, 90301040000, 90301050000, 90301060000, 90301070000, 90301100000, 90301110000, 90301120000, 90301130000 and 90301150000, is consistent with the criteria established in Section 30-387 of the Oshkosh Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oshkosh that a multi-family development at parcels 90301010000, 90301040000, 90301050000, 90301060000, 90301070000, 90301100000, 90301110000, 90301120000, 90301130000 and 90301150000, per the attached, is hereby approved, with the following findings:

1. The proposed Planned Development project is consistent with the overall purpose and intent of the Zoning Ordinance, as the proposed multi-family use of the site will not have a negative impact on the public because it is compatible with neighboring residential uses and the 2040 Comprehensive Land Use Plan.
2. The proposed Planned Development project is consistent with the City's Comprehensive Plan as housing is listed as an intended use under the 2040 Comprehensive Land Use Plan recommendation of Center City.
3. The proposed Planned Development project would maintain the desired relationships between land uses, land use densities and intensities, and land use impacts because the residential use of the property is consistent with neighboring residential uses.

BE IT FURTHER RESOLVED by the Common Council of the City of Oshkosh that the following are conditions of approval for a multi-family development at parcels 90301010000, 90301040000, 90301050000, 90301060000, 90301070000, 90301100000, 90301110000, 90301120000, 90301130000 and 90301150000:

1. Base Standard Modification (BSM) to allow two, ten-unit townhomes in the TR-10-PD Zoning District.
2. All other BSMs will be addressed as part of the Specific Implementation Plan application.

ITEM: **General Development Plan Approval for a Multi-Family Development Located on the South Side of the 100 Block of West 8th Avenue and the North Side of the 100 Block of West 9th Avenue (Parcels 90301010000, 90301040000, 90301050000, 90301060000, 90301070000, 90301100000, 90301110000, 90301120000, 90301130000 and 90301150000)**

Plan Commission Meeting of September 2, 2025

Applicant: Jibril Odogba
Owner: Redevelopment Authority of the City of Oshkosh

Action Requested: The applicant requests approval of a General Development Plan (GDP) for a multi-family development.

Applicable Ordinance Provisions: Planned Development standards are found in Section 30-387 of the Zoning Ordinance.

Property Location and Background Information: The subject area consists of four vacant lots and one lot with an existing single-family home along West 8th Avenue and five vacant lots along West 9th Avenue. All properties are zoned Two Flat Residential-10 District (TR-10), with the exception of the western-most lot along West 8th Avenue (parcel 90301010000), which is zoned Central Mixed Used District (CMU). The surrounding area consists of residential uses and a church to the south, residential uses to the east, parking lots to the north, and mixed commercial uses to the west along Oregon Street. The 2040 Comprehensive Land Use Plan recommends Center City uses for the subject area.

Existing Land Use	***Zoning***
Vacant and Residential	TR-10 & CMU
Recognized Neighborhood Organizations	
None	

Existing Uses		***Zoning***
North	Parking lot	UMU & I
South	Residential & Institutional	CMU, I-PD, TR-10
East	Residential	CMU-PD
West	Mixed use & Residential	CMU

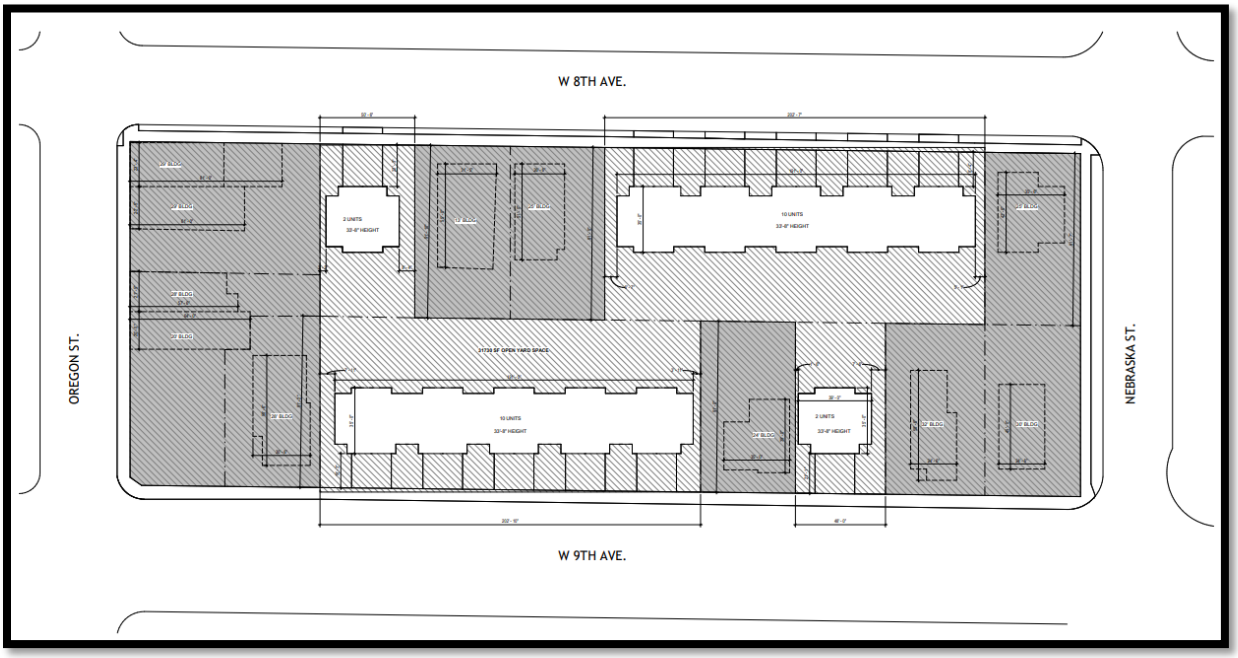
The applicant is proposing a multi-family development consisting of two, ten-unit townhome buildings and two, two-unit buildings; each building is on a separate individual lot. The proposed ten-unit townhomes are not permitted in the TR-10 District. Staff is supportive of a Base Standard Modification (BSM) to allow the proposed

townhomes, as the residential use will be compatible with neighboring residential uses and will also be compatible with the 2040 Comprehensive Land Use Plan recommendation of Center City, which promotes higher density residential uses.

A neighborhood meeting was held on August 13th, 2025. Neighbors in attendance were generally supportive of the proposed use. A Plan Commission workshop was held on February 19th, 2025, with Plan Commission voicing support for the proposed development.

Site Design & Access - The proposed site will have six driveway accesses from both West 8th Avenue and West 9th Avenue to one-car attached garages for each unit. A Certified Survey Map (CSM) will be required for the lot combinations needed for the ten-unit buildings. The proposed plan requires the following BSMs related to the site design:

- Increased impervious surface ratio to 58.7% for the two-unit lots and 59.1% for the ten-unit lots (maximum impervious surface ratio for the TR-10 District is 50%).
- Reduced front setback for the ten-unit buildings to 18.25 ft., (code requires 25 ft.).
- Reduced side yard setback for each of the sites to 1.5 ft. – 5.1 ft. (code requires a 7.5 ft.).



Staff is supportive of the increased impervious surface ratio as the overall site functions as a multi-family development which would typically allow for a higher impervious surface ratio. Also, the Center City future land use plan designation is intended to allow for high density development and increased impervious surface ratios. The reduced front and side yard setbacks are also supportable due to the Center City future land use plan designation which encourages higher density development. These potential BSMs will be addressed during future Specific Implementation Plan (SIP) reviews.

Per the City's Residential Design Standards, the setbacks of the two-unit buildings shall be consistent with the adjacent neighboring homes. The plan shows a slightly increased setback for the two-unit buildings as compared to the neighboring single and two-family homes, which may also be a potential BSM(s) addressed during SIP phases. A ten-foot principal building separation will be required from the neighboring homes and will be confirmed during the SIP phases.

Multi-family uses are required to provide outdoor recreation area at a minimum of 200 sq. ft. plus 25 sq. ft. per bedroom (1,400sq. ft.). The proposed site plan provides sufficient rear yard space to meet this requirement. The landscape plan shows pedestrian accesses running through the sites connecting to sidewalks on West 8th Avenue and West 9th Avenue. Cross access agreement(s) will be required for the walkways as they cross property lines.

	Required	Provided
Parking Spaces	Minimum: 28	48
Impervious Surface	Maximum: 50% of lot	59% of lots total
Building Height	Lesser of 35 ft. or 2 ½ stories	33' 8" and 3-stories

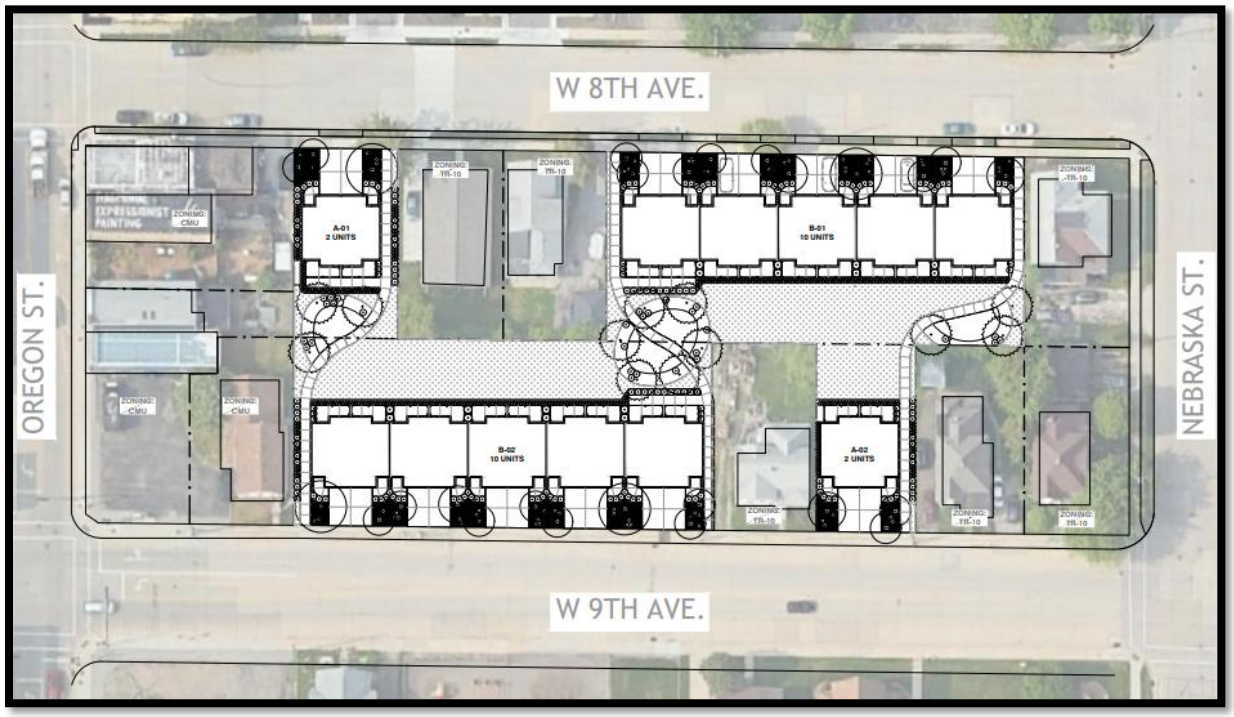
	Minimum Required	Minimum Provided
Front Setback	25 ft.	Various Deficiencies
Side Setback	7.5 ft.	Various Deficiencies
Rear Setback	25 ft.	35 ft. +/-

Signage - No signage plans were submitted with this request.

Lighting - A photometric lighting plan was not submitted with the GDP request. Final lighting plans will be reviewed as part of the phased SIP requests.

Storm Water Management - The final storm water management plans will be reviewed during the SIP and/or Site Plan Review processes.

Landscaping - Code requires building foundation, paved area, street frontage, and yard landscaping requirements to be met for the proposed site. The applicant has provided a conceptual landscaping plan for the overall development.



The conceptual landscape plan shows a combination of trees and shrubs near the building foundations, around the paved areas, along the street frontages and within the yards. The final landscaping plan and landscape point requirements will be addressed during the SIP phases.

Building Facades - Building renderings for the ten-unit buildings were submitted as part of this request. The proposed building exteriors consist primarily of brick and window area. The total area devoted to windows and doors on the ten-unit buildings wall exceeds the 20% minimum requirement for multi-family uses. The two-unit buildings will need to meet the code minimum of 25% door/window area on the front facades for single and two-family uses. Final elevations will be submitted as part of each SIP phase.





The heights of the townhome buildings are shown to exceed the maximum height of two and a half stories for the TR-10 District. Staff is supportive of the proposed increased building height to 3-stories, as this is the result of utilizing ground-floor attached garages, serving as an efficient use of space to meet parking needs. The overall building height will remain under the maximum height of 35 ft. for the TR-10 District.

Findings:
In its review and recommendation to the Common Council on an application for a Planned Development district, staff recommends the Plan Commission make the following findings based on the criteria established by Chapter 30-387 (C)(6):

(a) The proposed Planned Development project is consistent with the overall purpose and intent of the Zoning Ordinance, as the proposed multi-family use of the site will not have a negative impact on the public because it is compatible with neighboring residential uses and the 2040 Comprehensive Land Use Plan.
(b) The proposed Planned Development project is consistent with the City's Comprehensive Plan as housing is listed as an intended use under the 2040 Comprehensive Land Use Plan recommendation of Center City.
(c) The proposed Planned Development project would maintain the desired relationships between land uses, land use densities and intensities, and land use impacts because the residential use of the property is consistent with neighboring residential uses.

Recommendation and Conditions:
Staff recommends approval of the General Development Plan with the findings listed above and the following conditions:

1. Base Standard Modification (BSM) to allow two, ten-unit townhomes in the TR-10-PD Zoning District.
2. All other BSMs will be addressed as part of the Specific Implementation Plan application.

The Plan Commission recommended approval of the requested General Development Plan on September 2, 2025. For a comprehensive record of the proceedings, the official minutes can be obtained by contacting Planning Services.

SUBMIT TO:
Dept. of Planning Services
215 Church Ave., P.O. Box 1130
Oshkosh, WI 54901
Room 204
PHONE: (920) 236-5059
Email: planning@oshkoshwi.gov

City of Oshkosh

Planned Development Application

For General Development Plan or Specific Implementation Plan

****PLEASE TYPE OR PRINT USING BLACK INK****

APPLICANT INFORMATION

Petitioner: Jibril Odogba Date: 05-23-2025

Petitioner's Address: 3215 Golf Road, Ste 222 City: Milwaukee State: WI Zip: 53018

Telephone #: (262) 378-1110 Email: jodogba@pangaeadimensions.com Contact preference: ☐ Phone ☑ Email

Status of Petitioner (Please Check): ☑ Owner ☐ Representative ☐ Tenant ☐ Prospective Buyer

Petitioner's Signature (required): _____ Date: 05-23-2025

OWNER INFORMATION

Owner(s): Pangaea Dimensions Date: 05-23-2025

Owner(s) Address: 3215 Golf Road, Ste 222 City: Delafield State: WI Zip: 53018

Telephone #: (262) 378-1110 Email: jodogba@pangaeadimensions.com Contact preference: ☐ Phone ☑ Email

Ownership Status (Please Check): ☐ Individual ☐ Trust ☐ Partnership ☑ Corporation

Property Owner Consent: (required)
By signature hereon, I/We acknowledge that City officials and/or employees may, in the performance of their functions, enter upon the property to inspect or gather other information necessary to process this application. I also understand that all meeting dates are tentative and may be postponed by the Planning Services Division for incomplete submissions or other administrative reasons.

Property Owner's Signature: _____ Date: 05-23-2025

TYPE OF REQUEST:

☑ General Development Plan (GDP) ☐ General Development Plan (GDP) Amendment
☐ Specific Implementation Plan (SIP) ☐ Specific Implementation Plan (SIP) Amendment

SITE INFORMATION

Address/Location of Proposed Project: N of W 8th ave, S of W 9th ave, between Oregon st and Nebraska st

Proposed Project Type: Single Family 24 Townhomes

Estimated Cost: $77,000

Current Use of Property: Vacant lot Zoning: current zoning: TR-10 & CMU

Land Uses Surrounding Your Site: North: 8th avenue
South: 9th avenue
East: Nebraska street
West: Oregon street

- **It is recommended that the applicant meet with Planning Services staff prior to submittal to discuss the proposal.**
- **Application fees are due at time of submittal. Make check payable to City of Oshkosh.**
- **Please refer to the fee schedule for appropriate fee. FEE IS NON-REFUNDABLE**

For more information please visit the City's website at https://www.oshkoshwi.gov/PlanningServices/

<u>SUBMITTAL REQUIREMENTS</u> – Must accompany the application to be complete.
(Submit only digital files. If file size exceeds 10 mb, please send through a file transfer. Please note at the discretion of Community Development staff may request a hard copy)
The following information must be provided in order for the application to be considered complete and able to be scheduled for Plan Commission Review. Please use the checklist below to determine the required information to be submitted at the time of application. If all information below cannot be provided at the time of application, please request a waiver in writing to the Division's Director or designee.

- ❑ **A General Development Plan (GDP) submittal, per Section 30-387(C)(4), shall include the following items (Submit only digital files. Please note at the discretion of Community Development staff may request a hard copy):**
  - ❑ General location map of the subject site depicting:
    - All lands for which the Planned Development is proposed and other lands within 100 feet of the boundaries of the subject property.
    - Current zoning of the subject site and abutting properties, and the jurisdiction(s) that maintains that control.
    - A graphic scale and north arrow.
  - ❑ Generalized site plan showing the pattern or proposed land uses, including:
    - General size, shape, and arrangement of lots and specific use areas.
    - Basic street pattern and pattern of internal drives.
    - General site grading plan showing preliminary road grades.
    - Basic storm drainage pattern, including proposed on-site stormwater detention.
    - General location of recreational and open space areas, including designation of any such areas to be classified as common open space.
  - ❑ Statistical data, including:
    - Minimum lot sizes in the development.
    - Approximate areas of all lots.
    - Density/intensity of various parts of the development.
    - Building coverage.
    - Landscaping surface area ratio of all land uses.
    - Expected staging.
  - ❑ Conceptual landscaping plan.
  - ❑ General signage plan.
  - ❑ General outline of property owners association, covenants, easements, and deed restrictions.
  - ❑ A written description of the proposed Planned Development, including:
    - General project themes and images.
    - The general mix of dwelling unit types and/or land uses.
    - Approximate residential densities and nonresidential intensities.
    - General treatment of natural features.
    - General relationship to nearby properties and public streets.
    - General relationship of the project to the Comprehensive Plan or other area plans.
    - Proposed exceptions from the requirements of the Zoning Ordinance and enhancements that will be provided to compensate for them.
  - ❑ Traffic Impact Analysis (TIA), if deemed necessary by the Director of Planning Services, or designee.

- ❑ **A Specific Implementation Plan (SIP) submittal, per Section 30-387(C)(5), shall include the following items. Note that the area included in an SIP may be only a portion of the area included in a previously approved GDP (Submit only digital files. Please note at the discretion of Community Development staff may request a hard copy):**
  - ❑ An existing conditions map of the subject site depicting the following:
    - All lands for which the Planned Development is proposed and other lands within 100 feet of the boundaries of the subject site.
    - Current zoning of the subject property and all abutting properties, and the jurisdiction(s) that maintains that control.
    - Existing utilities and recorded easements.
    - All lot dimensions of the subject site.
    - A graphic scale and a north arrow.
  - ❑ An SIP map of the proposed site showing at least the following:
    - All property lines and existing and proposed right-of-way lines with bearings and dimensions clearly labeled
    - All required and proposed building setback and offset lines
    - Impervious surface ratio (percentage)

- All existing and proposed buildings, structures, and paved areas, including building entrances, walks, drives, decks, patios, fences, walls
- Location of all outdoor storage and refuse disposal areas and the design and materials used for construction
- Location and dimension of all on-site parking (and off-site parking provisions if they are to be utilized), including a summary of the number of parking stalls provided per the requirements of Section 30-175 City of Oshkosh Zoning Ordinance
- Location and dimension of all loading and service areas on the subject property
- Location, height, design, illumination power and orientation of all exterior lighting on the property including a photometrics plan
- Location of all exterior mechanical equipment and utilities and elevations of proposed screening devices where applicable (i.e. visible from a public street or residential use or district). Mechanical equipment includes, but is not limited to; HVAC equipment, electrical transformers and boxes, exhaust flues, plumbing vents, gas regulators, generators

❑ Proposed grading plan.

❑ Specific landscaping plan for the subject site, specifying the location, species, and installation size of plantings. The landscaping plans shall include a table summarizing all proposed species and required and provided landscaping points for all applicable landscaping components (building foundation, paved areas, street frontages, yards, bufferyards).

❑ Architectural plans for any nonresidential buildings, multi-family structures, or building clusters, other than conventional single-family or two-family homes on individual lots, in sufficient detail to indicate the floor area, bulk, and visual character of such buildings. The architectural plans shall include a percentage breakdown of exterior materials applied to each building façade.

❑ Conceptual Engineering plans for all water and sewer systems, stormwater systems, roads, parking areas, and walkways.

❑ Signage plan for the project, including all project identification signs, concepts for public fixtures and signs, and group development signage themes that may or may not vary from City standards or common practices.

❑ Any other necessary information as determined during pre-submittal meeting with City staff.

❑ Specific written description of the proposed SIP including:
- Specific project themes and images.
- Specific mix of dwelling unit types and/or land uses.
- Specific residential densities and nonresidential intensities as described by dwelling units per acre, and landscaping surface area ratio and/or other appropriate measures of density and intensity.
- Specific treatment of natural features, including parkland.
- Specific relationship to nearby properties and public streets.
- Statistical data on minimum lot sizes in the development, the precise areas of all development lots and pads; density/intensity of various parts of the development; building coverage, and landscaping surface area ratio of all land uses; proposed staging; and any other plans required by Plan Commission.
- A statement of rationale as to why PD zoning is proposed. This statement shall list the standard zoning requirements that, in the applicant's opinion, would inhibit the development project and the opportunities for community betterment that are available through the proposed PD project.
- A complete list of zoning standards that would not be met by the proposed SIP and the location(s) in which such exceptions/base standard modifications would occur and enhancements that will be provided to compensate for them.
- Phasing schedule, if more than one development phase is intended.

❑ Agreements, bylaws, covenants, and other documents relative to the operational regulations of the development and particularly providing for the permanent preservation and maintenance of common open areas and amenities.

❑ A written description that demonstrates how the SIP is consistent with the approved GDP and any and all differences between the requirements of the approved GDP and the proposed SIP.

Planning Staff may waive certain requirements if deemed not applicable to the project review.

I hereby certify that to the best of my knowledge all required application materials are included with this application. I am aware that failure to submit the required completed application materials may result in denial or delay of the application request.

Applicant's Signature (required): _____ Date: 05-23-2025

Proposed Planned Development Description: Claw Visions

The Claw Visions (Oshkosh 24 Townhomes) project is a thoughtfully envisioned **Planned Development** that combines sustainability, community-centered design, and attainable housing for today's workforce. Anchored in **livability, climate justice**, and **neighborhood revitalization ideals**, the development seeks to activate a formerly underutilized area with **high-quality, energy-efficient housing** in alignment with the **South Shore Redevelopment Area Amendment #3 (2024)** and the **Comprehensive Plan** goals.

General Project Themes and Vision (see project images in the Appendix)

Our vision is rooted in:

- **Sustainability and Net Zero Energy** readiness
- **Walkable community living** with shared green space
- **Affordability and workforce accessibility**
- **Architectural harmony** with Oshkosh's historic and urban character

Residents will enjoy a modern, yet timeless design aesthetic with tri-level townhomes that blend clean lines, warm materials, and natural landscaping. The development embraces a **human-scaled neighborhood feel**—inviting front stoops, integrated greenways, and thoughtful pedestrian paths encourage interaction and foster a sense of belonging.

General Mix of Dwelling Unit Types and Land Uses

The development consists of:

- **24 rental townhomes**: each featuring 2 bedrooms, 1.5 bathrooms, an attached garage, and private patio space
- **Open integrated communal green space**—serving as a shared backyard, gathering area, and stormwater management feature

Residential Densities and Intensities

- **Approximate residential density**: ~12–14 units per acre across clustered infill parcels
- Each townhome is approximately **900 sq ft of finished living space**, plus a garage and storage for a total of ~1,000 sq ft per unit
- **Modest urban density** that supports the goals of Smart Growth, walkability, and infill without overwhelming the surrounding built environment

Natural Features and Environmental Enhancements

- **Minimal disruption to existing topography**, with landscape design focused on reintroducing tree canopy and softening urban heat islands
- Green infrastructure including **permeable pavement, bioswales, and native landscaping** will reduce runoff and enhance site ecology

Relationship to Nearby Properties and Public Streets

- Designed to complement and **conform with the existing neighborhood characteristics**
- **Walkable design** that enhances street frontage and integrates well with the adjacent residential lots
- Open space and side setbacks **preserve neighbor privacy and encourage interaction**
- Building orientation and landscaping create a **welcoming street presence**

Relationship to Comprehensive and Area Plans

- Directly supports:
    - **A Place in Oshkosh: Housing Needs Assessment & Strategy (2022)** by increasing the housing stock and quality
    - **South Shore Redevelopment Area Plan** by promoting infill development and economic revitalization
    - **Sustainable Oshkosh 2020** by targeting Net Zero Energy Ready construction and long-term environmental goals

Zoning Ordinance Exceptions & Enhancements

To enable this unique and impactful development, the Planned Development seeks the following **zoning exceptions**:

- **Lot coverage** slightly exceeding base zoning in some clusters due to tighter urban infill
- **Reduced front-yard and side-yard setbacks** to encourage walkability and align with current neighbors' setbacks
- **Flexible design standards** to accommodate green infrastructure, rooftop solar orientation, and integrated open space

To **compensate for these exceptions**, we propose:

- **Enhanced sustainability features** (solar-ready roofs, heat pumps, permeable surfaces)
- **Publicly accessible green space** with benches, walking paths, and community plantings
- High-quality materials and aesthetic design
- Architectural continuity and streetscape enhancements

Development Timeline and Staging

The Oshkosh 24 Townhomes project will be implemented in **four overlapping phases** to optimize resource deployment and adaptively respond to market and community needs:

- **Phase 1 (10 months)**: Construction of the **first 2 townhomes** begins along with **site preparation** for Phase 2.
- **Phase 2 (15 months)**: Concurrent with Phase 1 completion, **10 additional townhomes** will be developed.
  Phase 3 (10 months): Following the early stages of Phase 2, another **2 townhomes** will be constructed in a mirrored configuration.
- **Phase 4 (15 months)**: Final construction of the **remaining 10 townhomes**, completing the planned 24-unit community.

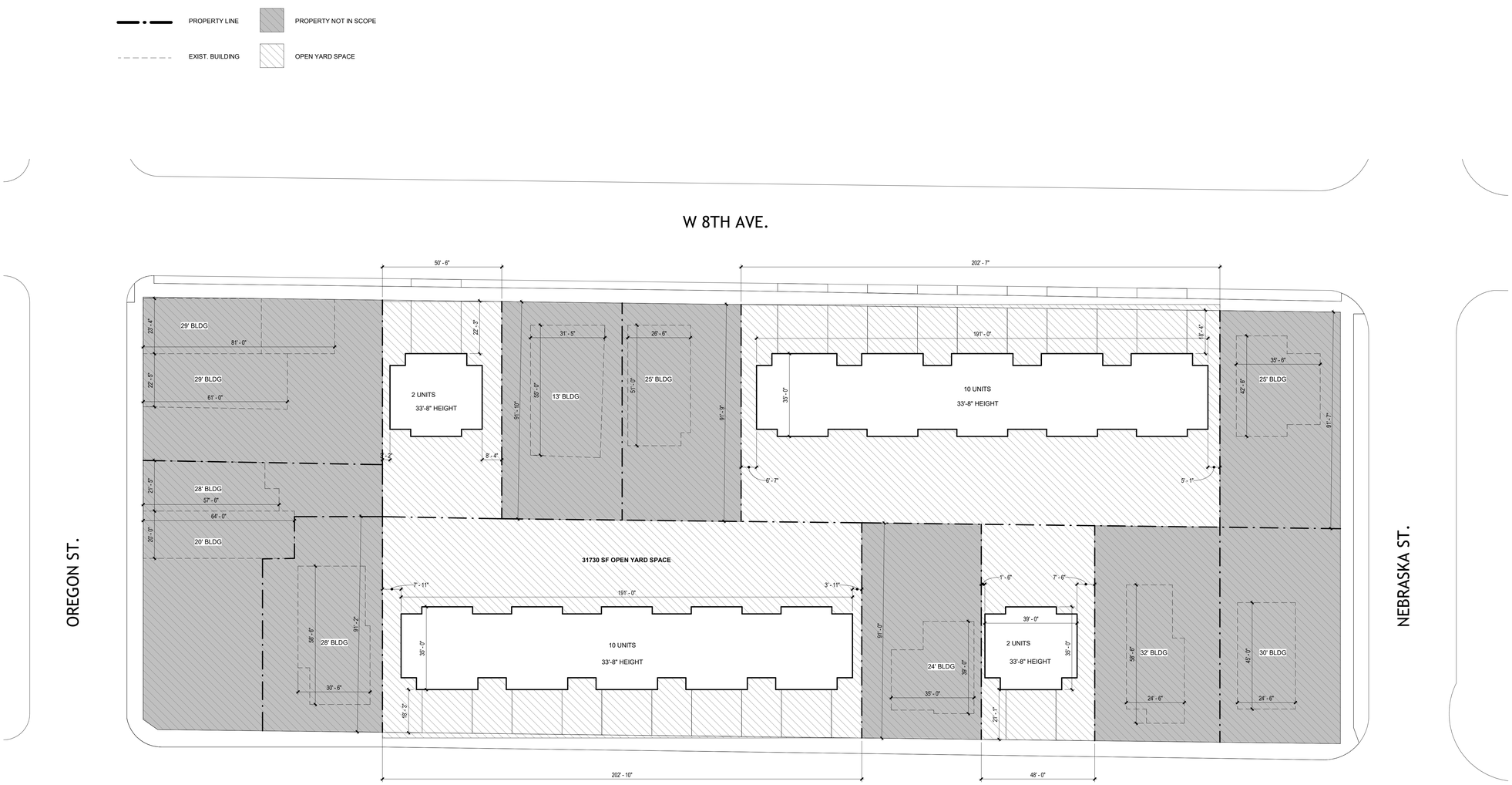
This phased approach ensures manageable build-out, early occupancy, and measured integration into the neighborhood.

CONCEPTUAL RENDER - FRONT

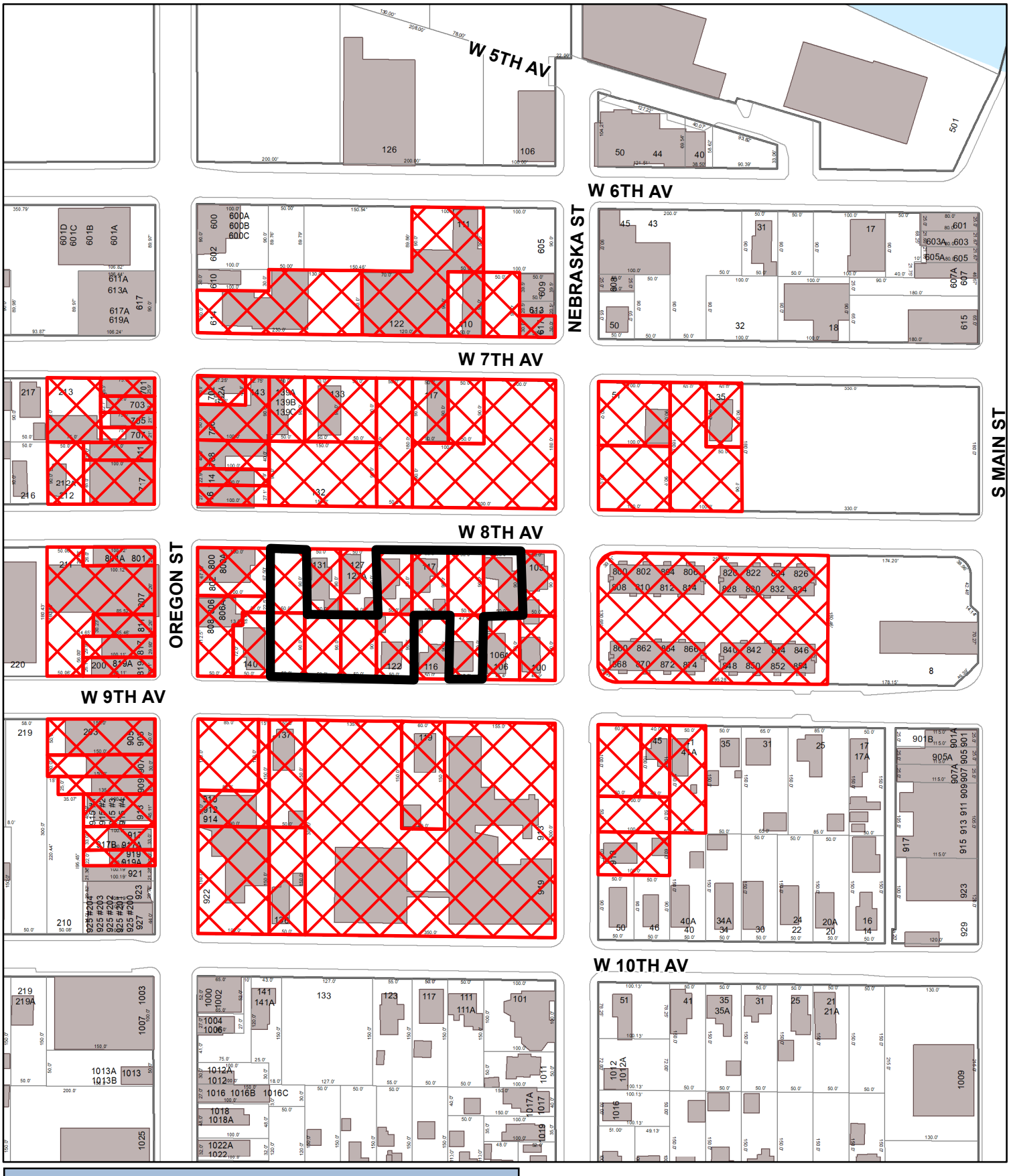


CONCEPTUAL RENDER - BACK





OSHKOSH, WI 54902	# SITE PLAN	DATE: 06/27/2025 ARCHITECT: EVAN WILLIAMS CLIENT: PANGAEA DIMENSIONS



W 8TH & 9TH AVE PARCELS NOTICE MAP

N

1 in = 0.03 mi

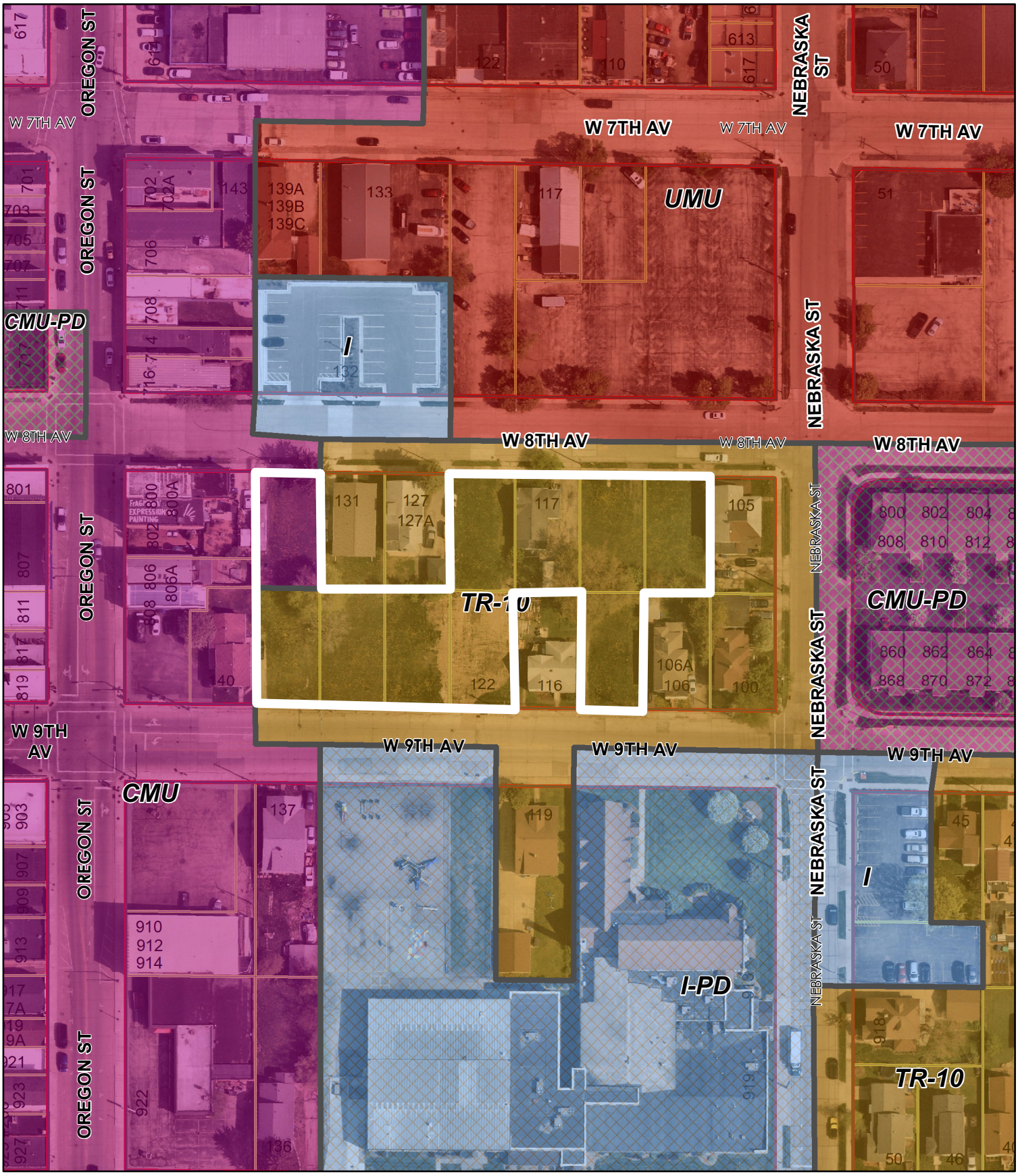
1 in = 180 ft

Printing Date: 6/20/2025

Prepared by: City of Oshkosh, WI

City of Oshkosh

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ZONING & AERIAL MAP

N

1 in = 0.02 mi

1 in = 100 ft

Printing Date: 6/24/2025

Prepared by: City of Oshkosh, WI

City of Oshkosh

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TO:	Honorable Mayor and Members of the Common Council
FROM:	Rebecca Grill, City Manager
DATE:	September 23, 2025
SUBJECT:	Res 25-511 Adopt 2026 calendar of Council meetings

BACKGROUND

Wisconsin Statutes require Councils to establish by ordinance a time for holding regular meetings. For many years this regular meeting time for the City of Oshkosh Common Council has been the second and fourth Tuesdays of each month. In the past, there have been instances where this meeting schedule was altered because of elections or holidays, lack of quorum or other reasons. The city has also recently updated the city webpage to include a monthly calendar of meetings which provides access to the calendar out into future months and years. With the new electronic calendar format and in light of the annual need to change certain dates, Council approved an ordinance change at their August 26, 2025, meeting that will allow for the annual establishment of meetings for the upcoming year.

ANALYSIS

Attached is a proposed calendar for Council's approval to establish the meeting dates for 2026. The changes from the historically observed Council dates are meant to address election months (to alleviate demands on Clerk's office staff), and to avoid weeks when quorum may be an issue (EAA's AirVenture, holidays, etc.). In order to limit any potential negative impact on development and other projects in the city, staff is also asking Council to separately consider a change to our code requiring two readings of every ordinance.

Attachments

Res 25-511
Draft 2026 Council Calendar

PURPOSE: APPROVE 2026 COMMON COUNCIL CALENDAR OF MEETINGS

INITIATED BY: CITY ADMINISTRATION

WHEREAS, Section 2-10(b) of the City of Oshkosh Municipal Code allows for the establishment of an annual calendar of meetings.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oshkosh that the attached calendar is hereby approved for the establishment of meeting dates for the Common Council of the City of Oshkosh for 2026.

DRAFT

2026 COMMON COUNCIL CALENDAR

Holidays

Elections

Common Council Meetings

OASD Spring Break

EAA AirVenture

JANUARY

SUN	MON	TUE	WED	THU	FRI	SAT
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

FEBRUARY

SUN	MON	TUE	WED	THU	FRI	SAT
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

MARCH

SUN	MON	TUE	WED	THU	FRI	SAT
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

APRIL

SUN	MON	TUE	WED	THU	FRI	SAT
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

MAY

SUN	MON	TUE	WED	THU	FRI	SAT
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

JUNE

SUN	MON	TUE	WED	THU	FRI	SAT
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

JULY

SUN	MON	TUE	WED	THU	FRI	SAT
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

AUGUST

SUN	MON	TUE	WED	THU	FRI	SAT
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

SEPTEMBER

SUN	MON	TUE	WED	THU	FRI	SAT
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

OCTOBER

SUN	MON	TUE	WED	THU	FRI	SAT
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

NOVEMBER

SUN	MON	TUE	WED	THU	FRI	SAT
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

DECEMBER

SUN	MON	TUE	WED	THU	FRI	SAT
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

TO:	Honorable Mayor and Members of the Common Council
FROM:	Tim Heiman, Fire Chief
DATE:	September 23, 2025
SUBJECT:	Res 25-512 Approve Ambulance Service Agreement for 2026 with the Town of Algoma

BACKGROUND

The City of Oshkosh has a small residential neighborhood on its western border that does not offer ambulance services. This agreement ensures the delivery of high-quality paramedic emergency medical services to the residents. Ambulance services in this area would necessitate the response of a City of Oshkosh paramedic ambulance as the Town of Algoma is a volunteer fire department with no transport ambulance service.

ANALYSIS

A seamless transition is crucial to ensure uninterrupted ambulance services as the Town of Algoma Fire Department does not have transport ambulance services that would automatically respond when needed. Should an ambulance be needed, an Oshkosh Fire Department paramedic ambulance crew would automatically respond with two trained paramedics.

FISCAL IMPACT

The agreement delineates a cost-sharing model similar to prior ambulance arrangements, facilitating budget predictability for both the City of Oshkosh and the Town of Algoma. The financial projections indicate a modest increase in operational costs, primarily due to inflation adjustments and technological upgrades.

RECOMMENDATION

I recommend that the Common Council approve the ambulance service agreement with the Town of Algoma so that we can best serve our respective communities.

Attachments

Res 25-512
Ambulance Service Agreement_Algoma - Draft

PURPOSE: APPROVE AMBULANCE AGREEMENT BETWEEN THE CITY OF OSHKOSH AND TOWN OF ALGOMA FOR AMBULANCE SERVICES FOR 2026

INITIATED BY: OSHKOSH FIRE DEPARTMENT

WHEREAS, the Oshkosh Fire Department would provide ambulance services through contract with the Town of Algoma to provide delivery of high-quality paramedic emergency medical services to the residents; and

WHEREAS, the Town of Algoma Fire Department does not have transport ambulance services that would automatically respond when needed. Should an ambulance be needed, an Oshkosh Fire Department paramedic ambulance crew would automatically respond with two trained paramedics. The Town of Algoma has requested the Oshkosh Fire Department provide services within the contract for calendar year 2026.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oshkosh that the attached Agreement with Town of Algoma from January 1, 2026 through December 31, 2026 is hereby approved and the proper City officials are hereby authorized to execute and deliver the agreement in substantially the same form as attached hereto, any changes in the execution copy being deemed approved by their respective signatures, and said City officials are authorized and directed to take those steps necessary to implement the terms and conditions of the Agreement.

AMBULANCE SERVICE AGREEMENT
2026

This AGREEMENT for AMBULANCE SERVICE is made and entered into by and between the **CITY OF OSHKOSH**, a Wisconsin municipality with its principal offices located at 215 Church Avenue, Oshkosh, Winnebago County, Wisconsin 54903-1130 ("CITY"), and the **TOWN OF ALGOMA**, a political subdivision and body politic of the State of Wisconsin, with its principal offices located at 15 n. Oakwood Road, Oshkosh, Winnebago County, Wisconsin 54904. ("TOWN").

WHEREAS, TOWN, being without its own emergency medical services, desires to provide emergency medical services to its citizens, pursuant to Chapter 256, of the Wisconsin Statutes, and Chapters DHS 110 of the Wisconsin Administrative Code, as amended from time to time, through contract with CITY; and

WHEREAS, CITY has indicated a desire and willingness to provide such services to TOWN; and

WHEREAS, TOWN is authorized by Section 60.565 of the Wisconsin Statutes to contract for ambulance services and municipalities are authorized by Section 66.0301 of the Wisconsin Statutes to contract with other municipalities for the provision of services.

NOW, THEREFORE, for and in consideration of the mutual agreements herein contained and other good and valuable consideration, CITY and TOWN agree as follows:

1. DESCRIPTION OF SERVICES. TOWN hereby appoints the City of Oshkosh Fire Department as the TOWN's emergency medical services provider for the term of this Agreement. CITY shall provide emergency ambulance service in TOWN. For purposes of this agreement, "emergency ambulance service" shall be defined as that ambulance service which is necessary to respond to a condition that in the opinion of the person, his/her family or whoever calls for and/or attends to the person, requires immediate medical attention, but shall specifically exclude non-emergency transfer calls. Dispatch shall be through the Winnebago County Emergency Dispatch System.

2. TERM. The term of this agreement shall commence at 12:00 a.m. on January 1, 2026, and shall continue until 11:59 p.m. on December 31, 2026, unless terminated as provided in this agreement.

3. EQUIPMENT AND STAFFING OF AMBULANCE. CITY shall be responsible to obtain, house and maintain a sufficient number of fully equipped and staffed ambulances to reasonably assure response to requests for emergency medical services covered by this Agreement or to request mutual aid for response as required. All ambulances shall be equipped to provide Advanced Life Support Services. For purposes of this Agreement, a one-level system of emergency ambulance service, staffed by paramedics as defined by Sec. 256.01 (14) Wis. Stats., shall apply.

4. RESPONSE TO TOWN. The CITY shall respond to the TOWN as promptly as practicable, with a response time of twenty (20) minutes or less achieved in no fewer than ninety percent (90%) of all instances.

TOWN recognizes that CITY is not providing a dedicated ambulance to TOWN and CITY may also provide ambulance service to other municipalities on a similar contractual basis.

5. FIRST RESPONDER PROGRAM. The TOWN will maintain a first responder program to assist CITY response in the TOWN. The program will follow the State of Wisconsin emergency medical service training guidelines, as may be amended from time to time, and shall include an automatic defibrillator program.

6. SERVICES, SUPPLIES, AND BILLING OF AMBULANCE SERVICE USERS/PATIENTS. CITY shall provide services and supplies for emergency use as hereinafter defined as necessary, and may establish a reasonable charge to the ambulance user/patient for providing such services and supplies. For purposes of this agreement, supplies for emergency use shall be defined as those medical supplies which are essential for the personnel who are staffing ambulances used by Provider to provide adequate care for the critical emergency scene and during transport to medical facilities, including, but not limited to the following: (a) Intravenous infusions, (b) Medications, (c) Heart Monitoring, (d) Oxygen, (e) Disposable blankets, (f) Universal dressing, (g) Sterile gauze pads, (h) soft roller-type bandages, (f) adhesive tape. City shall replace those supplies used by first responders to treat patients. City shall bill patients for such supplies.

The CITY shall be solely responsible for invoicing and collection of all fees for ambulance service from patients pursuant to its schedule of costs, including mileage.

7. PER CAPITA FEE TOWN. TOWN shall pay the CITY, an annual per resident fee, based on population as indicated by the most recent Wisconsin Department of Administration Municipality Population Estimate. The per resident fee shall be calculated annually based on the net operating cost of ambulance service, divided by the total population of the service area (City and TOWN or all Towns contracting for services should CITY enter into additional service agreements with other towns) as is shown on attached Exhibit A.

   The estimated fee for calendar year 2026 is $40.40.

   The final fee amount shall be calculated based upon actual expenditures and revenues from January through September 2026 and an estimate of the expenditures and revenues for the remaining 3 months of 2026 and shall be invoiced by CITY to TOWN in October, 2026. The fee contains an estimate for payroll based upon an anticipated pay increase for employees. CITY and the International Association of Fire Fighters Local 316 are currently in negotiations for a contract, if the contract is not settled by the time of invoicing the increase shall remain estimated and included in the invoiced amount. If contract negotiations have concluded the actual pay increase shall be included in the annual charge.

   The TOWN shall pay the invoice on or before February 15, 2027. Any unpaid amounts on and after February 15, 2027 shall accrue interest in the same manner as CITY may charge for other outstanding invoices.

8. RECORDS AND REPORTING. At the end of the calendar year, or upon request of TOWN, but not less than quarterly, the CITY shall submit incident response data to include but not limited to; response times, average response times, and transport information to each of the TOWN.

9. INSURANCE PROVISIONS - LIABILITY AND HOLD HARMLESS. Each party shall maintain liability, errors and omissions, motor vehicle collision, workers' compensation, and liability coverage for that party's employees, agents, and public officials as each party may determine is necessary and appropriate.

Subject to any limitations contained in Secs. 893.80, 893.83, 345.05, and any similar statute, of the Wisconsin Statutes, the CITY agrees to hold TOWN, its officers, officials, employees and agents harmless from any and all liability, including claims, demands, losses, costs, damages, and expenses of every kind and description (including death), or damages to person or property arising out of the terms of this Agreement where such liability is founded upon or grows out of the acts or omission of any of the City's officers, employees or agents while acting within the scope of their employment.

Subject to any limitations contained in Secs. 893.80, 893.83, 345.05, and any similar statute, of the Wisconsin Statutes, TOWN agrees to hold CITY, its officers, officials, employees and agents harmless from any and all liability, including claims, demands, losses, costs, damages, and expenses of every kind and description (including death), or damages to person or property arising out of the terms of this Agreement where such liability is founded upon or grows out of the acts or omission of any of TOWN's officers, employees or agents while acting within the scope of their employment.

It is the intention of the parties to this Agreement that each party shall be solely responsible for its own actions and activities and the actions and activities of its own officers, employees and agents while acting within the scope of their employment. Further, it is the intention of the parties to this Agreement that each party shall be entitled to rely upon the municipal limitations and immunities available under Wisconsin law, including but not limited to section 345.05, 893.80 and 893.83 of the Wisconsin Statutes and that such damage limits, caps and immunities shall be used to govern all disputes, contractual or otherwise, as they apply to the parties, their agents, officers and employees.

10. NO THIRD-PARTY BENEFICIARIES. This agreement is solely for the benefit of the parties to this agreement, and it is not intended to benefit any third party.

11. TERMINATION. If either party shall fail to fulfill in timely and proper manner any of the material obligations under this Agreement, the other party may, at its discretion, terminate this Agreement by written notice of the intent to terminate given not less than 60 days prior to the termination date.

TOWN may terminate this Agreement prior to the termination date at its convenience by providing written notice of the intent to terminate not less than 3 months prior to the termination date.

In the event of termination prior to the termination date, CITY shall be entitled to compensation for the period of contract service up to the date of termination on a prorated basis.

12. AMENDMENTS, FULL TEXT OF AGREEMENT. All agreements and understandings have been embodied in this Agreement and no changes will be made herein except in writing and duly signed by the authorized representatives of the respective parties.

13. ENTIRE AGREEMENT. This Agreement, constitutes the entire agreement between the parties, and any other prior understandings or representations made by any party shall not be binding on any other party unless incorporated within this document or a written amendment thereto.

14. ASSIGNMENT. Neither party to this Agreement shall transfer, sublet or assign any rights under or interest in this Agreement (including, but not limited to, monies that are due or monies that may be due) without the prior written consent of the other party.

15. AGREEMENT NOT TO BE CONSTRUED AGAINST ANY PARTY. This Agreement is the product of negotiation between all parties and therefore no term, covenant or provision herein or the failure to include a term, covenant or provision shall be construed against any party hereto solely on the basis that one party or the other drafted this Agreement or any term, covenant or condition contained herein.

16. NO WAIVER. Failure of either party to insist upon the strict performance of terms and provisions of this Agreement, or any of them, shall not constitute or be construed as a waiver or relinquishment of that party's right to thereafter enforce such term or provision, and that term of the provisions shall continue in full force and effect.

17. SEVERABILITY. If any term, covenant, condition or provision of this Agreement shall be adjudged invalid or unenforceable by a court of competent jurisdiction, the remainder of this agreement shall not be affected thereby and the remainder of the agreement shall be valid and enforceable to the fullest extent permitted by law.

18. CHOICE OF LAW, VENUE, AND DISPUTE RESOLUTION. The laws of the State of Wisconsin shall govern the interpretation and construction of this Agreement. Winnebago County shall be the venue for all disputes arising under this Agreement. The parties agree that it may be beneficial to undertake an initial

mutually agreeable mediation to resolve a dispute. However, unless otherwise agreed to by the parties, all disputes shall be resolved by the judiciary. Under no circumstance shall any dispute be subject to arbitration.

19. SIGNATURES. By placing their signatures below, each individual affirms that the entity they represent is authorized to enter into this Agreement, and further affirm that they are authorized by the entity they are representing to bind their respective parties to the terms and conditions of this Agreement.

(Signature Pages to Follow)

TOWN OF ALGOMA

By: _____
Joel Rasmussen, Town Chairperson

And: _____
Katherine Reinbold, Town Clerk/Treasurer

CITY OF OSHKOSH

By: _____
Rebecca Grill, City Manager

And: _____
Cheryl Pionke, Interim City Clerk

Approved as to form:

_____
Lynn A. Lorenson, City Attorney

TO:	Honorable Mayor and Members of the Common Council
FROM:	James Rabe, Director of Public Works
DATE:	September 23, 2025
SUBJECT:	Res 25-513 Approve Utility Undergrounding Policy

BACKGROUND

The City of Oshkosh (City) requires all new subdivision developments to have utilities, such as electric and communication, installed underground (currently located in ***Section 30-444(F)(1)*** of the *Municipal Code of the City of Oshkosh*) in easements outside of the public right-of-way. Electrical distribution lines of twelve thousand (12,000) volts (12kV) or more are exempt from the underground installation requirement. There are no requirements for the redeveloping areas of the City, nor for street reconstruction projects that are being managed by the City.

ANALYSIS

Moving utilities from aerial to underground has many benefits including: improving safety, improving climate change resiliency, improving aesthetics, and reducing overall cost of operation and maintenance.

There are also challenges associated with moving these utilities underground including: congested right-of-way, insufficient terrace widths, a lack of utility easements outside of the right-of-way, and structures built close to the right-of-way. There is an impact to private property owners as well, as they have to pay several thousand dollars to convert their overhead services to underground. If services are not converted, the utilities may end up placing poles at each house that does not convert, and bring the underground utilities overhead to the house.

Utility companies require twelve foot (12') wide easements outside of the public right-of-way (on both sides of the right-of-way) to install utilities underground. If there are structures (buildings) located within fifteen feet (15') of the right-of-way, it will be infeasible to obtain the required twelve foot (12') wide easement.

Arterial streets carry the highest volume of traffic, which provides more chances for accidents to damage aerial utilities. The higher traffic on arterial streets also creates a greater aesthetics impact with aerial utilities. Collector streets carry the next highest volume of traffic, while local streets carry the lowest volume of traffic. Street classification is an important factor for the Common Council to consider when allocating available funding and determining which streets to move forward on utility undergrounding.

FISCAL IMPACT

There is no immediate fiscal impact to approving this policy; however, future Common Council's will need to evaluate the fiscal impact of projects that contemplate undergrounding aerial utilities.

RECOMMENDATION

Staff recommends approval of the policy.

Attachments

Res 25-513
Utility undergrounding policy

09/23/2025 25-513 RESOLUTION

PURPOSE: APPROVE UTILITY UNDERGROUNDING POLICY

INITIATED BY: DEPARTMENT OF PUBLIC WORKS

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oshkosh that the attached "Utility Undergrounding Policy" is hereby approved and the proper City officials are hereby authorized and directed to take those steps necessary to implement the Policy.

Street Reconstruction Utility Undergrounding Policy

The City of Oshkosh requires all new subdivision developments to have utilities such as electric and communication installed underground (currently located in **Section 30-444(F)(1)** of the ***Municipal Code of the City of Oshkosh***) in easements outside of the public right-of-way. Electrical distribution lines of twelve thousand (12,000) volts (12kV) or more are exempt from the underground installation requirement. There are no requirements for the redeveloping areas of the city, nor for street reconstruction projects that are being managed by the City of Oshkosh.

As both the city and private property owners continue to reinvest in previously developed parts of the city, it becomes important to consider where it is feasible to have aerial utilities installed underground.

Moving these utilities from aerial to underground has many benefits including: improving safety, improving climate change resiliency, improving aesthetics, and reducing overall cost of operation and maintenance.

There are also challenges associated with moving these utilities underground including: congested right-of-way, insufficient terrace widths, a lack of utility easements outside of the right-of-way, and structures built close to the right-of-way.

Another challenge to moving utilities from aerial to underground is the impact on private property owners. Property owners will have to pay several thousand dollars to convert their overhead services to underground. If services are not converted, the utilities may end up placing poles at each house that does not convert, and bring the underground utilities overhead to the house.

Given the number of benefits and challenges, it is important to establish a policy to guide the review of circumstances to determine where it is, or is not, feasible to underground utilities.

Gateway Corridors are the "entryways" into the City of Oshkosh. These corridors all start with an interchange on Interstate Highway 41 (I-41). There has long been a focus on cleaning up these Gateway Corridors to provide a more appealing and welcoming entrance into the City of Oshkosh. For the purposes of this policy, the Gateway Corridors are defined as:

- South Park Avenue from I-41 to South Main Street
- 9th Avenue from I-41 to South Main Street
- Oshkosh Avenue from I-41 to Fox River
- Algoma Boulevard from I-41 to Congress Avenue
- Jackson Street from I-41 to Fox River

DRAFT

Department of Public Works staff will annually evaluate streets that appear in years four through ten (4-10) of the annual Capital Improvement Program (CIP) Plan to determine feasibility for potential utility undergrounding. This feasibility review will look at a number of different criteria to determine if the street reconstruction project should be further evaluated for utility undergrounding. If the feasibility review indicates that there is the potential for utility undergrounding, Public Works staff will begin design work so that utility coordination and easement acquisition can begin. The City design work will need to be completed 2-3 years prior to planned construction, to allow time for the utilities to complete their design work.

Criteria for evaluating feasibility:

- Gateway Corridor
- Street Classification: Arterial, Collector, Local
- Proximity of structures to ROW (greater than, or less than 15')
- Voltage of electrical distribution (12kV and higher infeasible)
- Review of outage history with utilities
- Terrace width
- Presence of green space boulevards within the public right-of-way
- Number of utilities present on poles

Due to the increased risk and visibility along Gateway Corridors, these streets will automatically warrant additional review and exploration. Even if other factors limit or restrict the ability to install utilities underground, staff will explore additional options to improve these corridors.

Electrical distribution lines of 12,000 volts (12kV) are deemed to be infeasible for undergrounding. On streets with electrical distribution lines of 12kV or higher, the feasibility of undergrounding other aerial utilities will be evaluated in an effort to provide some of the benefits of undergrounding of utilities.

Utility companies require twelve foot (12') wide easements outside of the public right-of-way (on both sides of the right-of-way) to install utilities underground. If there are structures (buildings) located within fifteen feet (15') of the right-of-way, it will be infeasible to obtain the required 12' wide easement.

Arterial streets carry the highest volume of traffic, which provides more chances for accidents to damage aerial utilities. The higher traffic on arterial streets also creates a greater aesthetics impact with aerial utilities. Collector streets carry the next highest volume of traffic, while local streets carry the lowest volume of traffic. Street classification is an important factor for the Common Council to consider when allocating available funding and determining which streets to move forward on utility undergrounding.

DRAFT

During the utility coordination phase, Public Works staff will work with the utility companies to determine if any of the streets in the CIP Plan have a history of outages, or have a connectivity issue that can be addressed during the reconstruction project. The number of utilities present on the poles will be evaluated during this coordination phase to assist in determining if there is adequate space to move forward with an undergrounding project.

Public Works staff will update the CIP Plan Project sheets to include information regarding the evaluation of streets for utility undergrounding. For streets that are feasible for utility undergrounding, the project cost estimates will be updated to include easement acquisition costs and utility underground costs in years prior to the street being reconstructed. This will allow the cost and benefit to be weighed by Common Council when approving the CIP. These costs will reduce the number of streets that can be reconstructed as the CIP budget is balanced annually.

Neither the Department of Public Works, nor the City of Oshkosh as an organization currently have property acquisition specialist staff. An acquisition specialist will be retained with work with adjacent property owners to attempt to secure the necessary easements for projects that are deemed feasible for utility undergrounding. Property owners must agree to grant the easements, eminent domain may not be utilized to obtain these easements.

DRAFT

DATE: September 23, 2025

SUBJECT: Budget Workshops:

- Tuesday, October 14, 2025, 4-6pm
- Wednesday, October 15, 2025, 5-7pm (if needed)

DATE: September 23, 2025

SUBJECT: 2026 Operations Budget Public Hearing, October 28, 2025, 5pm

TO:	Honorable Mayor and Members of the Common Council
FROM:	Rebecca Grill, City Manager
DATE:	September 23, 2025
SUBJECT:	Removal of 1915 Fire Engine from Municipal Collection

BACKGROUND

Due to a time sensitive sale, former Oshkosh Mayor Paul Esslinger purchased a historic 1915 Fire Engine formerly used by the Oshkosh Fire Department from a private party in order to ensure its preservation for future generations. At their November 10th, 2009 meeting, the Oshkosh Common Council approved the acquisition of the 1915 Fire Engine and voted to approve the reimbursement in an amount not to exceed $11,000 to Esslinger. At the time of the acquisition the 1915 Fire Engine was operational, required low maintenance, and could be stored at the Oshkosh Fire Department for the purposes of display, educational outreach activities, and use in public events.

ANALYSIS

Following years of use and maintenance the 1915 Fire Engine has ceased its ability to operate in the manner for which it was intended and there are no funds dedicated to its upkeep. The Oshkosh Fire Department no longer has the capacity to store the vehicle nor can it be made accessible to the public for educational outreach activities and use in public events.

The 1915 Fire Engine will be removed from the City's ownership and disposed of in a manner consistent with existing processes, as well as with the requirements outlined in the City of Oshkosh Gift and Donation Policy.

FISCAL IMPACT

No levy funds are being requested.

DATE: September 23, 2025

SUBJECT: Current Initiatives

Attachments

09.23.2025 Current Initiatives

City of Oshkosh
Status of Current Initiatives

Date of Initial Request	Affected Department(s) (if applicable)	Initiative	Current Status	Next Status Report/Update	Other Notes
1/10/2023	DPW/Legal	Sanitary District Negotiations	Tentative agreement reached, which will be presented to Council at the September 23rd meeting.	9/23/2025	
4/16/2024	DPW & Community Development	Undergrounding Utilities	The draft policy was updated following Council discussion on July 8th and is appearing on the September 23rd meeting for Council consideration.	9/23/2025	
11/26/2024	Public Works / Finance / Legal	Special Assessment Deferral Policy	A draft policy was discussed at the 7/8/25 Council meeting and some modifications given with regard to early payments and length of deferal.	10/14/2025	Related ordinance changes are also being drafted, which may incorporate all of the policy items discussed. This item will be referred to Long Range Finance Committee for a recommendaton (next meeting 10/1/25), at which point the policy and/or ordinance changes will come to Council for consideration.
8/12/2025	Legal / Police / Transportation	ATV/UTV Ordinance	At their August 12th meeting, Council discussed the possibility of adding an ordinance allowing ATVs and UTVs to operate in the city at their August 12th meeting. It was referred to the Transportation Committee for a recommendation, using the Winnebago County ordinance as a starting place for their discussion.	10/28/2025	Transportation Committee (TC) discussed at their September 9th meeting and requested some public input on the matter before proceeding with a recommendation. Public survey went live on September 19th, and the item will return to TC with this input at their October 14th meeting.