

CITY OF FORT ATKINSON
City Council Minutes ~ March 20, 2018

CALL MEETING TO ORDER.

Pres. Becker called the meeting to order at 7:00 pm.

ROLL CALL.

Present: Cm. Kotz, Cwmn. Gehred, Cm. Leschier, Cm. Hartwick and Pres. Becker. Also present: City Manager, City Attorney, City Engineer, City Clerk/Treasurer and Chief Bump.

APPROVAL OF MINUTES OF MARCH 6, 2018 REGULAR COUNCIL MEETING.

Cm. Kotz moved, seconded by Cm. Hartwick to approve the minutes of March 6, 2018 regular Council meeting. Motion carried.

PUBLIC HEARINGS

a. *Public hearing on Annual Report on Stormwater Permit.*

After three calls, Pres. Becker closed the public hearing without comments heard.

PUBLIC COMMENT

Ann Engelman, 428 East Sherman Avenue spoke on agenda items that she feels need additional research, discussion and coordination. She read a statement that was provided to the Council. She expressed concern on the following items: Brock's request to use public space, minutes from the Market Square Planning Committee, Project Lead Riverwalk Plaza project, Koshkonong Lake Estates and Market Square Planning Committee. Furthermore, she requested the request by Brocks be limited to two events and allow the hours of 6 to 10 pm for the event.

PETITIONS, REQUESTS AND COMMUNICATIONS

a. *Swearing in of new K9 Officer Bolt.*

Clerk/Treasurer Ebbert swore in K9 Officer Bolt.

b. *Request by Hoard Museum to close Foster Street from South Fourth Street East to Whitewater Avenue for Dairy Day at the MOOseum event on Saturday, June 2, 2018.*

Museum Director Lee presented the annual request for the event; this is the fourth year for the event. Closing the street allows for ease of loading and unloading the animals in attendance.

Departments reviewed the request without concern or comments.

Cwmn. Gehred moved, seconded by Cm. Hartwick to approve the request by Hoard Museum to close Foster Street from South Fourth Street East to Whitewater Avenue for Dairy Day at the MOOseum event on Saturday, June 2, 2018. Motion carried.

c. *Request to hold annual Buckskinners Rendezvous event on May 26-27, 2018 at Rock River Park and for waiver of gun discharge ordinance.*

Museum Director Lee reviewed the request for the 25th year of the rendezvous. The Museum assists with administering the event. Departments reviewed the request without concern or comments.

Cm. Lescohier moved, seconded by Cm. Kotz to approve the request to hold annual Buckskinners Rendezvous event on May 26-27, 2018 at Rock River Park and for waiver of gun discharge ordinance. Motion carried.

d. Request to pursue proclamation from State of Wisconsin declaring the City be named as Intersectional Peony City of Wisconsin.

Museum Director Lee stated this is seventh year they have requested the State to make the declaration of the City.

Cm. Hartwick moved, seconded by Cwmn. Gehred to approve the request to pursue proclamation from State of Wisconsin declaring the City be named as Intersectional Peony City of Wisconsin. Motion carried.

e. Request by Memorial Day Committee to hold annual parade on Monday, May 28, 2018 from American Legion to Evergreen Cemetery.

Manager Trebatoski presented the request for the annual Memorial Day parade on May 28th. Departments reviewed the request without concern or comments.

Cm. Kotz moved, seconded by Cm. Hartwick to approve the request by Memorial Day Committee to hold annual parade on Monday May 28, 2018 from American Legion to Evergreen Cemetery. Motion carried.

f. Request by Brocks Riverwalk to use public space on South Water Street East on April 28, 2018, July 20, 2018 and September 22, 2018 for outdoor events and for change to alcohol license premise description.

Clerk/Treasurer Ebbert provided the request from Brocks for the three dates listed and for the schedule to allow 4:00 pm to 10:00 pm. Departments have reviewed the request with responses from Wastewater to maintain their lift station prior to event, Fire Department confirming adequate access and the Police Department commenting there were no issues in 2017. Brocks is requesting the use of the outdoor park area and the expansion of their premise description to allow for alcohol sales and consumption in the park area.

Jake Brock addressed the Council and stated they are working on decibel levels to make all neighboring properties pleased.

Cm. Kotz asked if the band performs under a tent. Brock confirmed if a tent is needed, the band is moved indoors. Kotz stated that tents can knock down the noise levels. Brock stated he can ask the bands if they have a tent available. Brock added they are still exploring options.

Cm. Hartwick asked about the security fence, and if it was higher and tarped, could it hold back sound better. Brock confirmed they work on making it aesthetically pleasing during the event.

Cwmn. Gehred added she thinks the events are well organized and suggests Brocks look into a tent to aid in sound travel. She would like to see the City gain some baseline decibel levels throughout the City to aid in measuring levels for events. She is interested in knowing the

decibel levels of neighboring areas including Blackhawk Senior Residence and dead end streets north of the event.

Cm. Hartwick shared a website that allows the calculation of decibels as it pertains to distance in meters.

Pres. Becker asked about the timing for the events. He is comfortable with a four hour event. Brock stated they requested the 4:00 pm start time to allow some low key talent to share their music and allow change over for the bands.

Brock will continue to pursue options to create more sound barriers.

Cm. Lescohier thanked Brock for his work on maintaining the decibel levels. Lescohier added this can be a make or break year as there are still concerns and comments being received regarding the sound every year. He asked the Council's opinion on having two outdoor events instead of three.

Cm. Hartwick suggested the levels be provided to the Ordinance Committee to review the existing limitation and potentially adjust what is allowed.

Cm. Kotz moved, seconded by Cm. Hartwick to approve the request Brocks Riverwalk to use public space on South Water Street East on April 28, 2018, July 20, 2018 and September 22, 2018 for outdoor events from 6:00 pm to 10:00 pm and for change to alcohol license premise description. Motion carried.

RESOLUTIONS AND ORDINANCES

None.

REPORTS OF OFFICERS, BOARDS AND COMMITTEES

- a. Electrical, Building and Plumbing Permit Report for February, 2018.*
- b. Minutes of Traffic Review Committee meeting held March 8, 2018.*
- c. Minutes of Ad Hoc Market Square Planning Committee meetings held Nov. 29, 2016, Jan. 26, 2017, Feb. 22, 2017, March 15, 2017 and March 12, 2018.*
- d. Minutes of Police & Fire Commission meeting held March 13, 2018.*
- e. Minutes of Planning Commission meeting held March 13, 2018.*
- f. Minutes of License Committee meeting held March 14, 2018.*
- g. Minutes of Public Works Committee meeting held March 6, 2018.*
- h. Minutes of Historical Society Board meeting held January 18, 2018.*
- i. Minutes of Dwight Foster Public Library Board meetings held November 20, 2017, December 18, 2017 and February 19, 2018.*

Cm. Lescohier moved, seconded by Cm. Kotz to accept and file the reports of officers, boards and committees.

Cwmn. Gehred inquired on the minutes of the Ad Hoc Market Square Planning Committee. Cm. Kotz stated he provided the notes for the minutes which were provided to all committee members following the meeting. The minutes were issued in good faith and if comments or

corrections were necessary, to provide them in a timely manner as going back to a meeting held a year prior would be difficult to recollect the conversations verbatim.

Cwmn. Gehred offered an amendment to vote on item 8.c. separately. Cm. Kotz seconded the amendment. Motion carried in favor of the amendment.

Motion carried to accept and file items a, b, d, e, f, g, h and i of Reports of Officers, Boards and Committees.

c. Minutes of Ad Hoc Market Square Planning Committee meetings held Nov. 29, 2016, Jan. 26, 2017, Feb. 22, 2017, March 15, 2017 and March 12, 2018.

Cm. Kotz moved to accept and file the minutes of the Ad Hoc Market Square Planning Committee. Seconded by Cm. Hartwick and carried with Cwmn. Gehred opposed.

UNFINISHED BUSINESS

a. Update by Project LEAD on riverwalk plaza project.

John Kutz and Greg Klug addressed the Council providing an update on the project. The first item they reviewed was the entry signage and the second was the decorative art element. Klug spoke on the 14' x 14' arch with cream city brick pillars that will be eight feet tall. The arch will be located where the pear tree is located. It will be in the center of the area. Kutz discussed the decorative art piece recommended from the Fort Arts Council. Four columns would be installed around the perimeter of the project that include a flame-like look similar to the Indian sculpture along the Riverwalk. They will allow decorative patio lighting and banner placement for beautification and area enhancements.

Cm. Hartwick asked about the strung lights and the number of hooks to allow the addition of a tarp to serve as a sound barrier. Kutz stated hooks are planned for the columns and numerous things can be hung from them. Hartwick also suggested the idea of outdoor movies in the area.

Cm. Lescohier thanked Project LEAD and asked how fundraising is going. Kutz stated they reached their goal.

Cwmn. Gehred asked if the pear tree has to be removed and if so, maybe add greenery to the base of the columns. Kutz stated they are planning on adding maintenance-free landscaping.

Pres. Becker asked if the string lights would be installed year round. Kutz stated the lights would be seasonal and easy to remove in case of emergency or necessary maintenance by the City.

Cm. Lescohier moved to accept and file the update of Project LEAD. Cm. Hartwick seconded the motion and carried.

b. Recommendation from Traffic Review Committee to amend Ordinance for parking restriction on Monroe Street north of Cramer Street, and Ordinance.

Engineer Selle reviewed the requests and recommendations to amend the ordinance for parking near Rockwell School. Selle added the Committee had been monitoring this area for several

months. Amending the ordinance would allow additional needed parking in the area of Monroe Street.

Cm. Hartwick moved, seconded by Cm. Kotz to move the ordinance to its second reading. Motion carried.

c. Recommendation from Traffic Review Committee to change yield signs to stop signs on Caswell Street at Nelson Street.

Engineer Selle discussed the Committee's recommendation that arose from a neighboring resident. Nelson Street is very narrow and is situated on a hill, therefore installing stop signs on Nelson could be a dangerous issue. The Committee recommends installing stop signs on Caswell Street.

Cm. Hartwick moved, seconded by Cwmn. Gehred to approve the recommendation from the Traffic Review Committee to change yield signs to stop signs on Caswell Street at Nelson Street. Motion carried.

d. Recommendation from Planning Commission to approve Preliminary Plat of Koshkonong Lake Estates creating 20 lots (extra-territorial).

Engineer Selle presented the preliminary plat of Koshkonong Estates which is located in the Town of Koshkonong near Koshkonong Mounds Golf Course. Extra territorial is a three mile radius surrounding the City which requires the City to review the requests. This area has consistent zoning with the County.

Cm. Hartwick commented on the design submitted by the builder and feels it fits well with the existing neighborhood.

Cm. Lescohier moved, seconded by Cm. Hartwick to approve the recommendation from Planning Commission to approve Preliminary Plat of Koshkonong Lake Estates creating 20 lots (extra-territorial). Motion carried.

e. Recommendation from License Committee to approve six-month Class "B" Fermented Malt Beverage License for Fort Atkinson Lions Club for use at Ralph Park.

Clerk/Treasurer Ebbert reviewed the recommendation to allow the six month license. This is an annual request of the Lions and they meet all qualifications set forth by State Statute.

Cm. Kotz moved, seconded by Cwmn. Gehred to approve six month Class "B" Fermented Malt Beverage License for Fort Atkinson Lions Club for use at Ralph Park. Motion carried.

f. Recommendation from License Committee to approve six-month Class "B" Fermented Malt Beverage License for Fort Atkinson Generals for use at Jones Park.

Clerk/Treasurer Ebbert reviewed the recommendation to allow the six month license. This is an annual request of the Generals and they meet all qualifications set forth by State Statute.

Cm. Hartwick moved, seconded by Cm. Lescohier to approve six month Class "B" Fermented Malt Beverage License for Fort Atkinson Generals for use at Jones Park. Motion carried.

g. Recommendation from Public Works Committee to approve 2018 street program.
Engineer Selle discussed the presentation to the Public Works Committee and provided the power point to Council. The 2018 street maintenance work includes crack fill and seal coat of over ten miles of road. The 2018 street rehabilitation work includes both pulverizing and milling existing pavements and replacing with new asphalt. These locations include sections of Highland Avenue, Mechanic Street, and North Water Street West. Additional work may include areas on Whitewater Avenue.

Cwmn. Gehred asked about the black slag streets losing their color. Selle replied they will be re-painting the streets.

Cm. Hartwick stated the municipal vehicle registration is benefitting the street program and thanks the community for their understanding. Hartwick also requested Selle to return to Council to request the use of extra funds for projects.

Cm. Kotz moved, seconded by Cwmn. Gehred to approve the 2018 street program with authorization to perform additional work if bids are lower than estimated. Motion carried on a roll call vote.

h. Recommendation from Ad Hoc Market Square Planning Committee to approve improvements proposal for parking lot across from Post Office.

Manager Trebatoski reviewed the creation of the committee from 2016. He added the recommendations and the consensus from the group:

1. There is a desire to maintain or increase the number of parking stalls in an angle style with the same width/size as currently designed. Traffic flow is very important.
2. All parties are open to aesthetic improvements.
3. Improved lighting, signage, potted plants, trees etc. are all possible enhancements.
4. Other improvements might include a canopy adjacent to the bathrooms, painted crosswalks, etc.
5. A re-layout of the lot might be considered provided 1-4 above are accomplished.

Trebatoski added the Arts Council received a grant to assist with a design. The Arts Council provided recommendations to enhance the area. The Ad Hoc recommended the improvements set forth.

Cm. Kotz stated that future enhancements may occur. Hartwick agreed the suggested improvements are the first step in moving forward and enhancing the area.

Cwmn. Gehred stated that the group met for the first time and the things agreed upon. Minimize loss of parking, maintain or improve good traffic flow and the farmers market, maintain or improve Rhythm on the River, consider more frequent closure of Water and Milwaukee, install bike racks. She thinks people have been bruised by the work on the Committee. She stated the Arts Council went above and beyond to request a grant to add expert opinions and add dynamics to the discussion. They did a bid project and it feels the help was not welcomed by the Committee. She commented on the slanted versus straight parking stalls. She thinks this is a

values judgment on who gets to decide the use of public space and who gets to give input that is acted upon. She feels the process had problems and the outcome has problems. She thinks preferential treatment was given. She does not feel a decision should be made tonight on the area improvements.

Cm. Lescohier stated it is very important to not lose any parking spaces in the downtown area.

Cm. Kotz noted they added a representative from adjacent businesses that were vacant at the time of Committee creation. Parking turned into a topic with new businesses in the area and how it would affect those businesses. He added the use of the parking changes depending on the day of the week and the events in the area.

Cwmn. Gehred stated that if people were added to the Committee from one point of view, then additional people with opposing viewpoints should have been added to keep a balance of the participants.

Cm. Hartwick spoke on the plan designs being similar and consistent with some of the beginning steps being taken.

Cwmn. Gehred would like to table the decision to another meeting and interpersonal issues can be solved.

Cm. Lescohier stated bruising can be a byproduct of a split vote. The Ad Hoc Committee provided clear direction for the Council.

Carrie Chisholm spoke on behalf of the Chamber. She stated they run a successful community event (Farmers Market) surrounded by great businesses that support the Project LEAD. She can agree that good communication and good process equals a good outcome. The Farmers Market held a strategic meeting to plan for future and growth. She feels the market is a perfect platform for enhancements in the downtown area.

Cm. Lescohier moved to approve the recommendation from the Ad Hoc Committee for improvements worked on by City Staff and Chamber's Farmers Market. Cm. Hartwick seconded the motion.

Cwmn. Gehred suggested a motion to postpone the action of the motion.

Pres. Becker read the items recommended by the Committee. Cwmn. Gehred does not agree with the proposed signs and feels discussion should occur on the suggestions and potential placements of the items.

Manager Trebatoski discussed the City Staff that worked with Cynthia Holt on the proposed signage for the area. The banners and brackets were already in place of the celebration of the Farmers Market anniversary.

A roll call vote was taken on the motion to approve the recommendations from the Committee. Motion carried with Cwmn. Gehred opposed.

NEW BUSINESS

a. *Review and approve proposal for Facility Needs Study for Fire Department as budgeted.* Chief Rausch discussed the request for proposals as they pertain to a fire department study. Four proposals were received from Maas Bros., Five Bugles, ADCI and Keller. All four proposals provided good information and all firms seem qualified to perform the assessment by the RFP. Keller has significant experience in public safety facilities and will most likely produce multiple options including new construction and/or rehabilitation.

Cm. Lescohier moved, seconded by Cm. Kotz to approval proposal for Facility Needs Study for the Fire Department as budgeted in the 2018 Capital Outlay from Keller of Kaukauna not to exceed \$7,925. Motion carried on a roll call vote.

b. *Review and approve Annual Report on Stormwater Permit and authorize signature by proper officials.*

Engineer Selle stated as part of the Phase II MS4 Permit, the City is required to submit an annual report on our activities and accomplishments pursuant to stormwater systems. The report covers the following activities: public education and involvement, illicit discharge detection, construction site erosion control, post-construction stormwater management and pollution control. There is no financial impact on the stormwater budget.

Cm. Kotz moved, seconded by Cm. Hartwick to approve and authorize signatures by proper officials of the Annual Report on Stormwater Permit. Motion carried.

MISCELLANEOUS

a. *Granting operator licenses.*

Cwmn. Gehred moved, seconded by Cm. Hartwick to approve the granting of operator licenses as presented. Motion carried.

b. *City, Sewer, Water and Stormwater Utility Financial Statements as of February 28, 2018.*

Cm. Kotz moved, seconded by Cm. Hartwick to approve the City, Sewer, Water and Stormwater Utility Financial Statements as of February 28, 2018. Motion carried.

CLAIMS, APPROPRIATIONS AND CONTRACT PAYMENTS

a. *Verified claims.*

Cm. Lescohier moved to approve the list of verified claims submitted by the Director of Finance and authorize payment. Motion seconded by Cwmn. Gehred and carried on a roll call vote.

ADJOURNMENT

Cm. Kotz moved, seconded by Cm. Hartwick to adjourn the meeting. Meeting adjourned at 9:25 pm.

Michelle Ebbert, City Clerk/Treasurer

APPROVED:

PRESIDENT OF THE COUNCIL