

CITY OF FORT ATKINSON
City Council Minutes ~ April 16, 2019

CALL MEETING TO ORDER.

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

ROLL CALL.

Present: Cm. Kotz, Cm. Johnson, Cm. Lescohier, Cm. Hartwick and Pres. Becker. Also present: City Manager, City Attorney, City Clerk/Treasurer, City Engineer, Public Works Supervisor Kent Smith, Wastewater Supervisor Paul Christensen and Assistant Engineer Tom Williamson.

APPROVAL OF MINUTES OF APRIL 4, 2019 REGULAR COUNCIL MEETING.

Cm. Hartwick moved, seconded by Cm. Johnson to approve the minutes of the April 4, 2019 regular City Council meeting. Motion carried.

PUBLIC HEARINGS

None.

PUBLIC COMMENT

Ann Engelman, 428 Sherman Ave. E. spoke on behalf of the request for Brock's event. The event is requested from 6:00 pm to 10:00 pm. However Brock's requested it be extended to 11:00 pm. She added that past events ended at 10:00 pm with respect to Rhythm on the River. There is a challenge of rock band music with acoustics, solid buildings, water and space. She supports the event, however requests the event end at 10:00 pm. She would like the Council to even consider an end time of 9:00 pm.

PETITIONS, REQUESTS AND COMMUNICATIONS

a. Notification from Arbor Day Foundation of Tree City USA Award for 2018.

Public Works Supervisor Kent Smith and Olivia Witthun, DNR Urban Forester presented the Tree City USA award to the City for the 27th year. Ms. Witthun spoke of the accomplishments of the City and encouraged everyone to plant a tree.

Cm. Kotz moved, seconded by Cm. Johnson to accept the Tree City USA award. Motion carried.

b. Request to proclaim April 26, 2019 as Arbor Day in the City of Fort Atkinson.

Cm. Hartwick moved, seconded by Cm. Johnson to proclaim April 26, 2019 as Arbor Day in the City of Fort Atkinson. Motion carried.

c. Request by Fort Atkinson Generals to hold Baseball Fest at Jones Park on June 13-16, 2019.

Manager Trebatoski reviewed the annual request by the Generals. They work with appropriate Departments to assist with any event needs. No concerns were provided by Departments.

Cm. Lescohier moved, seconded by Cm. Hartwick to approve the request by Fort Atkinson Generals to hold Baseball Fest at Jones Park on June 13-16, 2019. Motion carried.

d. Request by Brock's Riverwalk to use public space on South Water Street East on May 11, 2019 for outdoor event and for change to alcohol license premise description.

Clerk Ebbert presented the request by the Brocks for an event on May 11th adjacent to their business on City property. They have been granted this in the past without conflicts from the event. They would like the event to extend to 11:00 pm, however area residents encourage the 10:00 pm ending time as the noise can carry along the river to their homes. Certificate of Insurance, allowance of the electricity and confirmation from the neighboring building/business has been presented.

Departments share the same concerns as in the past, specifically the Wastewater, Fire and Police. Mr. Brock was asked to confirm the enclosed area for outdoor sales and consumption. City Ordinance requires the area to be enclosed with allowance of an emergency exit. Brock confirmed the area is confined by sawhorses distributed by the Public Works Department. They allow for quick set up and tear down by his security. Brock also uses wristbands to confirm those of age and only allows entrance from the bar. Emergency exits are available by shifting the sawhorses. He added that the audience level in 2018 was low, however past years he has seen over 900.

Cm. Johnson confirmed the request for only one date. Brock confirmed he wants to address one event at a time.

Cm. Lescohier asked Brock to explain the benefit between 6:00 to 10:00 pm or 7:00 to 11:00 pm? Brock stated some bands set their time to start at 7:00 pm as the crowds do not always come out until then. Sometimes starting earlier, they may be only playing to a couple dozen attendees.

Cm. Hartwick questioned if the permanent light fixtures can support some type of canvas to serve as a sound barrier. Brock confirmed the posts are not strong or safe enough to support any materials they are made of thin metal tubing.

Pres. Becker appreciates the events that Brock's offer, however he tends to lean towards 10:00 pm, the same time frame as past events.

Cm. Lescohier moved, seconded by Cm. Hartwick to approve the request by Brock's Riverwalk to use public space on South Water Street East on May 11, 2019 for outdoor event from 6:00 pm to 10:00 pm and for change to alcohol license premise description. Motion carried.

RESOLUTIONS AND ORDINANCES

a. *Ordinance amending parking restriction on the north side of West Sherman Avenue west of North Main Street to two-hour parking from 9:00 a.m. to 8:00 p.m. Sunday through Saturday.* Manager Trebatoski stated this is the second reading. No comments or concerns have been received.

Cm. Kotz moved, seconded by Cm. Johnson to send the ordinance to its third reading. Motion carried.

b. *Ordinance designating one parking stall in front of Municipal Building for taxi cab stand.* Manager Trebatoski confirmed this is the second reading without comments or concerns.

Cm. Hartwick moved, seconded by Cm. Johnson to send the ordinance to its third reading. Motion carried.

REPORTS OF OFFICERS, BOARDS AND COMMITTEES

a. *Building, Plumbing and Electrical Permit Report for March, 2019.*

b. *Minutes of Plan Commission meeting held April 9, 2019.*

c. *Minutes of Ordinance Committee meeting held April 10, 2019.*

Cm. Lescohier moved, seconded by Cm. Hartwick to accept and file the Reports of Officers, Boards and Committees. Motion carried.

UNFINISHED BUSINESS

a. *Recommendation from Plan Commission to approve Preliminary Certified Survey Map creating a 2.8 acre parcel at W5273 Highway 106 (extra-territorial).*

Cm. Hartwick moved, seconded by Cm. Johnson to approve the recommendation from Plan Commission to approve Preliminary Certified Survey Map creating a 2.8 acre parcel at W5273 Highway 106 (extra-territorial). Motion carried.

b. *Recommendation from Ordinance Committee to approve Ordinance pertaining to curbside pick-up of alcohol beverages.*

Clerk Ebbert reviewed the recommendation allowing curbside pick-up of alcohol beverages with specific requirements set forth in the ordinance. Penalty provisions and the bond schedule were reviewed by Attorney Westrick that was approved from 2012.

Cory Krisher from Festival Foods confirmed the process to verify they are 21 and to show they are of age when picking up groceries.

Cm. Hartwick moved, seconded by Cm. Lescohier to send the ordinance to its second reading. Motion carried.

CLAIMS, APPROPRIATIONS AND CONTRACT PAYMENTS

a. *Verified claims.*

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

Pres. Becker presented a Certificate recognizing Cm. Lescohier for his 10 years of service on the City Council.

MOTION TO ADJOURN – SINE DIE

Cm. Hartwick moved, seconded by Cm. Johnson to adjourn - sine die. Motion carried.

The City Clerk will administer the oath of office to newly elected Council members.

Clerk Ebbert administered the oath of offices to newly elected Council members Mason Becker, Paul Kotz and Chris Scherer.

The City Manager called to order the first meeting of the 2019-2020 City Council.

Present: Cm. Kotz, Cm. Johnson, Cm. Scherer, Cm. Hartwick and Cm. Becker.

Ballot for President of the Council – new President takes chair.

The City Clerk distributed ballots to the Council members to vote for President of the City Council and after counting the votes, Cm. Kotz was elected President.

Ballot for President Pro Tem.

Pres. Kotz stated the next order of business is the ballot for President Pro Tem. Upon counting the votes, Cm. Becker was elected President Pro Tem.

Selection of Council member on Plan Commission.

Cm. Hartwick nominated Cm. Johnson, seconded by Cm. Becker. There were no other nominations. Motion carried. Cm. Johnson will serve as the Council member on Plan Commission.

Designation of official City newspaper.

Cm. Hartwick moved, seconded by Cm. Becker to approve the Daily Union as the official City newspaper. Motion carried.

NEW BUSINESS

a. Review and approve 2018 Annual Report on Recycling Program and authorize signature by proper officials.

Engineer Selle reviewed the annual report and addressed any comments or questions.

Cm. Hartwick asked if our recycling numbers have improved over time. Selle will look into comparison on prior years.

Cm. Hartwick moved, seconded by Cm. Scherer to approve the 2018 Annual Report on Recycling Program and authorize signature by proper officials. Motion carried.

b. Request by Beautification Council to place murals on Water Utility building on North Water Street West and on top of reservoir at Jones Park.

Manager Trebatoski introduced President of the Beautification Council – Jude Hartwick. Hartwick presented the murals selected by the Beautification Council and discussed the designated areas. The work will be done at no cost to the City. A mural will be painted on the top of the Jones Park Reservoir and the other on the Water Street Water Utility building wall along the river. Discussion continued on the type of paint to be used and possible tree trimming to allow maximum exposure.

Cm. Becker moved, seconded by Cm. Johnson to approve the designs and placement on the murals on Water Utility building on North Water Street West and on top of reservoir at Jones Park. Motion carried with Cm. Hartwick abstained.

c. Review and approve contract for design services for upgrades at Wastewater Treatment Plant as budgeted.

Wastewater Supervisor Christensen reviewed the contract submitted by Donohue and Associates. The facility plan was updated including a plan to meet phosphorous compliance and ensuring necessary upgrades and scheduled replacement of major equipment. Five firms were contacted with only two responding. Symbiont also provided a quote.

Cm. Becker moved, seconded by Cm. Hartwick to approve the contract for design services for upgrades at Wastewater Treatment Plant with Donohue and Associates in the amount of \$53,574 utilizing replacement funds. Motion carried on a roll call vote.

d. Review and approve quote for replacement of biological phosphorus zone mixers at Wastewater Treatment Plant as budgeted.

Christensen discussed the replacement budget for three biological phosphorous zone mixers. Based on experience, the Department recommends using the same vendor as the three mixers replaced in 2018. Xylem/Flygt Water Solutions provided a quote of \$25,609.33 including freight. Staff budgeted \$27,000.

Cm. Hartwick moved, seconded by Cm. Johnson to approve the quote from Xylem/Flygt Water Solutions not to exceed \$25,609.33 for replacement of biological phosphorous zone mixers at the Wastewater Treatment Plant as budgeted. Motion carried on a roll call vote.

MISCELLANEOUS

a. Granting operator licenses.

Cm. Hartwick moved, seconded by Cm. Becker to approve the granting of operator license. Motion carried.

b. Move into closed session after Council meeting pursuant to Section 19.85(1)(e), Wisconsin Statutes, to consider purchase of public property.

Cm. Becker moved, seconded by Cm. Hartwick to move into closed session after Council meeting pursuant to Section 19.85(1)(e), Wisconsin Statutes, to consider purchase of public property. Motion carried on a unanimous roll call vote. Council will not reconvene.

ADJOURNMENT

Cm. Hartwick moved, seconded by Cm. Johnson to adjourn the meeting. Meeting adjourned at 8:25 pm.

Michelle Ebbert, City Clerk/Treasurer

APPROVED:

PRESIDENT OF THE COUNCIL