

**CITY OF FORT ATKINSON**  
**City Council Minutes ~ June 21, 2016**

CALL MEETING TO ORDER.

Pres. Kotz called the meeting to order at 7:00 pm on June 21, 2016.

ROLL CALL.

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

APPROVAL OF MINUTES OF JUNE 7, 2016 REGULAR COUNCIL MEETING.

Motion by Cm. Hartwick, seconded by Cm. Becker to approve the minutes of the June 7, 2016 regular Council meeting. Motion carried.

PUBLIC HEARINGS

None.

PUBLIC COMMENT

Sue Hartwick, 704 N. Main Street expressed gratitude on the immaculate condition of Ralph Park. She thanked the Parks Department for their dedication and care in our City parks.

PETITIONS, REQUESTS AND COMMUNICATIONS

- a. *Presentation of plaque to Michael Brittnacher for years of service.*
- b. *Presentation of plaque to Terry Nachtigal for years of service.*
- c. *Presentation of plaque to John Lewicki for years of service.*
- d. *Presentation of Life Saving Award to Jeff Hottman.*

Manager Trebatoski and Police Chief Bump presented the awards.

RESOLUTIONS AND ORDINANCES

None.

REPORTS OF OFFICERS, BOARDS AND COMMITTEES

- a. *Minutes of Police & Fire Commission meetings held May 31, 2016 and June 9, 2016.*
- b. *Minutes of License Committee meeting held June 7, 2016.*
- c. *Minutes of Planning Commission meeting held June 14, 2016.*
- d. *Minutes of Historic Preservation Commission meeting held May 17, 2016.*
- e. *Minutes of Dwight Foster Public Library Board meeting held May 9, 2016.*

Motion by Cm. Becker, seconded by Cwmn. Gehred to accept and file the reports of officers, boards and committees. Motion carried.

UNFINISHED BUSINESS

- a. *Recommendation from License Committee to approve alcohol beverage license application for Taqueria Azteca of Fort Atkinson, LLC for use at 213 Washington Street for period from July 1, 2016 to June 30, 2017.*

Clerk Ebbert reviewed the application submitted by Taqueria Azteca of Fort Atkinson. The application was recommended for approval by the Licensing Committee contingent upon payment any monies owed to the city.

Cm. Lescohier moved to approve a RESERVE “Class B” Intoxicating Liquor and Class “B” Fermented Malt Beverage license for Taqueria Azteca of Fort Atkinson, LLC for use at 213 Washington Street contingent upon payment of any monies owed to the City. Seconded by Cm. Hartwick and motion carried.

*b. Non-renewal hearing on alcohol beverage license for 88 Underground, LLC for use at 10 South Water Street West.*

Attorney Rogers introduced the agenda item for the non-renewal hearing of the license for 88 Underground, LLC. The notice was sent to license holder, Randy Knox, who is present. Rogers and Knox talked at length this same day and developed a tentative agreement subject to approval of the City Council. If the City Council agrees with terms and conditions, the hearing can be withheld. The Council could conditionally renew the license with the understanding that Mr. Knox would continue efforts to sell property to a qualified third person and if that happens, the license would then be surrendered contingent upon the new owner applying for and being granted such license. Without a successful sale or contingency surrender within 90 days, Knox would voluntarily surrender license which could then become available to all interested parties. The 90 day agreement would terminate September 30, 2016 at 4:30 pm.

Randy Knox, 88 Underground, LLC was present and addressed the Council. He apologized for not attending license committee meeting as he was out of town. He stated the property has been listed for 7-8 months with a broker who has substantial experience dealing in commercial properties with restaurants and bars. They experienced some inquiries and expressions of interest but no offers have been made to date. He is encouraged by discussions with his broker that the property will sell. When originally purchased, it had been severed from the property know as Soulful Toad. The 3-story building is set up with separate gas and electricity for all levels. Knox confirmed the license was not used for 90 days and understands the City ordinance that discusses non-use of license.

Cm. Hartwick asked if the space could be used for anything other than a tavern. Knox confirmed that with the existing equipment, it is setup as a tavern.

Cm. Lescohier asked if the license nonrenewal is confirmed, what kind of affect it could have on building. Knox cannot confirm what could end up in the space. The two interested parties have interest in seeking tenants for the tavern.

Cm. Becker questioned Knox’s confidence of sale knowing the property has been listed for 7-8 months already. Knox cannot confirm confidence that it can sell in 90 days. He is flexible on terms for a successful sale.

Cm. Hartwick inquired on the waiting list for a Class B License. Clerk Ebbert confirmed there are three on the waiting list. One with the strongest interest holds a beer and wine license with hopes of adding the liquor combination. The second party expressed interest as they currently own a business without a license and the third party has a vacant party with no immediate plans.

Knox stated he would prefer the agreement allow longer than 90 days but feels this is a fair proposal from the City Attorney.

Attorney Rogers confirmed a similar agreement for the business Velvet Lips that was made in prior years. The business was in receivership and given 90 days for sale of the business or a voluntary surrender of the license is made. This specific business was not sold in the 90 days and therefore the license was surrendered without contingencies.

Cm. Becker shared concern within the interest of fairness to those patiently waiting for a license.

Attorney Rogers confirmed a future tavern tenant would have to apply for the license contingent on the surrendering by Knox.

Cm. Lescohier moved to approve the renewal the “Class B” Intoxicating Liquor and Class “B” Fermented Malt Beverage license for 88 Underground for use at 10 S. Water Street West pursuant to the terms of the agreement presented by Attorney Rogers and Mr. Knox. Cwmn. Gehred seconded the motion and carried on a 3-2 vote with Becker and Hartwick opposed.

Cm. Hartwick asked for a 30 day review of the license. Rogers stated absent of agreement, the only options are to grant the renewal for full year or denial renewal for grounds of non-use. Rogers confirmed these transactions take time, the Council doesn’t meet every week and 90 days is pushing the envelope.

*c. Presentation of Placemaking Initiative Community Report.*

Manager Trebatoski introduced the summary of the placemaking findings from Chris Scherer and Cm. Becker. They previewed the overview and scope of initiative identifying key characteristic that can be used when reviewing the comprehensive plan in the future.

Cm. Lescohier moved to accept and file the final report of the Placemaking Initiative Community Report. Seconded by Cwmn. Gehred and motion carried.

*d. Recommendation from Planning Commission to approve request to rezone property on Schwemmer Lane from A-1 (exclusive agricultural) to A-3 (agricultural/rural residential) (extra-territorial).*

Engineer Selle reviewed the recommendation from the Planning Commission to rezone property on Schwemmer Lane. This property is located near the bypass. Long term planning designates this area as mixed-use.

Cwmn. Gehred voted against this item at Planning Commission as she does not feel this is best use of the property.

Cm. Becker moved to approve the request to rezone property on Schwemmer Lane from A-1 (exclusive agricultural) to A-3 (agricultural/rural residential) (extra-territorial). Cm. Hartwick seconded the motion and carried.

## NEW BUSINESS

*a. Hearings on revocation of direct sellers permits.*

Attorney Rogers discussed the issuance of four direct seller’s permits with a request to revoke the permits. He would request the Council to act as hearing examiners to grant request to revoke the permits for reasons stated in the notice.

Cm. Lescohier moved to revoke the direct seller's permits for reasons presented by the Police Department. Cm. Hartwick seconded the motion and carried.

*b. Review and approve quote for truck purchase for Water Utility, as budgeted.*

Manager Trebatoski presented the quotes for replacement of a service truck. The truck is used for hauling maintenance equipment, hydrant flushing, meter reading and snowplowing at utility properties. Three quotes were submitted from two vendors. The budget for 2016 included \$30,000 for this truck. The quote recommended for approval is from Havill-Spoerl of Fort Atkinson in the amount of \$28,469.50. This is not the low bid but it includes the needed snow plow and light switches that will reduce the overall cost of replacing the truck. It is also requested to approve an additional \$2,200 be approved to allow for costs associated with changing over the vehicle. The vehicle to be replaced will be sold to the Fire Department.

Cm. Hartwick moved to approve the quote from Havill-Spoerl of Fort Atkinson of \$28,469.50 and an additional \$2,200 to allow for costs for changing over the vehicle. Motion seconded by Cm. Becker and carried on a unanimous roll call vote.

MISCELLANEOUS

*a. Granting operator licenses.*

Cm. Becker moved to approve the operator licenses as presented. Seconded by Cwmn. Gehred and carried.

*b. City, Sewer, Water and Stormwater Utility Financial Statements as of May 31, 2016.*

Cm. Becker moved to accept and file the City, Sewer, Water and Stormwater Utility Financial Statements as of May 31, 2016. Cm. Lescohier seconded the motion and carried.

CLAIMS, APPROPRIATIONS AND CONTRACT PAYMENTS

*a. Verified claims.*

The following is the list of bills to be approved:

CITY, SEWER AND WATER

ABENDROTH WATER CONDITIONING	Rental/water	60.00
ACE HARDWARE	Supplies	631.32
ADVANCED DISPOSAL SERVICES	Solid waste pickup/recycle	55,790.64
AERKO INTERNATIONAL	Foam/micro bubble/pepper spray	106.03
AIRGAS NORTH CENTRAL	Services	389.71
AMAZON.COM	Flash drive; drill; envelopes; supplies	845.95
AMERICAN AWARDS & PROMOTIONS	Plaques	279.45
ANDERSON, JEANNE & RICHARD	Senior Center concert	200.00
ANIMAL CLINIC OF FORT ATKINSON	Frontline Plus	48.78
BDS INSTRUMENTATION	Semi-annual calibration service	520.00
BADGER BUS TOURS & HIGH ROLLER	Ho Chunk trip	1,232.00
BADGER BUS	Miller Park trip	700.00
BADGER POPCORN & CONCESSION	Supplies	2,680.24
BENZ OIL INC	Oil	1,154.60

BEST TEST AUTO ELECTRIC	E-103 replace rectifiers	225.00
BEST WESTERN PREMIER	Langer - Fox Valley training	164.00
BLODGETT GARDEN CENTER	Flowers; tree; hanging baskets; seed	3,308.47
BEN BOEVE	Cuff case; key holder; treats	172.46
BRAUN'S GARDENS LLC	Plants	672.80
BROWN CAB SERVICE INC	May subsidized taxi service	17,555.52
LYNETTE BROWN	Zumba class	280.00
ADRIAN BUMP	Fuel for squad 6	10.00
PAUL CAMACHO	Language interpretation	35.00
CAPITOL SCALE CO.	Scale inspection	375.00
CARRICO AQUATIC RESOURCES INC	Drain assembly/fitting	282.90
CEDAR CREST	Ice cream	1,382.26
CENTURYLINK	State program/long distance	79.98
CHARTER COMMUNICATIONS	TV service; internet service	294.69
CINTAS CORP	Services	808.44
COLE-PARMER	Drive mflex/male connector	1,247.40
COMPUFORT	9 pin cable hydro pump	7.00
COUNTRY PLUMBER INC	Portable restroom	385.00
ANGELA CRAIG	Refund citation	124.00
DAILY JEFFERSON COUNTY UNION	May publications	2,475.60
DEB WHOLESAL	Cookies	435.87
DODGE CONCRETE INC	Concrete	254.00
TAMMY DOELLSTEDT	Speaker/mileage reimbursement	66.00
EM'S BROIDERY & DESIGN LLC	K-9 t-shirts	667.50
FASTENAL COMPANY	Supplies	131.69
FESTIVAL FOODS	Supplies	195.67
FIRST SUPPLY LLC	Wilson water main	341.00
FORT ATKINSON POLICE DEPT.	Pizza - Lewicki; 4 computers	1,262.14
FT HEALTH CARE BUSINESS HEALTH	DOT physical	105.00
FORT MEMORIAL HOSPITAL	3 blood alcohol tests	170.22
INSIGHT FS	Gas; chemicals	22,479.20
GENEVA LAKE CRUISE LINE	US mailboat tour	3,384.00
GRAINGER	Markers; harness	227.08
GREAT WEST	Payroll	29,399.98
GROUND AFFECTS LANDSCAPING INC	May mowing & trimming	465.00
HAUSZ BROS INC	Road rock	87.94
HAVILL-SPOERL FORD MERCURY INC	K-9 squad; A/C repair; parts	1,069.83
DAN HEFTY	Sheet cake - Lewicki	25.00
HUMPHREY FLORAL & GIFT	Sympathy plant - Hathaway	59.00
INT'L SOCIETY OF ARBORICULTURE	Annual membership	175.00
JACKSON LEWIS P.C.	Firefighter professional service	1,350.00
JAECKEL BROS, INC.	Valves	2,953.79
JAY'S BIG ROLLS, INC.	Push broom; scraper squeegee	133.09
JEFFERSON CO HIGHWAY DEPT	Petition for Co. Hwy. Aid	6,145.00

JONAS OFFICE PRODUCTS LTD	Office supplies	1,503.81
DAN KRALL & CO INC	Repair plow	300.00
LARK UNIFORM INC	Life server/cab slide; vest	1,103.40
LEMKE FENCE OF JEFFERSON, INC	Jones Park	900.00
MADISON AREA TECHNICAL COLLEGE	Firefighter exam	400.00
VERNON MAGSAMEN	Maintenance consultant	2,404.00
MARTELLE	Chemicals	3,374.92
MENARDS - JANESVILLE	Solid block	41.04
MENARDS - JOHNSON CREEK	Wood; brushes; stain; boards; supplies	836.43
MID AMERICAN RESEARCH	Speed wipes	317.58
MID STATES ORGANIZED	Annual membership	112.50
MIDWEST SEALCOAT LLC	Resurface four tennis courts	9,250.00
JIM MIKULICH	Tai Chi classes	320.00
MINNESOTA LIFE INS COMPANY	Monthly life ins. premiums	993.96
MUNICIPAL ENVIRONMENTAL GROUP	2016 membership dues	1,363.78
NAPA OF JEFFERSON	Auto supplies	1,132.59
NEWARK ELEMENT14	Supplies	42.81
NORTHERN LAKE SERVICE INC	Total coliform/ E coli	35.00
NORTHERN SAFETY CO INC	Gloves/glasses	184.30
OPPORTUNITIES INC	Accident exchange; permits; banners	845.55
O'REILLY AUTO PARTS	Nylon ties; safety glasses; sprayer	100.01
PAL STEEL	Steel	677.78
PAYNE AND DOLAN	Asphalt	420.25
PEPSI-COLA COMPANY	Soda	2,335.74
PHYSIO CONTROL	Electrode kit	91.32
PORTER'S LAW & POWER EQUIPMENT	Belt	130.00
PREMIER BANK	Payroll	100,664.94
PREMIER TENNIS & FITNESS	Tennis lessons	1,411.20
PRO BUILD NORTH	Wood	66.50
CLAIRE RACANELLI	Strong women class	350.00
RECREONICS	Splash and slam game	49.25
RHYME	Copier overage	27.56
ROCKY MOUNTAIN SUNSCREEN	Sunscreen	620.54
SALVADOR GOMEZ	Trees	595.96
SHOPKO STORE OPERATING CO.,LLC	Sunscreen/markers	18.46
SHORT-ELLIOTT HENDRICKSON	Rockwell Ave. TEA application	1,175.00
SITEONE LANDSCAPE SUPPLY LLC	Arbor jet plugs	187.78
SNAP ON TOOLS CORP	Tools	389.90
TnT CLEANING	Janitorial services	180.00
TOTALFUNDS BY HASLER	Postage	1,000.00
TUTTLE'S PHARMACY INC	Batteries	4.46
US CELLULAR	Cell phones	548.77
USA BLUE BOOK	Pump tube; chlorine set	522.75
UW WHITEWATER YOUNG AUDITORIUM	Dance recital down payment	400.00

VALIA EXCAVATING LLC	Fort Clubhouse; Buckskinners - Chamber	270.00
WAHPC	Commission annual membership	40.00
WMCA	Ebbert - Clerk conference	160.00
WHOLESALE DIRECT INC	LED highlighters	498.11
WI DEPT.OF EMPLOYEE TRUST FUND	Health ins. premium - July	118,853.60
WI DEPT. OF JUSTICE: TIME	Six record checks	42.00
WISCONSIN DNR	Environmental fees	130.00
WI DEPT. OF REVENUE	May sales tax	998.85
WI DEPARTMENT OF REVENUE	State tax payroll	17,587.02
WE ENERGIES	Electricity; natural gas	36,985.55
WI STATE LAB OF HYGIENE	Fluoride test	25.00
NANCY WRENSCH	Line dance class	280.00
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	TOTAL CITY ACCOUNTS	\$433,723.71
	TOTAL SEWER ACCOUNTS	\$16,365.39
	TOTAL WATER ACCOUNTS	\$29,318.11

STORWMATER UTILITY (Fund 10)

Wisconsin DNR	Environmental fees	\$1,500.00
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Cm. Becker moved to approve the verified claims, appropriations and contract payments submitted by the Finance Director and authorize payment. Seconded by Cm. Hartwick and carried on a unanimous roll call vote.

ADJOURNMENT

Cwmn. Gehred moved to adjourn the meeting. Cm. Hartwick seconded the motion and meeting adjourned at 8:20

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Michelle Ebbert, City Clerk/Treasurer

APPROVED:

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PRESIDENT OF THE COUNCIL