

**CITY OF FORT ATKINSON**  
**City Council Minutes ~ November 15, 2016**

CALL MEETING TO ORDER.

Pres. Kotz called the City Council meeting to order at 7:00 pm.

ROLL CALL.

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

APPROVAL OF MINUTES OF NOVEMBER 1, 2016 REGULAR COUNCIL MEETING.

Cwmn. Gehred provided two amendments to the November 1<sup>st</sup> minutes. On page two, she would like the following addition “*with agreement that proposed changes presented by Cwmn Gehred be brought to the second reading in writing*” and on page four “*she did not feel that the process was effective by the Committee*”.

Cm. Hartwick asked if her amendments were stated or if that was her intent. Cwmn Gehred stated that was her intent although she may not have made it clear. Manager Trebatoski stated that if the Council is comfortable they could approve with the amendments.

Motion by Cm Becker, seconded by Cm. Hartwick to approve the minutes of the November 1, 2016 regular council meeting with Cwmn. Gehred’s amendments. Motion carried.

PUBLIC HEARINGS

*a. Public hearing on 2017 budget.*

After three calls, Pres. Kotz closed the public hearing.

*1. Adoption of 2017 City, Sewer, Water and Stormwater budgets.*

Manager Trebatoski presented the 2017 City, Sewer, Water and Stormwater budgets. Council and Department Budget meetings were held on October 25<sup>th</sup> and 26<sup>th</sup>. The City makes up 33% of the property tax bill; the school district 42%. Public safety makes up 32% of the City portion of taxes. Trebatoski also discussed the increase in TIF 8 in response to development. The estimated tax rate prior to receiving the school tax credit is \$24.36 which reflects an increase is \$.11 per thousand dollars.

Cm. Hartwick moved to adopt the 2017 City, Sewer, Water and Stormwater budgets as presented at the October 25<sup>th</sup> and 26<sup>th</sup> Budget meetings. The motion was seconded by Cm. Becker and carried on a unanimous roll call vote.

*2. Approve Resolution confirming levy for City purposes.*

Manager Trebatoski reviewed the resolution that covers municipal operations and estimated revenues. Debt service experienced a 15.34% increase and the tax increments a 45.25% increase.

Cm. Becker moved, Cm. Hartwick seconded to approve the resolution confirming levy for City purposes. Motion carried on a unanimous roll call vote.

*3. Approve Resolution confirming total levy to be collected and approving overall gross tax rate.*

Manager Trebatoski discussed the resolution of the various taxing jurisdictions (City, County, State, School and Technical College) with an estimated total levy of \$21,913,601.97.

Motion made by Cm. Lescohier to approve the resolution confirming total levy to be collected and approving overall gross tax rate. Seconded by Cwmn. Gehred and carried on a unanimous roll call vote.

4. *Approve Resolution adopting Stormwater rates for 2017.*

Manager Trebatoski provided the resolution to adopt stormwater rates for 2017. The City has a total of 10,267 ERUs at a rate of \$39.00/year, or \$6.50 bi-monthly. This represents an increase due to more capital projects to increase the quality of water discharged into the Rock River as required by the DNR and EPA.

Cm. Hartwick moved to approve the resolution adopting Stormwater rates for 2017. Seconded by Cm. Lescohier and carried on a unanimous roll call vote.

5. *Motion to approve special assessments and delinquent bills to be included in the 2016 tax roll.*

Clerk Ebbert reviewed the state statute that allows special charges to be certified on the tax roll. Special charges or assessments include delinquent utility charges, water and sewer construction assessments and miscellaneous services performed to personal property including lawn mowing.

Cm. Lescohier moved to approve special assessments and delinquent bills to be included in the 2016 tax roll of \$10,764.92. Cm. Becker seconded the motion and carried on a unanimous roll call vote.

6. *Approve Ordinance amending sewer use charges.*

Manager Trebatoski stated this is an annual ordinance presented to establish the sewer use charges for the upcoming year. The proposed annual fixed rate charge will be \$74.40 per year per sewer hook-up. This represents an increase of \$.78 cents.

Motion made by Cm. Lescohier suspend the rules and waive the second and third readings and adopt the ordinance amending sewer use charges. Motion seconded by Cm. Becker

Cm. Hartwick asked if there has been any public input. Trebatoski replied that we have not received comments or have had public discussions in the past.

The motion would require a super majority vote to pass. Motion failed 3-2, Gehred and Hartwick opposed. The next reading of the ordinance will be at the December 6<sup>th</sup> Council meeting.

PUBLIC COMMENT

Frankie Fuller, N3063 Buena Vista Road – stated she supports Cwmn. Gehred’s efforts to include a purpose statement in the economic development ordinance. Our city has a river running right through it that is the genesis of our City’s existence. There are many educational, recreational and business events that revolve around the river and thousands of people work tirelessly and spend millions of dollars to protect the river as a natural and economic resource as well as a source of water for our farmland and surrounding ecosystems. If we bring economic development interests that are not sensitive to the impact and importance of the river to the people who live and work here and all that they put into creating the mood of the community should always be top of mind in our business and government policies rather than afterthought at the end of an ordinance. People don’t live in places just because there are businesses. They live in places where they feel welcomed, supported and cared for. Assets like friendly caring neighbors, school system, a great library, places to gather and play are as

equally valuable as other resources. A purpose statement just reminds us those of us that promulgate an ordinance as well as those of us that are bound to follow them that what we do has a broad effect on many aspects and entities that should be considered. She did a very cursory review of the ordinances that are published on the City's website and she found roughly eight purpose or statements of intent on some of those ordinances including Ordinance #719, #749, #705, #720, #680, #728 #710 and #725.

#### PETITIONS, REQUESTS AND COMMUNICATIONS

None.

#### RESOLUTIONS AND ORDINANCES

a. *City Economic Development Commission Ordinance.*

Manager Trebatoski introduced the ordinance as it is now experiencing its second reading as presented but overall a fifth reading.

Cwmn. Gehred asked if this is where she makes a motion to take a look at some proposed amendments to the economic development ordinance that she gave to them this afternoon, all the Council people should have them and related back to the November 1<sup>st</sup> City Council meeting. She'd like to make a motion to add these amendments to the economic development ordinance as stated on the paper. Pres. Kotz asked for a second to her motion. Cm. Hartwick requested her amendments be taken one at a time. Motion failed without a second.

Cwmn. Gehred would like to make a motion that they take a look at the first amendment she suggests about creating a purpose statement for the economic development ordinance to read as follows: Statement of purpose: the purpose of the commission is (a) to create an awareness both in the public and private sectors of the City of the need for and the encouragement of effective community development; (b) to encourage cooperation between the public and private sectors of the community and to achieve the purposes and goals outlined herein; (c) to serve in an advisory capacity to the Council and the various departments which deal with development programs, particularly as to long-range programs which affect the economic interests of the City and its inhabitants. Cm. Hartwick seconded the motion.

Cwmn. Gehred stated this amendment, it's getting back to the statement of purpose I brought one forward last week that did not pass the re-working, she thinks it gets at what Frankie Fuller brought up and what other people brought up at the last Council meeting to have a purpose statement to gel a commission to know what its attempting to do is a visioning function that should come from the City Council and should be included in the ordinance. This came from Bill Camplin and Kitty Welch in an email dated to the Council November 1<sup>st</sup> so we've all had some time to digest it. She thinks it's a good one based on an ordinance from Roseburg Oregon.

Cm. Hartwick stated with this purpose he has a couple of comments. He does not have a problem with (a) and (b), but with (c) he feels it's a little bit directional. So he would go with that, but one of the other concerns he has is with the writing and working on the initial ordinance. He has a question to Cm. Becker, so in particular is there something that needs to be added to the initial structure of the ordinance that is not in this purpose. Cm. Hartwick stated from your intent, you were on the original group creating this ordinance in the beginning. Cm. Becker replied the intent of the ordinance is to create a commission. There are other ordinances that create various boards and commission and the intent speaks for itself. The statements sound nice but they are not necessary to add into ordinances.

Cm. Hartwick asked if Becker wants to add anything from the initial construction of the ordinance.  
Cm. Becker did not recommend any addition to the ordinance and feels the ordinance speaks for itself.

Cwmn. Gehred stated there is no purpose statement in the ordinance so there is nothing to add. It just says 'there is created and established, an economic development commission'.

Cm. Hartwick repeated he had an issue with letter (c) because it states goals not necessarily a purpose so he can see (a) and (b), they are nice words but not directional but philosophical and if that's its intent then he would be fine with it, just not (c) which he finds a little concerning.

Cwmn. Gehred said she prefers the statement of purpose with (c) but she would be willing to take out (c) because she feels the important part is to encourage cooperation between the public and private sectors of the community and achieve the purpose and goals outlined herein and to create an awareness both in the public and private sectors of the City of the need for and the encouragement of effective community development. She thinks those are very useful purposes that give us a starting point. She is not concerned with being directional because she believes that is the purpose of the City Council creating ordinances.

Cm. Lescohier stated that what he finds troubling is the notion that if he is not on board with this amendment, that it would suggest they are points not embraced. He agrees with Cm. Becker that these items are not necessarily needed in the ordinance.

Cwmn. Gehred stated that we have had public weighing in asking for these things and she thinks that there is a responsiveness that leans toward a statement of purpose is a good idea.

Cm. Lescohier confirmed that they have the public weigh in and we have also heard from individuals who supported the original wording of the ordinance. All viewpoints deserve to be heard and considered equally.

Cm. Becker reiterated the purpose of the ordinance is to create an official commission. This is not to create an advocacy body to advance one idea over another. He appreciates the Council bringing it to the table, but this is the fifth time this ordinance is in front of us. He supports the ordinance as originally presented.

Cm. Gehred moved to amend her ordinance and recommend adding (a) and (b). Cm. Hartwick seconded and supported the amended motion. Motion failed on a roll call vote 2-3 – Becker, Lescohier and Kotz opposed and Gehred and Hartwick in favor for the motion.

Cwmn. Gehred made a motion for a second amendment to the ordinance Sec.2-345 Organization to read: (1) Meetings shall be held on a bi-monthly basis or at the call of the chairperson or City Manager, and all meetings shall be noticed and open to the public, except as provided in 19.85 Wis Stats; (2) Standing and special committees and task forces. The Chair may appoint standing and special committees and task forces; (3) Minutes shall be kept showing all actions take, resolutions, findings, determinations, transactions and recommendations made; and a copy shall be filed with the City Clerk as public record, would be a really good addition to the amendment. Motion seconded by Cm. Hartwick.

Cm. Hartwick asked on the clarification of the requirement for minutes to be kept. Trebatoski confirmed minutes are records and kept for all boards, committees and commission as a standard practice and is not necessarily recorded in ordinances.

Cwmn. Gehred thinks it is especially important to have minutes at an economic development commission and is glad to hear it is a standard practice. She feels it is a good idea to have it spelled out in the ordinance. And the other thing of importance she thought is, all along she has been saying the partnerships would be a good idea so that we both the function that Trebatoski and Becker suggested would be a good idea if she was creating this council to begin with is to give the City this legal official entity to move along inquiries that might come of people wanting to perhaps start businesses here an official body, she thinks it's a wonderful purpose, she stands in favor of that but there is more than can also be done, so to have a chance for the committee to be both lean meetings three or four times a year that is as little as it wants and she upped that to six times a year for such an important purpose, but also to be able to create taskforces and standing committees so if they wanted to get more done or if people brought good ideas to them they had the added robustness to create a standing committee to follow up with that she thought it was a really excellent way to get more from this very important commission that is doing important work for the city. She said it does not have to happen, the word is 'may'.

Manager Trebatoski stated he is a little reluctant to have wording in place that will allow a commission to create their own committees. This is not something that the Planning Commission has done.

Cm. Hartwick added that he seconded this motion but will not be voting in favor of it. He thinks that the minutes are in there, shall be kept on a regular basis as well as the bi-monthly. When looking back at the original ordinance, it called for quarterly or may be called upon as needed and did not think a change would be necessary. He would not be supporting the motion.

Cm. Becker noted that upon ordinance creation, they discussed the meeting schedule with respect to the members and to be respectful of their time. He added if there is not much going on, they could forgo a month and would like to keep it open and at the direction of the commission to meet when necessary.

Clerk Ebbert took a roll call vote and motion failed; Gehred for and Becker, Hartwick, Lescohier and Kotz opposed.

Cwmn. Gehred made a motion for a third amendment to section 2-346 for letter (a) seek to develop and coordinate close communications and relationships between the City government, chamber of commerce, private business and industries and interested citizens regarding economic development. She feels it is very hard to know who is queued into what is happening and who isn't, and this just gives that a really high priority to make sure that we are all working together and communicating with one another about such an important thing as economic development. Cm. Hartwick seconded the motion.

Cm. Becker replied that the City Manager and Director of the Chamber are ex-officio members and does not feel they need to worry about coordination.

Cm. Hartwick agreed and stated in this case it would not hurt to put it in there. It is almost like philosophy statement or a purpose statement in itself. He thinks that it is one of the main intents of the ordinance and would not harm anything. He did not find it limiting but found it purposeful.

Clerk Ebbert took a roll call vote and motion passed; Gehred, Hartwick and Kotz for and Becker and Lescohier opposed.

Cwmn. Gehred made a motion for a fourth amendment – 2-346 (d) recommend to the City Council policies designed to facilitate industrial, commercial and business development and growth, *that takes advantage of infill development and usage of existing infrastructure to the highest extent practicable*. She added she thinks this leaves the judgement completely intact to the members of the committees and yet speaks to those wishes of the comprehensive plan and to good governance both economically and environmentally because growth that takes place using existing infrastructure and infill to the highest extent practicable ends up being the most productive from a city budget point of view.

Manager Trebatoski agreed that redevelopment can be much more advantageous than new development in many circumstances. It does concern him the way it is written as it limits policies to what the group could recommend. It does not say when practical, but it says to the highest extent practical. It almost seems like it could be closing a door on anything but making recommendations on infill development.

Cm. Hartwick seconded the motion but asked for some changes. One of the changes he would like to make would be that takes advantage of infill development to that ‘attempts’ to take advantage of infill development and usage of existing infrastructure to the highest extent practicable.

Cwmn. Gehred likes the addition of the word ‘attempts’ and makes another suggestion as they are opening up the wording to her original statement, she is offering this just so you know if you like one more than the other before you vote on it, another suggestion she was given if you like this better to keep in mind as you are voting, instead of ‘recommend to the City Council policies designed to facilitate industrial, commercial and business development and growth recognizing the benefits of infill develop and usage of existing infrastructure where possible.

Cm. Lescohier asked how to define ‘highest extent practicable’. Attorney Westrick replied it could relate to the commission’s estimation of highest extend practicable.

Cm. Hartwick attempted to amend the amendment to drop the highest extent practicable and to add the word ‘attempts’. Hartwick recommends ‘recommend to the City Council policies designed to facilitate industrial, commercial and business development and growth that attempts to take advantage of infill development and usage of existing infrastructure’. He suggests dropping ‘to the highest extent practicable’ as it does not seem measurable.

Manager Trebatoski reiterated that the way it reads, the commission can recommend policies for infill development and cannot recommend growth. Cm. Becker agreed, the wording feels limiting and does not appear to be necessary.

Pres. Kotz added that all would obviously like to have more economic development in the City and he would count on the good judgement of the people on this commission to consider each potential activity at its merit amongst many other considerations. He is more in favor of leaving the wording out as well.

Cm. Hartwick thinks this is an area that probably needs some work. He does see the point in talking about infill but the language is the issue here and he understands Trebatoski's concerns here and he certainly does not want to be limiting or limit the limiting. But at the same time the infill piece is not mentioned within here and it should. He thinks this needs to be revisited on the third reading.

Cwmn. Gehred agreed to the motion amendment made by Hartwick to read 'recommend to the City Council policies designed to facilitate industrial, commercial and business development and growth that attempts to take advantage of infill development and usage of existing infrastructure'

Clerk Ebbert took a roll call vote. Motion fails. Becker, Lescohier and Kotz opposed; Gehred and Hartwick for.

Cm. Hartwick made a motion to move the ordinance to its third reading. Cm. Becker seconded the motion and carried.

Cm. Lescohier stated ultimately it's not some combination of words on paper tucked away in a binder of many other ordinances that will define the work of this commission. It's what members of this new body will do, help define them and their output and it will take some time for this commission to get its footing for its members to figure out how their piece of the puzzle fits into our overall economic development efforts and the citizen members who we will be asking to volunteer their time to help foster growth within their community. They will be looking at small and large businesses alike that has been part of our discussion and it seems as though if you are in favor of the original ordinance it seems there is a bias towards large businesses and that as a city we have the capacity to accommodate businesses of many sizes on Main Street, in our commercial zones, in our TIF districts and in our business park. We have the capacity to accommodate economic development that is mindful of our city's financial position, our infrastructure, our comprehensive plan, our natural resources and the needs of our community. Those are some of the lenses and surely there are many more that he anticipates this new commission will use in making recommendations to this Council and future councils. They are the same lenses he would expect city staff and this body to use when considering economic development initiatives and when there are competing interests and there likely will be, he suspects there will be healthy discussion and debate on how best to proceed. He is confident all of these things will happen in the framework of the proposed ordinance that has now gone through two committee hearings and a handful of readings in these chambers with another one to come yet.

Cwmn. Gehred added that she agreed all of those things will happen, but she also agrees that in a good project, the amount of energy put up front into the foundation of a project pays off in the long run and giving people who are going to serve some kind of sense of what is desired and putting something down on paper seems to her to be time well invested. Setting a project off on its best foot forward is just plain good governance. Nobody is trying to forward anything or stop anything, we are just trying to get an ordinance on the books that makes good sense from the get go and creates a robust and healthy economic development commission.

Cm. Becker noted there a few disagreements as this is a democratic process. He agreed with Pres. Kotz noting that every opportunity needs to be looked at on a case by case basis. He agrees with sustainability and protecting the environment. He prefers infill if possible but he does not want to put language in the ordinance that limits some of those opportunities that may or may not come up in the future. We had public comment on protecting the Rock River and they received an email about protecting greenspaces, he does not believe this current or future City Council would allow something

to happen that damages our sacred assets like the Rock River or the Glacial Trail. This is not trying to create something that is anti-environmental.

Cm. Hartwick agrees with Cm. Becker. One thing that concerns him is if voting for some of these things that does not mean he is so environmental that he is not for business. He is very much in favor of looking at each economic opportunity, large or small or anything that comes our way and having this economic development commission work hard. He thinks it will be great and make sure we have things tucked in and alright. We made a change and we will have a third reading and hopefully hear from citizens.

Motion carries to take the economic development ordinance to its third reading.

*b. Resolution to finance Metha Lane construction reimbursement.*

Manager Trebatoski reviewed the developer's agreement from January 2015 that was approved to have CBF Investment company design and construct Metha Lane to serve the proposed new development. The agreement called for CBF to upfront the cost of the improvement and to be reimbursed by TIF District #8 within one year of completion not to exceed \$441,500. The upfront request was to allow development to finalize and generate increment. As planned, the City will take out a short-term loan to reimburse the developer. Four local banks submitted interest rates with Premier Bank providing the lowest rate at 1.25%.

Cm. Hartwick moved to approve and adopt Resolution to finance Metha Lane construction reimbursement with a seven year loan be awarded to Premier Bank at a fixed rate of 1.25% not to exceed \$373,000 with no pre-payment penalty. Seconded by Cm. Lescohier and carried on a unanimous roll call vote.

REPORTS OF OFFICERS, BOARDS AND COMMITTEES

*a. Minutes of Dwight Foster Public Library Board meeting held September 19, 2016.*

*b. Building, Plumbing and Electrical Permit Report for October, 2016.*

Motion by Cm. Hartwick to accept and file the reports of officers, boards and committees as presented. Motion seconded by Cm. Lescohier and carried.

UNFINISHED BUSINESS

*a. Third quarter progress report on adult care facilities.*

Engineer Selle provided a power point presentation that displayed some reduced calls to the emergency services. Selle reviewed the goals established by the group. The moratorium was enacted September 2015 with an active diverse group to meet and seek solutions to reduce calls for emergency services. Two proposed solutions, one to establish Fort Adult Care Professionals Consortium with specific directives, and the second solution was to establish forfeitures related to members and non-members of the consortium. An ordinance will be drafted and presented to the Council in the upcoming quarter. Selle reviewed how calls are evaluated as preventable or non-preventable.

Cm. Hartwick spoke to some of the numbers of calls between fire and police response.

Selle noted some internal changes are being done at some facilities. The group also talked about collective issues where they can improve to allow future growth. Selle noted encouragement to hear testimonies of internal changes by care providers. City wide solutions and approaches need to evolve, and the City needs to define adult care groups beyond state definitions. The City and FACC need to

assess progress to date and adjust. He added two bedroom facilities do not meet the state definitions of CBRF.

Cm. Hartwick asked what the Council can do to provide a framework that they need to work with. He asked if he can make a motion for an ordinance committee meeting. He would suggest a rough draft be worked on by the committee as we seem to be known to hammer ordinances and hammer it again out in public.

Manager Trebatoski asked Selle if an ordinance is ready for the ordinance committee. Selle responded it was just provided to the group for review which many members were not present at the last meeting. The members need time to look at the ordinance. One key element they need to review is how to level playing field for differing facilities due to their size and residents.

Cm. Hartwick suggested a topic of assessing a 'bed tax' to facilities similar to a wheel tax. He contacted a state group and inquired on the possibility. He was told there is not a rule against it.

Troy Hanson, Abilities Inc. addressed the Council and discussed the steps they have taken following the establishment of the temporary moratorium. They began to micro manage their businesses and numbers. He expressed concern that three of the largest providers are not taking part of the meetings. He also referenced three facilities that have a bulk of the calls that are not represented at meetings, however they are not assisted living or provide any type of care to their residents. It is unknown if they are improving their situation. Hanson analyzed calls to his facilities and compared to the increased number of beds since the past year. He also reviewed the total accumulated burden on their facilities that were so minuscule that it equates to one call per bed per year. He referenced calls to apartment complex that are low income housing and not CBRF and adult family homes. He discussed cases of preventable calls and the ability to call off emergency response. He reviewed his personal business approach in 2014 that changed the residents they served. In 2015 they made more alterations to which residents they served. In 2015, Abilities created back up plans to deal with certain situations in an effort to deal with calls. They also changed their training schedules by hiring outside trainers. Hanson discussed their tenure in the City and the impact they have on local business and economic growth. He does not feel the ordinance will be enough of an impact should a fee be imposed.

Cm. Hartwick asked about a power point slide that displayed 11 owners and represented 90 calls for service. Of those 11, how many are still in the group. Hanson feels he is the only one remaining. Hartwick noted the City is stressed with police and fire and the numbers may be decreasing, but all of the citizens need service from police and fire also. Hanson replied you need to look at a different way of things. Hanson recommended a fee similar to a license. If you attach an ordinance with a three strikes policy; that is discriminatory. You have regular homes that are just as much of a burden.

Cm. Becker stated that last year a private nuisance ordinance was passed that could come into play.

Pres. Kotz noted we have more beds per capita as compared to other communities in the State as we have local resources available.

Cwmn. Gehred asked what Hanson considers his service area. Hanson stated most from Jefferson County. He added they stopped dealing with high behavior clients. Hanson does assessments and passes on five to six clients he knows would not fit in the community. He would consider someone from an outside County if he knows it would not bring more calls for emergency services.

Chief Bump noted that the numbers can be skewed if compared to calls for service by bed or address, but one thing that means the most is the time it takes to problem solve. The time of calls have greatest impact and takes away time to response to other calls for service. The same impact of time may not be as significant as it could be for the fire department. Since the workgroup began, there has been better communication with the Police Department and the homes to problem solve and work together.

Cm. Lescohier commented that a call could take 10 minutes or many hours. Have you seen the length of calls decrease? Bump could not confirm as he has not reviewed the call volume in detail over the last month.

Cwmn. Gehred commented on the low income housing. Is there a way the police or another department have some type of employed social worker or less expensive per call, is that something other cities do. Bump replied we rely on County services to assist. He noted other communities that have staff as an asset. We have officers trained in mental health responding to calls.

Andrew Logan, 1 Milwaukee Ave .W., stated we may be missing a take away and barking up the wrong tree. Chief Rausch was looking at prior data another community. Logan referenced alarms in complexes with false alarms. He noted things that will make a big difference. Unfortunately we heard earlier so far police have not, not responded to another emergency because their hands were tied, but concerned we are tying their hands because we are not giving them enough of a budget, go back and look at number of beds, but look at total revenue. Before we try to grab other groups, do we have a problem or have we identified some issues that with common sense we can control or give more money to police department or does a large industry deserve more money. We have a history to be proud of. Fort folks have been in our community for many years. We need to support police and fire as best as we can. No nation ever taxed them into prosperity. He thinks it is too early to create an ordinance and start fining people. So many other people are benefiting. It would not impact some businesses or other industries. It would only impact people where they slept.

Cm. Becker stated this is a great discussion in response to an increase of emergency calls. This is a great service, but we have to make sure we have the right balance between the number of residents and draws of emergency services; hoping the moratorium can go away sooner than later.

Cwmn. Gehred does not feel Fort Atkinson should be embarrassed at any rate. The biggest chunk of City taxes does go to public safety. We are supporting as best as we can. The fines I was lead to understand was an industry based decision that came out of the committees work and volunteered by the industry itself. Communication is key and done a good job convening and we will get to an answer.

Motion made by Cm. Hartwick to accept and file. Seconded by Cwmn. Gehred and carried.

### NEW BUSINESS

*a. Review and approve bid for replacement of Engine 105 for Fire Department.*

Chief Rausch provided the background on the 1985 Pirsch pumper truck. It has had some issues but can still be utilized. It is not compliant according to the National Fire Association because of the open cab configuration. This truck is essential in a first alarm due to its pumping capacity. The unit has been scheduled for replacement and was included in the 2016 budget. Chief recommends the replacement through Pierce Manufacturing at a cost of \$548,381. Chief added a 2% contingency in case a change would occur. The cost is broken down between the surrounding districts as follows: City of Fort

Atkinson 72% - \$394,834, Town of Koshkonong 16.8% - \$92,127, Town of Hebron 2.8% - \$15,355, Town of Sumner 2.8% - \$15,355, Town of Jefferson 2.8% - \$15,355 and Town of Oakland 2.8% - \$15,355. He noted the City's insurance company looks at equipment and serving capacities for a City our size. The insurance office which sets the rates for the community looks significantly at the ability to provide water supply in fire situations. The requirement is for this community based on its size and the property density of the commercial areas is 3,500 gallons per minute. With this truck, we actually exceed that a little bit, but without the truck we would not meet that requirement. Not meeting that requirement would almost certainly result in a change of classification of a least one point on the ISO rating. Our insurance costs about a quarter of a cent per thousand dollars of assessed value so a one point change would mean an excess of one million dollars annually in insurance premium increase for the community.

Cm. Lescohier asked the Chief if he was able to discuss the quote and purchase with the responsible townships. He has been in contact with the Towns and will be meeting with them again in the upcoming week.

Pres. Kotz asked on the lead time. Chief replied 7 ½ months. The company also provided a pre-pay discount. The delivery could take up to ten months. Kotz noted that should the supplier take more than the noted time, a larger discount could be requested. The performance bond was recommended by the City Attorney.

Cm. Hartwick asked if there is a specific sequence of approvals between the City and the Town. Chief replied this has been in the budgets for 2016 and needs to be followed through with the Towns as it is in the signed contracts of service. Several of the Towns requested Chief confirm the purchase in 2016 as they included the purchase in their budgets also.

Cwmn. Gehred asked about the insurance rate of the community would go up without being able to meet the 3,500 gallon per minute. What is the definition of 'community', would they say the city proper because I'm wondering if there is a truck in Jefferson that would help be able to meet that 3,500. Chief replied we can use personnel from another community to meet ISO classification rating but we cannot use any other equipment from other communities. The equipment has to be owned by the community where the rating is set. In this situation, there is two different ISO ratings for this fire district, a city rating and a rural rating. Even the rural trucks owned by the townships which are housed in the fire department cannot be used to meet City ISO requirements. The towns do not own pumpers, they own tankers and brush trucks which would not meet that requirement anyway.

Cwmn. Gehred stated you just heard about the conversation we were having about the stress on the budget for meeting our safety needs with police and fire calls and she looks at this purchase as something of an infrastructure purchase. And as far as infrastructure goes, the fact that it is used so infrequently makes it kind of a suspect purchase, in my opinion despite this ISO rating which she wonders where that comes from and how critical that really is. She is looking at this formula, how did those numbers come about, do you know why we pay such a premium. Chief replied because the truck is used 72% of calls are in City limits. Additionally in a rural environment, 3,500 gallons per minute pumping capacity is not required because the ISO rating is significantly different. Those people pay in the neighborhood of 40% more fire insurance premium than we do in the city. He referenced earlier discussions on economic development have, having such ISO ratings is a great tool. One thing businesses look at when potentially relocating is public safety, specifically fire response. ISO makes a

significant difference to them. ISO ratings do indicate capabilities of department and is used as a measurement.

Cwmn. Gehred stated that if we are going to call this an economic development thing, then this is an incredibly large amount of money to spend on economic development. So it is under public safety in that way, otherwise we are publicly subsidizing our economic development and if that is what we choose to do then we should acknowledge that that is what we are choosing to do then.

Cm. Becker said we are talking replacing a 30+ year old truck that is starting to have parts issues. How does the replacement cycle compare to other communities. Chief replied that the plan we are following reflects his past experience. There was a period of time in Fort Atkinson when purchases were postponed. He noted aging equipment that needs to be replaced, including this truck which is seven years past its planned life. Chief noted a rural tender that is leaking 100 gallons of water a day that is going to have to be replaced by the townships.

Cm. Lescohier replied he does not see this as a suspect purchase at all, but an absolutely essential purchase and when the time comes, he wants every resource available.

Cwmn. Gehred said speaking bang for bank as far as infrastructure spending goes, we have other needs too. The rating seems to be based on our lack of paid on call more than our equipment. So maybe that money could be divided up differently to make the paid on call more appealing for people to sign up for. She also inquired on the repairs and storage, are those a shared cost amongst the formula or does Fort Atkinson bear the full cost. Chief confirmed the towns pay a percentage of repairs cost on an annual basis.

Cwmn. Gehred continued that her point is that sometimes we are deploying this truck not because it makes any kind of sense but because it is what we have. So is replacing it the smartest thing or do we replace it with a smaller vehicle that maybe isn't costing as much and also is more appropriate to what we are actually trying to get accomplished. We have a lot of needs in the safety department response and she would like to spend as little as possible on the things we use because she thinks it is really the people that we have in place that provide much more bang for the buck.

Cm. Lescohier moved to approve the bid for replacement of Engine 105 for the Fire Department not to exceed \$548,381 which includes contingency and prepayment. Cm. Becker seconded the motion and carried with Cwmn. Gehred opposed to the motion.

*b. Review and approve quote for purchase of dump truck with plow for Department of Public Works.*

Public Works Supervisor Kent Smith reviewed the quotes for the five yard single axle dump truck with plow, wing, sander and brine system. Three quotes were obtained with Lakeside International matching the specifications at a quote of \$167,768.51. The item is included in the 2016 Capital Outlay budgeted at \$165,000.

Manager Trebatoski reminded the Council of the budget workshop appropriation for an additional \$5,000 knowing the final cost would be higher.

Pres. Kotz asked if a contingency is necessary. Smith thinks everything is figured into the quote by his Mechanics as they reviewed the quote and specs.

Cwmn. Gehred asked if they keep records of equipment deployed and how much time. How necessary is this piece of equipment compared to others. Smith replied that all vehicles are maintained and monitors on usage, mileage and repairs. It takes eight hours to clear the City following a snowfall with the current fleet. The new truck with the added wing will assist in timely snow removal.

Cm. Becker moved to approve the quote from Lakeside International not to exceed \$167,768.51 for a single axle dump truck with plow/wing/sander and brine system. Cm. Lescohier seconded and the motion carried on a unanimous roll call vote.

c. *Request to transfer funds to install sewer and water to Fort Clubhouse in Rock River Park.* Park and Recreation Supervisor Scott Lastusky reviewed the well system that provides water to the Fort Clubhouse at Rock River Park. The system had gone dry which created a burden and additional expenses to provide adequate restroom facilities to rental customers for various family functions. The water and sewer improvements would benefit this park and facilities for future years, and also offer additional opportunities for growth in this area. Lastusky is proposing to transfer \$17,500 from the City's Parks Development Fund to allow for the purchase of materials and limited contracted work. Lastusky noted these funds are not derived from funding earmarked for a potential skate park.

Cm. Lescohier thanked Rob Stine for his extra efforts in securing a grant from the Wisconsin Conservation Club to assist in the park improvements. Lastusky confirmed Mr. Stine has made great efforts in finding outside funding sources for park improvements.

Cm. Lescohier moved to approve the transfer of funds to install sewer and water to the Fort Clubhouse in Rock River Park not to exceed \$17,500. Cwmn. Gehred seconded the motion and carried.

Cm. Hartwick asked on the timing of the water and sewer installation. Lastusky confirmed their goal is to begin in 2016 with completion as soon as possible.

d. *Review and approve Small Animal Collection Contract with Jefferson County Humane Society.* Manager Trebatoski presented the small animal collection contract with Jefferson County Humane Society. The contract is provided at a per-capita expense for 2017 as \$2.59 per person. This is an increase of 2.5% from 2016. The City takes advantage of a discount of \$738.87 by paying in full in January. This is an increase of approximately \$1,000.

Cm. Hartwick moved to approve the contract for small animal collection with the Jefferson County Humane Society at \$31,483.32 and authorize signatures. Cwmn. Gehred seconded. Motion carried on a roll call vote.

#### MISCELLANEOUS

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

#### CLAIMS, APPROPRIATIONS AND CONTRACT PAYMENTS

a. *Verified claims.*

The following is a list of bills to be approved:

ABENDROTH WATER CONDITIONING	Rental	50.00
ACE HARDWARE	Supplies	495.20
AIRGAS NORTH CENTRAL	Services	389.71
AMERICAN PUBLIC WORKS ASSOC	Bushcott - APWA Conference	150.00
AUDIO CONTRACTOR	No sound - service call	99.99
BAXTER & WOODMAN, INC.	Support work	472.50
BEST TEST AUTO ELECTRIC	E-103 Lestek amp alt.	65.00
KURT BIRKETT	DNR operator certification	45.00
BLODGETT GARDEN CENTER	Seed	15.99
BRUCE MUNICIPAL EQUIPMENT INC	Block stop	158.33
BUELOW VETTER BUIKEMA OLSON &	Conf. personnel matters	137.50
BUMPER TO BUMPER	Auto parts/supplies	373.81
BUTTERS-FETTING CO., INC.	Boiler repair	352.89
CHAMBER OF COMMERCE	3rd quarter room tax	27,483.36
CHARTER COMMUNICATIONS	TV and internet service	611.63
PAUL CHRISTENSEN	Centrifuge shelter	1,071.25
CINTAS CORP	Services	815.36
CITY OF FORT ATKINSON	Gas; oil; street opening permits	5,526.28
COUNTRY PLUMBER INC	Portable restroom rent	385.00
DAILY JEFFERSON COUNTY UNION	Oct. publications	1,697.07
JEFFREY S DAVIS	Executive training expense	29.63
DIVERSIFIED BENEFIT SERVICES I	Flex spending employee reimbursement	599.98
DODGE CONCRETE INC	Concrete	1,660.16
DRUG TASK FORCE	Drug assessments	73.00
E-CONOLIGHT	Light bulbs; lighting; lenses	1,100.16
ELECTRICAL ENERGY EXPERTS, INC.	Main switchgear repair	1,872.25
EM'S BROIDERY & DESIGN IIC	K9 t-shirts	185.50
F.A.S.T. CORPORATION	Deposit; refurbish whale/duck	1,800.00
FESTIVAL FOODS	Food; cleaning supplies	204.32
FIVE STAR SHOP SERVICE	Red grease	109.95
FT HEALTH CARE BUSINESS HEALTH	Drug screen	103.00
FRAWLEY OIL CO INC	Oil zorb	83.40
INSIGHT FS	Diesel	3,043.72
G.F.C. LEASING	Copier lease	854.83
GENERAL COMMUNICATIONS INC.	Motorola clip	46.40
GOLD STAR WISCONSIN INC	Coffee/popcorn	155.19
GRAINGER	Live V Mechanical Tstat	99.40
GREAT WEST	Deferred compensation	4,650.00
GROUND AFFECTS LANDSCAPING INC	Oct. mowing and trimming	372.00
H & H FIRE PROTECTION, LLC	Fire extinguisher service; inspections	398.89
HACHTEL PLUMBING, INC.	Gas odor main hallway	135.00
HAUSZ BROS INC	Road rock	100.38
LISA HEFTY	Pants	59.05
HUMPHREY SERVICE PARTS	Round work lamps	73.00

J & M PEST CONTROL	Pest control service	80.00
JWC BUILDING SPECIALITIES INC	Part for seating	288.94
JAECKEL BROS, INC.	Road rock	6,304.22
JEFFERSON CO CIRCUIT COURT	Bond	650.00
JEFF CO EMERGENCY COMM INC	Halloween Patrol mileage	54.50
JEFFERSON CO. SHERIFF'S DEPT.	Warrant	1,462.76
JEFFERSON CO. TREASURER	Jail assessments	1,680.67
JONAS OFFICE PRODUCTS LTD	Office supplies; paper; duster	378.96
LAKESIDE INTERNATIONAL, LLC	Stock parts; chamber piggy	435.55
LISA LANGER	Records management training	44.74
LEVEVTON LAW OFFICE	V. Gordon	76.00
MARTELLE	Chemicals	2,509.29
McMASTER-CARR SUPPLY CO	Supplies	158.34
MENARDS - JANESVILLE	Carsiding; asphalt sealer; squeegee	917.49
MENARDS - JOHNSON CREEK	FVP RV marine	673.31
MID-STATE EQUIPMENT	Floodlamp	75.72
MIDWEST MASONRY, LLC	Phase II labor/materials	2,800.00
IVY MILES	Chair yoga class	635.00
MILWAUKEE RUBBER PRODUCTS INC	Couplers "CF" fittings	364.05
SECURIAN FINANCIAL GRP/MN LIFE	Life insurance - December	1,025.03
MUNICIPAL SERVICES LLC	Two inspections	327.75
NAPA OF JEFFERSON	Auto parts/supplies	2,209.54
NEWARK ELEMENT14	Relay Well #7	74.79
OPPORTUNITIES INC	Rausch business cards; envelopes	349.00
O'REILLY AUTO PARTS	Auto parts/supplies	67.15
PAYNE AND DOLAN	Asphalt	1,457.89
EARL PETERSON	Oct. 2016 electrical inspections	25.00
POMP'S TIRE SERVICE INC	Bandage drive mix; tires	1,130.52
PRECISION ALIGNMENT, LLC	Tire repair	20.00
PREMIER BANK	Fed. Withholding; Soc. Sec.	42,505.70
PRO BUILD NORTH	Wood; trim	233.80
RM SMALL ENGINE REPAIR, LLC	Propane for hot box	129.76
RANDOLPH ROSE COLLECTION, INC.	50% down - memorial - "Ensweiler"	2,500.00
RENNERT'S FIRE EQUIPMENT	E103 repairs	2,198.02
ROGERS & WESTRICK SC	Third quarter health insurance	2,543.32
TODD SCHULZ	Executive training expense	24.54
SCOTT CONSTRUCTION, INC.	Seal coat and crack filling	338,547.92
STARTECH COMPUTING INC.	Network switchgear	561.26
ST. OF WI: CONTROLLER'S OFFICE	Penalty assessments	3,851.61
TnT CLEANING	Oct. janitorial services	192.00
TENPIN MOTORS LLC	Check brake noise	55.27
TREESTUFF	Pruner head	74.54
TUTTLE'S PHARMACY INC	Sharpies	2.06
USABLUEBOOK	Radar level transmitter; reducers	2,469.38

UNIVERSAL RECYCLING	TV recycling	266.72
VIEVU	Cameras	13,237.00
WILL ENTERPRISES	139 basketball t-shirts	662.40
WI DEPT. OF REVENUE	July & Oct. sales tax	137.21
WI DEPARTMENT OF REVENUE	State withholding	7,957.67
WE ENERGIES	Electricity and natural gas	17,070.92
WI STATE LAB OF HYGIENE	Fluoride test	25.00
WI STEAM CLEANER SALES CO. INC	Pressure washer soap	<u>399.00</u>
	TOTAL CITY ACCOUNTS	\$493,093.45
	TOTAL SEWER ACCOUNTS	\$8,901.29
	TOTAL WATER ACCOUNTS	\$18,131.65
 <i><u>STORMWATER UTILITY (Fund 10)</u></i>		
BRUCE MUNICIPAL EQUIPMENT, INC.	Gutterbroom/actuator; hose connector	\$1,730.53
DODGE CONCRETE INC.	Concrete	<u>\$543.75</u>
	TOTAL FUND 10	\$2,274.28
 <i><u>KLEMENT BUSINESS PARK (Fund 12)</u></i>		
SCOTT CONSTRUCTION	Seal coat & crack filling	\$21,725.55
 <i><u>NORTHWEST CORRIDOR (Fund 14)</u></i>		
ACE HARDWARE	Supplies	14.87
JACOBSON'S CRANE SERVICE	Madison Ave. light poles	<u>750.00</u>
	TOTAL FUND 14	\$764.87

Cm. Becker moved to approve the verified claims, appropriations and contract payments submitted by the Finance Director and authorize payment. Seconded by Cm. Lescohier and carried on a unanimous roll call vote.

#### ADJOURNMENT

Cm. Becker moved to adjourn the meeting at 9:44 pm. Cm. Hartwick seconded the motion and adjourned.

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Michelle Ebbert, City Clerk/Treasurer

APPROVED:

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PRESIDENT OF THE COUNCIL