

**CITY COUNCIL MINUTES
FORT ATKINSON, WISCONSIN
January 16, 2007**

1. CALL MEETING TO ORDER

A regular meeting of the City Council was called to order by President Simdon at 7:00 p.m. in the Council Chambers of the Municipal Building.

2. ROLL CALL

On call of the roll, members present were:

John Mielke
Jim Simdon
Steve Tesmer
Mark Zastrow

LaVerne Behrens was excused.

Also present were the City Manager, City Engineer, City Attorney and City Clerk/Treasurer.

3. APPROVAL OF MINUTES OF JANUARY 2, 2007 REGULAR COUNCIL MEETING

Cm. Mielke moved to approve the minutes of the January 2, 2007 regular Council meeting. Cm. Zastrow seconded the motion. The motion carried on a voice vote.

4. PUBLIC HEARINGS

- a. PUBLIC HEARING ON REQUEST TO REZONE 213-215 WEST SHERMAN AVENUE FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO R-2 (TWO-FAMILY RESIDENTIAL).

President Simdon opened the public hearing on the request to rezone 213-215 West Sherman Avenue from R-1 (Single-Family Residential) to R-2 (Two-Family Residential) and stated if anyone wished to speak on this topic, he or she should come to the podium and state his or her name and address for the record.

After three calls and hearing no comments, President Simdon closed the public hearing on the request to rezone 213-215 West Sherman Avenue from R-1 (Single-Family Residential) to R-2 (Two-Family Residential).

b. PUBLIC HEARING ON REQUEST TO VACATE THE STREET RIGHT-OF-WAY OF CENTRAL COAST LANE.

President Simdon opened the public hearing on the request to vacate the street right-of-way of Central Coast Lane and stated if anyone wished to speak on this topic, he or she should come to the podium and state his or her name and address for the record.

After three calls and hearing no comments, President Simdon closed the public hearing on the request to vacate the street right-of-way of Central Coast Lane.

5. PETITIONS, REQUESTS AND COMMUNICATIONS

None.

6. RESOLUTIONS AND ORDINANCES

a. RESOLUTION TO COMBINE WARDS FOR FEBRUARY 20, 2007 SPRING PRIMARY ELECTION.

The following resolution was displayed on the overhead projector at this time:

CITY OF FORT ATKINSON

RESOLUTION NO. 1106

BE IT RESOLVED by the City Council of the City of Fort Atkinson pursuant to Section 5.15(6)(b), Wisconsin Statutes, that the wards in the City of Fort Atkinson shall be combined as follows for the February 20, 2007 Spring Primary Election:

WARDS 1 - 9

BE IT FURTHER RESOLVED that each group of combined wards shall use one ballot box and separate voter counts will not be maintained for the combined wards, however separate ballots shall be maintained as needed for each ward as required under State Statute Section 5.60 and 5.655.

The City Clerk/Treasurer stated due to an anticipated low turnout for the spring primary election it wouldn't be necessary to have each ward individually split.

Cm. Tesmer, seconded by Cm. Mielke, moved to approve and adopt the resolution combing wards 1-9 for the February 20, 2007 spring primary election. On call of the roll, the motion carried unanimously.

7. REPORTS OF OFFICERS, BOARDS AND COMMITTEES

Cm. Mielke, seconded by Cm. Tesmer, moved to accept and file the minutes of the Historical Preservation Commission meeting held January 3, 2007; the minutes of the Planning Commission meeting held January 9, 2007; and the minutes of the Climate Protection Ad Hoc Committee meeting held December 4, 2006. The motion carried on a voice vote.

8. UNFINISHED BUSINESS

- a. RECOMMENDATIONS FROM PLANNING COMMISSION TO APPROVE REQUEST TO REZONE 213-215 WEST SHERMAN AVENUE FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO R-2 (TWO-FAMILY RESIDENTIAL), AND ORDINANCE.

The following ordinance was displayed on the overhead projector at this time:

ORDINANCE NO. 645

The City Council of the City of Fort Atkinson does hereby ordain as follows:

That Chapter 15, ZONING ORDINANCE, Section 15.6.5, ZONING MAP, be amended so as to change the zoning of the following described property from R-1 (Single-Family Residential) to R-2 (Two-Family Residential).

The West 64 feet of Lot 1 and the East 11 feet of Lot 2, Block 24, a continuation of Barrie's Addition.

Said parcel is located at 213-215 West Sherman Avenue.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

This ordinance shall take effect and be in force from and after the date of its passage and publication.

The City Manager stated all neighbors within 200 feet of the property have been notified of the request.

Cm. Mielke, seconded by Cm. Tesmer, moved to suspend the rules and pass the ordinance approving the rezoning of 213-215 West Sherman Avenue from R-1 (Single-Family Residential) to R-2 (Two-Family Residential) through its second and third readings. The motion carried on a voice vote.

Cm. Mielke, seconded by Cm. Tesmer, moved to adopt the ordinance approving the rezoning of 213-215 West Sherman Avenue from R-1 (Single-Family Residential) to R-2 (Two-Family Residential). On call of the roll, the motion

carried unanimously.

- b. FINAL DETERMINATION ON VACATION OF THE STREET RIGHT-OF-WAY OF CENTRAL COAST LANE, AND ORDER.

Cm. Zastrow, seconded by Cm. Tesmer, moved to approve the order vacating the street right-of-way of Central Coast Lane. On call of the roll, the motion carried unanimously.

- c. RECOMMENDATION FROM PLANNING COMMISSION TO APPROVE GAME ARCADE APPLICATION FOR FAMILY FUN BARN, 1301 MADISON AVENUE.

Cm. Tesmer, seconded by Cm. Zastrow, moved to approve the game arcade application for Family Fun Barn, 1301 Madison Avenue. The motion carried on a voice vote.

9. NEW BUSINESS

- a. UPDATE ON FINANCIAL STATUS OF HISTORICAL SOCIETY'S HOARD TRUST FUNDS.

The City Manager stated there are two funds, one of which the City manages and the other the Historical Society manages. Both funds are in the Trust Department of Premier Bank. The City's Fund was established in 1999 from the Mary Hoard Estate and was valued at \$739,199.82. Since 1999, approvals have been given to allocate \$208,670 from the fund. For 2006, the investment income and market value gain amounted to \$71,536.42. The value of the City's Fund as of 12/31/2006 is \$844,531.67. A commitment was made to appropriate \$100,000 from the fund towards the Hoard Legacy Building Program, which will be done in 2007.

Cm. Mielke, seconded by Cm. Tesmer, moved to accept and file the update on the financial status of the Historical Society's Hoard Trust Funds. The motion carried on a voice vote.

10. MISCELLANEOUS

- a. GRANTING OPERATOR LICENSES.

Cm. Zastrow moved, seconded by Cm. Tesmer, to approve the following list of applicants for operator licenses for the 2006-2008 license period:

PROVISIONAL: Tiffani L. Janke for use at Citgo on the
Point

	Phillip Sykes	for use at	Lions Quick Mart
	Lisa L. Heiman	“ “	Stop N Go
	Yvonne M. Maasz	“ “	Lions Quick Mart & Citgo
REGULARS:	Joshua E.M. Stachel	“ “	Legion Dugout
	Erin R. Didion	“ “	Blackhawk Tavern
	William F. Morrison	“ “	Lions Quick Mart

The motion carried on a voice vote.

11. CLAIMS, APPROPRIATIONS AND CONTRACT PAYMENTS

a. VERIFIED CLAIMS.

Cm. Zastrow, seconded by Cm. Tesmer, moved the bills in the amounts of \$123,253.04 for the City (Fund 1), \$11,897.63 for the Sewer Utility (Fund 2); \$23,768.13 for the Water Utility (Fund 3); and \$1,680.00 for Downtown Economic Development (Fund 13) as per Schedule N-38 on file in the office of the City Clerk/Treasurer and as audited and approved by the Finance Committee be allowed and orders be authorized drawn on the proper funds for their payment. On call of the roll, the motion carried unanimously.

12. ADJOURNMENT

Cm. Tesmer, seconded by Cm. Zastrow, moved to adjourn the January 16, 2007 regular City of Fort Atkinson Council meeting at 7:12 p.m. The motion carried on a voice vote.

/s/ Matt Trebatoski
City Clerk/Treasurer