

**CITY COUNCIL MINUTES  
FORT ATKINSON, WISCONSIN  
February 2, 2010**

1. CALL MEETING TO ORDER

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

2. ROLL CALL

On call of the roll, members present were:

Loren Gray (via telephone)  
Davin Lescohier  
Dick Schultz  
Mark Zastrow  
John Mielke

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

3. APPROVAL OF MINUTES OF JANUARY 19, 2010 REGULAR COUNCIL MEETING

The minutes of the January 19, 2010 regular Council meeting were approved by consent.

4. PUBLIC HEARINGS

- a. PUBLIC HEARING ON APPLICATION FOR A “CLASS B” COMBINATION LIQUOR & FERMENTED MALT BEVERAGE LICENSE FOR THE BOLT INN, L.L.C., AGENT MATTHEW BOLTON, FOR USE AT 225 SOUTH MAIN STREET (FORMERLY THE BUGHOUSE).

Pres. Mielke opened the public hearing on the application for a “Class B” Combination Liquor and Fermented Malt Beverage License for the Bolt Inn, L.L.C., for use at 225 South Main Street (formerly the Bughouse), 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.

Patricia Bolton, 101 Shirley Street, stated that she and her husband are the applicants for the license to be used at the location currently occupied by the Bughouse. The City Attorney asked Mrs. Bolton if a lease had been entered into for the property, and she said that a signed copy had been presented to the City. The lease goes into effect March 8, 2010, and is for a term of five-years.

After a second and third call, and hearing no further comments, Pres. Mielke closed the public hearing.

- b. PUBLIC HEARING ON APPLICATION FOR A RESERVE “CLASS B” COMBINATION LIQUOR & FERMENTED MALT BEVERAGE LICENSE FOR JANET GARCIA FOR USE AT 226 SOUTH MAIN STREET (FORMERLY LOS PORTALES).

Pres. Mielke opened the public hearing on the application for a Reserve “Class B” Combination Liquor and Fermented Malt Beverage License for the Janet Garcia for use at 226 South Main Street (formerly Los Portales), 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 a second and third call, and hearing no further comments, Pres. Mielke closed the public hearing.

5. PETITIONS, REQUESTS AND COMMUNICATIONS

None.

6. RESOLUTIONS AND ORDINANCES

None.

7. REPORTS OF OFFICERS, BOARDS AND COMMITTEES

Cm. Zastrow, seconded by Cm. Schultz, moved to accept and file the minutes of the License Committee meeting held January 25, 2010; the minutes of the Planning Commission meeting held January 26, 2010; the minutes of the Historic Preservation Commission and Water Tower Committee meeting held January 5, 2010; the minutes of the Historical Society Board meeting held December 17, 2009; the minutes of the Closed Finance Committee meeting held September 11, 2009; the minutes of the Closed Finance Committee meeting held November 30, 2009; the minutes of the Closed Finance Committee meeting held December 22, 2009; and the minutes of the Closed Finance Committee meeting held January 18, 2010. The motion carried on a voice vote.

8. UNFINISHED BUSINESS

- a. RECOMMENDATION FROM LICENSE COMMITTEE TO APPROVE THE APPLICATION FOR A “CLASS B” COMBINATION LIQUOR & FERMENTED MALT BEVERAGE LICENSE FOR THE BOLT INN, L.L.C, AGENT MATTHEW BOLTON, FOR USE AT 225 SOUTH MAIN STREET (FORMERLY THE BUGHOUSE) CONTINGENT ON THE CITY RECEIVING A SIGNED COPY OF THE LEASE FOR THE PREMISES.

The City Clerk indicated this is a change of ownership for this business and the City has received a copy of the lease.

Cm. Schultz, seconded by Cm. Zastrow, moved to approve the “Class B” Combination Liquor & Fermented Malt Beverage License for the Bolt Inn, L.L.C., agent Matthew Bolton, for use at 225 South Main Street (formerly the Bughouse). The motion carried on a voice vote.

- b. RECOMMENDATION FROM LICENSE COMMITTEE TO APPROVE THE APPLICATION FOR A RESERVE “CLASS B” COMBINATION LIQUOR AND FERMENTED MALT BEVERAGE LICENSE FOR JANET GARCIA FOR USE AT 226 SOUTH MAIN STREET (FORMERLY LOS PORTALES).

The City Clerk said this is a change in ownership; however the business name will remain the same. This is a reserve license which carries an additional \$10,000 fee and that matter will be addressed in the next item on the agenda.

Cm. Lescohier questioned if the License Committee had discussed the number of changes in ownership for this business. The City Manager said the matter was discussed with the owner at the meeting, and the Committee did voice their concern on the continued changeover and put the owner on notice regarding this.

Cm. Zastrow, seconded by Cm. Schultz, moved to approve the Reserve “Class B” Combination Liquor & Fermented Malt Beverage License for Janet Garcia for use at 226 South Main Street (formerly Los Portales). The motion carried on a voice vote.

- c. RECOMMENDATION FROM LICENSE COMMITTEE TO APPROVE ECONOMIC DEVELOPMENT GRANT FOR THE RESERVE “CLASS B” COMBINATION LIQUOR & FERMENTED MALT BEVERAGE LICENSE FOR 226 SOUTH MAIN STREET.

The City Clerk said the Grant was established approximately three years ago to offset the \$10,000 fee that is associated with the Reserve License. He reiterated that a discussion did take place at the License Committee meeting regarding the turnover and number of requests (third) for this grant at this location. The City will monitor this license and grant for future turnover.

Cm. Gray asked if there has ever been a payment of the \$10,000 fee. It was stated by the City Manager that there has not been. The City Manager said for the most part, there have been improvements done to the buildings to offset the fee.

Cm. Gray, seconded by Cm. Schultz, moved to approve the Economic Development Grant for the Reserve “Class B” Combination Liquor & Fermented Malt Beverage License for 226 South Main Street. The motion carried on a voice vote.

- d. RECOMMENDATION FROM PLANNING COMMISSION TO APPROVE PRELIMINARY CERTIFIED SURVEY MAP CREATING ONE LOT AT N1547 BUSINESS HIGHWAY 26 (EXTRA-TERRITORIAL).

The City Manager said the property is across from the Klement Business Park. This Survey is being done to create a separate lot for the operation of an automobile towing business.

Cm. Zastrow, seconded by Cm. Lescohier, moved to approve the Preliminary Certified Survey Map as presented. The motion carried on a voice vote.

- e. RECOMMENDATION FROM FINANCE COMMITTEE ON 2010 WAGES, BENEFITS AND EMPLOYEE HANDBOOK UPDATES.

The City Manager stated the Committee met in closed session with the Police Union and have come to a stalemate regarding a successor Contract and will be going to mediation.

The Committee recommended a 2% across the board for non-represented full-time employees for 2010, with other benefits remaining the same. The Committee also recommended for 2011 that the non-represented full-time employees who participate in the City's health care program receive an across the board 3% increase and be required to 10% of the health care premium. The City will consider a Section 125 Plan to help employees pay the premiums on a pre-tax basis. For those employees who are not enrolled in the health care program, the wage increase will be 2%.

For non-represented part-time employees, a 2% increase across the board was recommended except for a Library Assistant position which the City is bringing up to the entry level for the full-time position because of the work duties. The part-time Park & Recreation employees' increases vary from 0% to 2%.

The Teamsters Union will receive a 2-1/2% increase with no changes in benefits for 2010 per their Contract.

Cm. Lescohier, seconded by Cm. Schultz, moved to approve the recommendation from the Finance Committee on 2010 and 2011 wages, benefits and Employee Handbook updates. On call of the roll, the motion carried unanimously.

## 9. NEW BUSINESS

- a. REVIEW ANNUAL REPORTS FROM CITY DEPARTMENTS FOR 2009.

The City Manager said the Annual Reports have been placed on the City's website for public viewing. The following is a short synopsis of information included in the Annual Reports: Replaced cash register for Municipal Court

Clerk; replaced various computers and servers at the Clerk/Treasurer's office, Fire Department, Police Department, Library, Park & Recreation and Wastewater Utility; purchased scissor lift; set up snowplows with pre-wetting equipment; purchased stump chipper; replaced roof at Public Works' truck shed; furnace and air conditioning replacement at Senior Center; new diving boards at Aquatic Center; new mower and snowblower for Parks; new park signs; installed energy efficient lighting at Fire Department, Water Department, Wastewater Utility, and Aquatic Center; new scoreboard at Ralph Park; completed flood damage repairs; replaced watermain on Talcott/Halcyon; new lane layout on Main Street; Stormwater Management Plan and Utility; began design for utility extension under bypass; replaced Water Utility truck; replaced chemical feed pump at Wastewater Utility; modified aeration blower at Wastewater Utility; and Project Lead fencing at Bicentennial Park.

Council members indicated they appreciate receiving this report from the various City Departments.

Cm. Zastrow, seconded by Cm. Lescohier, moved to accept and file the Annual Reports from the City Departments for 2009. The motion carried on a voice vote.

10. MISCELLANEOUS

a. GRANTING OPERATOR LICENSES

Cm. Lescohier, seconded by Cm. Schultz, moved to approve the following list of applicants for operator licenses for the 2008-2010 license period:

Regular:

Kandi R. Bauer	Legion
Mary Beth Brandenburg	Bp
Sara C. Kelso	Fat Boyz
Maria E. Navarro	Cozumel

The motion carried on a voice vote.

b. REQUEST TO SET PUBLIC WORKS COMMITTEE MEETING DATE.

The City Engineer requested the meeting be set for Wednesday, February 10, 2010 at 4:00 p.m. to discuss the 2010 Street and Sidewalk Programs. Cm. Gray said he would be out of town the day of the meeting and Cm. Schultz agreed to fill in for the meeting. The meeting was set as requested.

c. CITY, SEWER, WATER AND FUNDS 4, 6, 8, 10, 12, 13 AND 14 YEAR-END FINANCIAL STATEMENTS AS OF DECEMBER 31, 2009.

The City Manager gave a short review of all Funds. He indicated the City basically spent everything it took in. The snow removal and forestry accounts were overdrawn due to the December storm. The only draw on the General Fund was the debt service for the Business Park. Building permit and interest on investment revenues were down in 2009.

The City Manager said we may need to look at a rate increase for the Water Utility in the near future. The Utility pumped approximately 43,000,000 gallons less in 2009 than it did in 2008.

The Wastewater Utility was down approximately 15% in industrial revenue and about 4% down for residential.

Cm. Gray asked what the anticipated draw on the General Fund will be for the Business Park. The City Manager estimated it at about \$220,000 per year.

Cm. Gray, seconded by Cm. Zastrow, moved to accept and file the year-end financial statements for all funds. The motion carried on a voice vote.

Cm. Schultz, seconded by Cm. Lescohier, moved to appropriate \$183,862.64 from the General Fund for the overdrawn accounts. On call of the roll, the motion carried unanimously.

Cm. Lescohier, seconded by Cm. Zastrow, moved to approve non-lapsing accounts of \$278,272.38 from 2009 to 2010. On call of the roll, the motion carried unanimously.

11. CLAIMS, APPROPRIATIONS AND CONTRACT PAYMENTS

Cm. Schultz, seconded by Cm. Zastrow, moved the bills in the amounts of \$5,400,618.23 for the City (Fund 1); \$55,155.91 for the Sewer Utility (Fund 2); \$38,201.72 for the Water Utility (Fund 3); \$300.00 for Stormwater Management (Fund 10); \$31,663.75 for the Klement Business Park (Fund 12); \$3,081.25 for Downtown Economic Development (Fund 13); \$2.92 for Northwest Corridor Development (Fund 14); \$248,411.75 for Payrolls #1, #2 and #2A; \$61,676.27 for Sewer Utility Debt Service; and \$85,037.50 for Water Utility Debt Service as per Schedule O-12 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. Zastrow, seconded by Cm. Schultz, moved to adjourn the February 2, 2010 regular City of Fort Atkinson Council meeting at 7:41 p.m. The motion carried on a voice vote.

/s/ Matt Trebatoski  
City Clerk/Treasurer