

**CITY COUNCIL MINUTES
FORT ATKINSON, WISCONSIN
February 20, 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:

LaVerne Behrens
John Mielke
Jim Simdon
Steve Tesmer
Mark Zastrow

Also present were the City Manager, City Engineer, City Attorney, City Clerk/Treasurer, City Parks & Recreation Director, Wastewater Utility Superintendent and Water Superintendent.

3. APPROVAL OF MINUTES OF FEBRUARY 6, 2007 REGULAR COUNCIL MEETING

Cm. Mielke moved to approve the minutes of the February 6, 2007 regular Council meeting. Cm. Tesmer seconded the motion. The motion carried on a voice vote.

4. PUBLIC HEARINGS

None.

5. PETITIONS, REQUESTS AND COMMUNICATIONS

None.

6. RESOLUTIONS AND ORDINANCES

- a. RESOLUTION OUTLINING ACTIONS TO REDUCE GLOBAL WARMING POLLUTION.

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

RESOLUTION NO. _____

WHEREAS, the U.S. Conference of Mayor's has previously adopted a strong policy Resolution calling for cities, communities and the Federal government to take actions to reduce global warming pollution; and

WHEREAS, the Inter-Governmental Panel on Climate Change (IPCC), the international community's most respect assemblage of scientists, has found that the climate disruption is a reality and that human activities are largely responsible for increasing concentrations of global warming pollution; and

WHEREAS, on July 6, 2006, the Fort Atkinson City Council established an Ad Hoc Committee to address the "U.S. Mayors Climate Protection Agreement" as amended; and

WHEREAS, steps have been taken throughout the City addressing concerns pointed out in the Mayors' Climate Protection Agreement (a list is on file with the City Manager); and

WHEREAS, changes in city operations represent the area that the city has both the ability and authority to impact in a meaningful way; and

WHEREAS, many of these changes not only lessen harmful environmental impacts but also represent savings opportunities for taxpayers and ratepayers; and

WHEREAS, the City of Fort Atkinson desires to set a positive example relative to the problem of global climate change; and

WHEREAS, the City of Fort Atkinson wishes to educate and inspire citizens and area business to make changes that lessen the harmful environmental impacts of their lifestyle and operations;

NOW THEREFORE, be it resolved that the Ad Hoc Committee recommends to the City Council and support the following:

1. Work to improve the fuel efficiency of the city fleet and investigate the use of bio-diesel fuel for City vehicles in order to reduce emissions of greenhouse gasses, minimize the expenditure of tax dollars on fuel, and maximize the life cycle of city vehicles.
2. Work to improve the energy efficiencies of the city's building stock in order to reduce the consumption of fossil fuels and reduce utility costs.

3. Incorporate land-use policies that reduce sprawl, preserve open space and create a compact, walkable community.
4. Promote transportation options such as walking, bicycling, and ride-sharing.
5. Educate citizens about how everyday actions can have a negative impact on city provided services, resulting in the degradation of the environment, increased costs, and a reduction of the useful life of infrastructure.
6. Continue to promote recycling through education within the City.
7. Pursue the use of grants and other programs to provide financial assistance for these initiatives thereby reducing the cost to city taxpayers / ratepayers.
8. Recognize businesses, citizens, and city departments who are leaders in sustainable development and environmental consciousness in order to inspire others to act in a similar fashion.
9. Direct the Ad Hoc Climate Protection Committee to:
 - a. Develop a “tool-box” of means and methods available for local businesses and citizens to evaluate and reduce their negative environmental impact in our community.
 - b. Develop a list of specific actions and programs to be implemented by the City to reduce emissions of greenhouse gasses.

Cm. Tesmer explained the formation of the Ad Hoc Committee and briefly discussed the work conducted by the group. Cwmn. Behrens and Cm. Zastrow expressed concerns regarding items 3 and 9 contained in the resolution. After much discussion it was decided some redefining and rewording may help alleviate the issues discussed.

Cm. Tesmer, seconded by Cwmn. Behrens, moved to table the resolution outlining actions to reduce global warming pollution. The motion carried on a voice vote.

- b. **RESOLUTION AMENDING STATUTE AND ADMINISTRATIVE CODE SECTIONS DEALING WITH RECYCLING GRANTS.**

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

RESOLUTION NO. 1107

WHEREAS, the City of Fort Atkinson hereby requests financial assistance under s.287.23, Wis. Stats., Chapters NR 542, 544 and 549, Wis. Admin. Code, for the

purpose of planning, constructing or operating a recycling program with one or more components specified in s.287.11(2)(a) to (h), Wis. Stats.,

THEREFORE, BE IT RESOLVED, THAT THE CITY OF FORT ATKINSON HEREBY AUTHORIZES the City Manager, an official or employee of the responsible unit, to act on its behalf to: Submit an application to the Department of Natural Resources for financial assistance under s.287.23, Wis. Stats., Chapters NR 542, 544 and 549, Wis. Adm. Code; sign necessary documents; and submit a final report.

This Resolution supercedes Resolutions No. 968 dated May 4, 1999 and No. 978 dated September 21, 1999.

Cm. Mielke, seconded by Cm. Zastrow, moved to approve and adopt the resolution amending Statute and Administrative Code sections dealing with recycling grants. On call of the roll, the motion carried unanimously.

7. REPORTS OF OFFICERS, BOARDS AND COMMITTEES

Cm. Mielke, seconded by Cm. Zastrow, moved to accept and file the Electrical, Building and Plumbing Permit reports for January, 2007; the minutes of the Historical Preservation Commission meeting held February 7, 2007; the minutes of the Planning Commission meeting held February 13, 2007; the minutes of the Climate Protection Ad Hoc Committee meeting held January 29, 2007; the minutes of the Historical Society Board meeting held January 18, 2007; the minutes of the Historical Society Finance Committee meeting held January 23, 2007; the minutes of the Historical Society Board Special meeting held January 25, 2007; and the minutes of the Historical Society Construction Committee meeting held February 5, 2007. The motion carried on a voice vote.

8. UNFINISHED BUSINESS

- a. RECOMMENDATION FROM PLANNING COMMISSION TO APPROVE REVISED PRELIMINARY CERTIFIED SURVEY MAP CREATING TWO LOTS ON BLACKHAWK ISLAND ROAD (EXTRA-TERRITORIAL).

Cwmn. Behrens, seconded by Cm. Zastrow, moved to approve the revised Preliminary Certified Survey Map creating two lots on Blackhawk Island Road (extra-territorial). The motion carried on a voice vote.

- b. RECOMMENDATION FROM PLANNING COMMISSION TO APPROVE REQUEST FOR ANNEXATION BY RICK AND PAULA SCHROEDER OF 0.742 ACRES ON WHITEWATER AVENUE (U.S.H. 12).

Cm. Tesmer, seconded by Cm. Mielke, moved to set a public hearing for March 20, 2007 on the request for annexation by Rick and Paula Schroeder of 0.742 acres on Whitewater Avenue (U.S.H. 12). The motion carried on a voice vote.

- c. RECOMMENDATION FROM PLANNING COMMISSION TO APPROVE REQUEST FOR ANNEXATION BY JONES DAIRY FARM OF 3.306 ACRES.

Cm. Zastrow, seconded by Cwmn. Behrens, moved to set a public hearing for March 20, 2007 on the request for annexation by Jones Dairy Farm of 3.306 acres. The motion carried on a voice vote.

9. NEW BUSINESS

- a. REQUEST TO CHANGE APRIL 3, 2007 COUNCIL MEETING TO APRIL 5, 2007 DUE TO ELECTION.

Cm. Mielke, seconded by Cm. Tesmer, moved to approve the request to change the April 3, 2007 Council meeting to April 5, 2007 due to the election.

- b. REQUEST TO TRANSFER FUNDS FOR RALPH PARK PROJECTS.

The City Manager stated the request is to transfer \$18,000 into the budget for site improvements and to help out Project Lead with the purchase and installation of new playground equipment in Ralph Park. The City Parks & Recreation Director briefly outlined the details of the planned improvements.

Cm. Zastrow, seconded by Cwmn. Behrens, moved to approve the request to transfer \$18,000 from the Park Development account into the budget for Ralph Park projects. On call of the roll, the motion carried unanimously.

- c. REVIEW AND APPROVE QUOTES FOR WELL #3 REHABILITATION AND WELL #4 PIPING MODIFICATIONS FOR WATER UTILITY AS BUDGETED.

The City Manager stated two bids were received from Water Well Solutions and Layne-Northwest. Layne-Northwest was the low bidder at \$32,266 and have done good work for the City in the past.

Cm. Zastrow, seconded by Cm. Tesmer, moved to approve the quotes for Well #3 rehabilitation and Well #4 piping modifications for the Water Utility and award the bid to Layne-Northwest in an amount not to exceed \$32,266. On call of the roll, the motion carried unanimously.

- d. REVIEW AND APPROVE AGREEMENT FOR ESTABLISHMENT AND OPERATION OF THE ROCK RIVER TOTAL MAXIMUM DAILY LOAD (TDML) GROUP, AND RESOLUTION.

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

RESOLUTION NO. 1108

There being a meeting of the City Council of the City of Fort Atkinson held on February 20, 2007.

The purpose of the meeting was to consider adopting the terms and conditions of the Agreement for the Establishment and Operation of the Rock River TMDL Group.

Upon motion duly made and seconded, the following Resolution was unanimously passed by all members of the City Council of the City of Fort Atkinson, to-wit:

BE IT RESOLVED That the terms and conditions of the Agreement for the Establishment and Operation of the Rock River TMDL Group, attached hereto, are adopted pursuant to Wis. Stat., 66.0301.

The Wastewater Superintendent stated the City Utility wants to keep an eye on the EPA and DNR while they develop the Total Maximum Daily Load for Phosphorus and sediment in the Rock River, because the end result could have a significant effect on the Utility.

The group will hire legal and consulting services with expertise in the area to assist with the overall process. The maximum participation cost is \$5,000 and it is expected to cost the City of Fort Atkinson Wastewater Utility \$3,000 to \$5,000 per year. The Wastewater Superintendent concluded by stating the importance of being involved in the establishment of a reasonable and attainable limit for the City.

Cm. Zastrow, seconded by Cwmn. Behrens, moved to approve and adopt the agreement and resolution for the establishment and operation of the Rock River Total Maximum Daily Load (TDML) Group. On call of the roll, the motion carried unanimously.

10. MISCELLANEOUS

a. GRANTING OPERATOR LICENSES.

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

PROVISIONAL:	Tiffani J. Perske	for use at	Wizard's
REGULARS:	Carolyn A. Eichenberg	“	“
	Philip K. Friend	“	“
			Stop N Go Velvet Lips Lounge

Dorene L. Morgan	“	“	Tavern
Nathaniel A. Pfeifer	“	“	Kwik Trip
			Rock River
			Lanes
Joseph A. VanGalder	“	“	Pizza Hut

The motion carried on a voice vote.

- b. **MOVE INTO CLOSED SESSION AFTER COUNCIL MEETING PURSUANT TO SECTION 19.85(1)(E), WISCONSIN STATUTES, TO DISCUSS LAND ACQUISITION.**

Cm. Mielke, seconded by Cm. Zastrow, moved to go into closed session after the Council meeting pursuant to Section 19.85(1)(e), Wisconsin Statutes, to discuss land acquisitions. The carried on a voice vote.

- c. **REPORT ON TAX ROLL COLLECTION AND DELINQUENT PERSONAL PROPERTY TAXES.**

The City Clerk/Treasurer reviewed the 2006 Tax Roll, tax collections, postponed payments and delinquent payments and requested a motion from the City Council to submit the remaining delinquent personal property tax bills to the City Attorney for collection.

Cm. Zastrow, seconded by Cwmn. Behrens, moved to accept and file the tax roll collection report and to refer the delinquent personal property taxes list to the City Attorney for collection. 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 \$5,651,665.15 for the City (Fund 1), \$13,058.60 for the Sewer Utility (Fund 2); \$23,049.31 for the Water Utility (Fund 3); \$388,117.85 for Debt Service (Fund 4); \$55,570.00 for the Klement Business Park (Fund 12); \$193,649.38 for Downtown Economic Development (Fund 13); \$92,016.48 for Sewer Utility Debt Service; \$149,640.08 for Water Utility Debt Service; and \$119,210.62 for Payroll #3 as per Schedule N-40 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

Cwmn. Behrens, seconded by Cm. Tesmer, moved to adjourn the February 20, 2007 regular City of Fort Atkinson Council meeting at 7:59 p.m. The motion carried on a voice vote.

/s/ Matt Trebatoski
City Clerk/Treasurer