

**CITY COUNCIL MINUTES
FORT ATKINSON, WISCONSIN
FEBRUARY 21, 2008**

1. CALL MEETING TO ORDER

A regular meeting of the City Council was called to order by President Pro Tem Tesmer 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
Jim Simdon
Steve Tesmer
Mark Zastrow

John Mielke was excused.

Also present were the City Manager, City Engineer, City Attorney, City Clerk/Treasurer, Park & Recreation Director and Wastewater Utility Supervisor.

3. APPROVAL OF MINUTES OF FEBRUARY 5, 2008 REGULAR COUNCIL MEETING

Cm. Zastrow, seconded by Cm. Simdon, moved to approve the minutes the February 5, 2008 regular Council meeting. The motion carried on a voice vote.

4. PUBLIC HEARINGS

None.

5. PETITIONS, REQUESTS AND COMMUNICATIONS

None.

6. RESOLUTIONS AND ORDINANCES

None.

7. REPORTS OF OFFICERS, BOARDS AND COMMITTEES

Cwmn. Behrens, seconded by Cm. Zastrow, moved to accept and file the minutes of the Dwight Foster Public Library Board meeting held January 7, 2008; the Electrical,

Building and Plumbing Permit reports for January, 2008; the minutes of the Historic Preservation Commission meeting held February 2, 2008; the minutes of the Parks & Recreation Advisory Board meeting held February 11, 2008; and the minutes of the Planning Commission meeting held February 12, 2008. The motion carried on a voice vote.

8. UNFINISHED BUSINESS

- a. RECOMMENDATION FROM PARKS & RECREATION ADVISORY BOARD TO GET APPRAISAL AND TO SELL A PARCEL OF LAND NEAR ENDL PARK TO THE OWNER OF BEAUTIFUL BEGINNINGS DAYCARE TO FACILITATE AN EXPANSION.

The City Manager stated the City had an inquiry from the daycare as they wish to expand and would like to purchase this piece of property. It is a small piece of property the City maintains and would probably be better off not maintaining. The property won't be much of a park use because it is separated from Endl Park by Gerald Court.

Cm. Simdon asked if this was a build-able lot and if the City would be offering it for sale to the general public? For now the City will just be getting an appraisal and then see what to do from there.

Cm. Simdon, seconded by Cm. Zastrow, moved to authorize an appraisal be done on the parcel of land near Endl Park. The motion carried on a voice vote.

- b. RECOMMENDATION FROM PARKS & RECREATION ADVISORY BOARD THAT FISHING ALONG THE RIVERWALK ONLY BE ALLOWED FROM THE PEDESTRIAN BRIDGE WEST/SOUTH TO THE ROBERT STREET BRIDGE.

The City Manager stated the Parks & Recreation Advisory Board has had this item on a couple of agendas and have talked about it and have made a recommendation to the City Council. Based on that recommendation he would expect there would be some general public input needed before final action is taken. A public hearing should be set for the next Council meeting of March 4th and an ordinance drafted by the City Attorney to accommodate the recommendation. The first reading of the ordinance would be March 4th and the second and third readings and potential adoption would take place at the March 18th Council meeting.

The Parks & Recreation Director stated this topic has been discussed at three meetings in about seven months. When the Riverwalk was first developed the City Council at that time made a decision not to allow bikes, skateboards or rollerblades on the Riverwalk, which he assumes was to allow people to safely walk.

Now that three phases are completed there is greater utilization of the Riverwalk and also more people fishing and staying for an extended period of time. There are many places on the first two phases of the trail where it is very narrow and only about 6ft. wide or less and when someone decides to fish there for a day or an hour it makes it very difficult to get through. On the third phase, there is park land and the City was able to provide a wider 15ft. buffer of grass between the river and the walking path, which provides plenty of room to fish and allow people to safely pass.

Over time the City has noticed there is an issue and that it is difficult to pass and walk safely along the Riverwalk while others are fishing for a great deal of time, so that is where the Board was forced to make a tough decision. The Board reluctantly believes this is the best decision. The Board understands that fishing is very popular in our area, but also feels there is a good area for us to still fish on the west side of the river and there are still some areas as well on the east side of the river.

Cm. Zastrow, seconded by Cwmn. Behrens, moved to set a public hearing for March 4, 2008 and to authorize the City Attorney to prepare an Ordinance regarding fishing along the Riverwalk. The motion carried on a voice vote.

- c. RECOMMENDATION FROM PLANNING COMMISSION TO APPROVE PRELIMINARY CERTIFIED SURVEY MAP CREATING ONE NEW LOT ON C.T.H. J (EXTRA-TERRITORIAL).

Cm. Zastrow, seconded by Cwmn. Behrens, moved to approve the Preliminary Certified Survey Map creating one new lot on C.T.H. J (extra-territorial). The motion carried on a voice vote.

9. NEW BUSINESS

- a. REVIEW AND APPROVE QUOTE FOR USED TRUCK BOX FOR WASTEWATER UTILITY AS BUDGETED.

The City Manager stated \$18,000 was budgeted for this replacement dump box and after searching quite a few places to find one, they finally located a closeout priced, new box for \$16,250, however it does not include a liner to prevent corrosion similar to what happened to the previous dump box. The additional cost for a liner is \$3,837, bringing the total to \$20,087. The additional \$2,087 will be covered by the Utility's truck maintenance account.

Cm. Simdon, seconded by Cm. Zastrow, moved to approve the purchase of a new truck box and liner from Stainless & Repair, Inc. of Marshfield in an amount not to exceed \$20,087, \$18,000 of which has been budgeted and the remaining \$2,087 to be credited to the truck maintenance account. On call of the roll, the motion carried unanimously.

10. MISCELLANEOUS

a. REPORT ON TAX ROLL COLLECTION AND ASSESSING ERROR ON AIRPORT HANGARS.

The City Clerk/Treasurer reviewed the tax collection report, delinquent personal property taxes to be referred to the City Attorney for collection and the Airport hangars assessment error.

Cm. Simdon, seconded by Cm. Zastrow, moved to accept and file the Tax Roll Collection report. The motion carried on a voice vote.

Cwmn. Behrens, seconded by Cm. Simdon, moved to refer the list of delinquent personal property taxes to the City Attorney for collection. The motion carried on a voice vote.

Cm. Zastrow, seconded by Cwmn. Behrens, moved to authorize the charging back of taxes to the other four taxing jurisdictions and to appropriate \$2,200 from the general fund to cover the City's share. On call of the roll, the motion carried unanimously.

b. GRANTING OPERATOR LICENSES.

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

PROVISIONAL:	Tracy L. Mathys-Revels	for use at	Stop-N-Go
	Joshua J. Wampfler	“ “	Stop-N-Go
REGULAR:	Christine H. Crawhorn	“ “	Lennigan's
	Lisa J. Culbert	“ “	Kwik Trip
	Renee M. Eichmiller	“ “	Jansen's Banquet
	Rebecca L. Heins	“ “	Kwik Trip
	Ryan L. Johnson	“ “	Kwik Trip
	Alissa M. Riedl	“ “	Kwik Trip
	Michelle M. Wales-Garant	“ “	General's Baseball
	Fred R. Walling	“ “	Central Coast
	Sandra A. Walling	“ “	Central Coast

The motion carried on a voice vote.

c. SET PUBLIC WORKS COMMITTEE MEETING DATE.

The Council set a Public Works Committee meeting for February 25, 2008 at 4:00 p.m.

d. CITY, SEWER AND WATER FINANCIAL STATEMENTS AS OF JANUARY 31, 2008.

The City Manager stated with this being January there isn't a whole lot of activity unless you look at the snow and ice control account, but for the most part we have the new budget setup for 2008 and appropriations and non-lapsed accounts have been carried forward. A couple of larger State aid payments for transportation have come in, but otherwise not a whole lot happens in January besides tax collection. At this time of the year expenses should be at about 8% and the City is currently in the 5-8% range.

It's still pretty early to tell where we're at, but based on some of the overtime we've had in the snow and ice control account, by the time the first part of winter for this year is over, we'll pretty much have expended the budget we had for the whole year in that area. The City has struggled to obtain salt for the streets and subsequently our streets are in very poor condition at this time. The weather really beat us up this year and we couldn't recover from it once the traffic drove over and packed down all of the snow and ice and without salt we just couldn't keep up.

Cm. Simdon, seconded by Cm. Zastrow, moved to accept and file the City, Sewer and Water Financial Statements as of January 31, 2008.

e. CLAIM FOR DAMAGES SUBMITTED BY MARK AND BARBARA MCGLYNN FOR SEWER BLOCKAGE.

The City Manager stated the City has received a claim from the McGlynn's, they had the unfortunate experience of a sewer backup and some damage in their basement, which amounted to \$3,365. The City's insurance carrier indicated the City was not negligent in this case and the McGlynn's subsequently filed a claim with the City. The Council needs to officially deny the claim and the insurance carrier will defend the City in small claims court.

Cwmn. Behrens, seconded by Cm. Zastrow, moved to disallow the claim and refer it to the insurance carrier. The motion carried on a voice vote.

11. CLAIMS, APPROPRIATIONS AND CONTRACT PAYMENTS

a. VERIFIED CLAIMS.

Cm. Simdon, seconded by Cm. Zastrow, moved the bills in the amounts of \$5,212,475.32 for the City (Fund 1); \$24,506.85 for the Sewer Utility (Fund 2); \$42,155.45 for the Water Utility (Fund 3); \$394,833.12 for Debt Service (Fund 4); \$112,063.00 for the Business Park (Fund 12); \$196,961.88 for Downtown Economic Development (Fund 13); \$155,000.05 for Sewer Utility Debt Service; \$192,806.83 for Water Utility Debt Service; and \$126,007.96 for Payroll 3 as per Schedule N-64 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. Simdon, moved to adjourn the February 21, 2008 regular City of Fort Atkinson Council meeting at 7:35 p.m. The motion carried on a voice vote.

/s/ Matt Trebatoski
City Clerk/Treasurer