

**CITY COUNCIL MINUTES  
FORT ATKINSON, WISCONSIN  
June 1, 2010**

1. CALL MEETING TO ORDER

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

2. ROLL CALL

On call of the roll, members present were:

Bill Camplin  
Davin Lescohier  
John Mielke  
Dick Schultz  
Loren Gray

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

3. APPROVAL OF MINUTES OF MAY 18, 2010 REGULAR COUNCIL MEETING

The minutes of the May 18, 2010 regular Council meeting were approved by consent.

4. PUBLIC HEARINGS

a. PUBLIC HEARING ON LIQUOR LICENSE APPLICATIONS FOR PERIOD FROM JULY 1, 2010 THROUGH JUNE 30, 2011.

Pres. Gray opened the public hearing on the Combination "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor Licenses, Class "B" Fermented Malt Beverage Licenses, "Class A" Intoxicating Liquor Licenses, Class "A" Fermented Malt Beverage Licenses and "Class C" Wine Licenses, 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, Pres. Gray closed the public hearing.

5. PETITIONS, REQUESTS AND COMMUNICATIONS

a. PRESENTATION OF CERTIFICATES OF APPRECIATION.

Pres. Gray said that on behalf of City staff, Council members and the community at large, we appreciate all the volunteer work put in by the people who serve on the various City committees. He presented the following certificates:

<u>NAME</u>	<u>BOARD/COMMITTEE</u>	<u>YEARS SERVED</u>
Mark Zastrow	City Council	2000-2010
Larry Whitmore	Board of Electrical Examiners	2000-2010
Sally Koehler	Historical Society Board	2004-2010
Bonnie Babcock	Historical Society Board	2004-2010
Helen Rose	Public Library Board	2001-2010
Dennis Rybickie	Planning Commission	2001-2010
Robert Stray	Police & Fire Commission	1996-2010
Helmut Ajango	Board of Zoning Appeals	2000-2010

b. REQUEST FOR AGENT CHANGE FOR LIQUOR LICENSE FOR AURORA SUPERMERCADO, INC. #2 AT 809 SOUTH MAIN STREET.

The City Clerk said the application has been reviewed and approved by the Police Department.

Cm. Schultz, seconded by Cm. Camplin, moved to approve the request by Aurora Supermercado, Inc. #2 for an agent change for their liquor license. The motion carried on a voice vote.

c. REQUEST BY ABILITIES, INC. TO WAIVE 2,500-FOOT SEPARATION AND 1% OF POPULATION REQUIREMENTS FOR AN ADULT FAMILY HOME TO BE LOCATED AT 1442/1444 ENDL BOULEVARD.

The Planning Commission approved a conditional use for this adult family home at their meeting of May 25, 2010.

Cm. Camplin, seconded by Cm. Lescohier, moved to approve the request by Abilities, Inc. to waive the 2,500-foot separation and 1% of population requirements for an adult family home to be located at 1442/1444 Endl Boulevard contingent on the proper State licensure. The motion carried on a voice vote.

6. RESOLUTIONS AND ORDINANCES

a. ORDINANCE AMENDING ZONING CODE REGARDING ZERO LOT LINE DESIGNATIONS.

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

## **ORDINANCE NO. 696**

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

That Chapter 15, ZONING CODE, Article 15-3, REVIEW AND DECISION MAKING BODIES, Section 15.3.4, BUILDING INSPECTOR/ZONING ADMINISTRATOR, B., Power of the Building Inspector, be amended to include the following:

“6. No certified survey maps purporting to create lots to accommodate zero lot line dwellings on existing lots may be recorded unless the Zoning Administrator first determines that the lots are zoned R-2 or R-3, the necessary conditional use has been obtained, and the lots conform to the minimum zoning standards set in Sections 15.6.9 or 15.6.10 of this Code. All maps must properly show existing easements, dedications and restrictions.”

That Chapter 15, ZONING CODE, Article 15-5, GENERAL PROVISIONS, Section 15.5.11, EXCEPTIONS AND MODIFICATIONS, G., Exceptions to Yard Requirements, 1. a., be repealed and replaced with the following:

“a. Attached single and multi-family dwellings.”

That Chapter 15, ZONING CODE, Article 15-6, DISTRICT REGULATIONS, Section 15.6.9, R-2 TWO-FAMILY RESIDENTIAL DISTRICT, C., Conditional Uses, be amended to include the following:

“13. Attached single family dwelling.”

That Chapter 15, ZONING CODE, Article 15-6, DISTRICT REGULATIONS, Section 15.6.9, R-2 TWO-FAMILY RESIDENTIAL DISTRICT, F., Setbacks, Size & Height Restrictions – Principal Building, “Minimum side yard setback” be amended to include the following:

“Minimum side yard setback – zero (o) where zero lot line granted”.

That Chapter 15, ZONING CODE, Article 15-6, DISTRICT REGULATIONS, Section 15.6.10, R-3 MULTI-FAMILY RESIDENTIAL AND OFFICE DISTRICT, C., Conditional Uses, be amended to include the following:

“19. Attached single family dwelling.”

“20. Attached multi-family dwelling”

That Chapter 15, ZONING CODE, Article 15-6, DISTRICT REGULATIONS, Section 15.6.10, R-3 MULTI-FAMILY RESIDENTIAL AND OFFICE DISTRICT, F., Setbacks, Size & Height Restrictions – Principal Building”, “Minimum side yard setback” be amended to include the following:

“Minimum side yard setback – zero (0) where zero lot line granted.”

That Chapter 15, ZONING CODE, Article 15-13, DIMENSIONS TABLE, Residential, R-2 and R-3 columns, Principal Building Regulations, Minimum Side Yard Setback sections, add an “\*” at each entry and add the following footnote at the bottom of the page:

“\* Zero side yard setbacks allowed only where zero lot line approval is obtained.”

That Chapter 15, ZONING CODE, Article 15-14, DEFINITIONS, A, be amended to include the following:

“Attached Single Family Dwelling – A building designed, arranged and used for occupancy of two families living independently and separated by the required fire separation and a zero setback lot line.”

“Attached Multi-Family Dwelling (Row House) – A building designed, arranged and used for occupancy of three or more families, living independently and separated by the required fire separation, a zero setback lot line and not more than one dwelling unit deep and one dwelling unit high.”

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.

This matter was reviewed with the Zoning Administrator at the last Council meeting.

Cm. Camplin, seconded by Cm. Schultz, moved to suspend the rules and move the Ordinance through its second and third readings. On call of the roll, the motion carried unanimously.

Cm. Schultz, seconded by Cm. Mielke, moved to adopt the Ordinance amending the Zoning Code regarding zero lot line designations. On call of the roll, the motion carried unanimously.

## 7. REPORTS OF OFFICERS, BOARDS AND COMMITTEES

Cm. Mielke, seconded by Cm. Camplin, moved to accept and file the minutes of the Historical Society Board meeting held April 15, 2010; the minutes of the Tourism Committee meeting held May 13, 2010; the minutes of the License Committee meeting held May 17, 2010; and the minutes of the Planning Commission meeting held May 25, 2010. The motion carried on a voice vote.

8. UNFINISHED BUSINESS

- a. RECOMMENDATION FROM LICENSE COMMITTEE TO APPROVE LIQUOR LICENSE APPLICATIONS FOR PERIOD FROM JULY 1, 2010 THROUGH JUNE 30, 2011.

The City Clerk indicated there were three establishments that requested premise description changes, which included Capn's Steakhouse & Saloon, Lennigan's Italian Grill & Bar, and Paddy Coughlin's Irish Pub. The License Committee did recommend approval. The Clerk noted that Capn's is subject to meeting parking requirements.

Cm. Mielke, seconded by Cm. Lescohier, moved to accept the recommendation from the License Committee to approve the liquor license applications for the period from July 1, 2010 to June 30, 2011 and to approve the three premise description changes as recommended. The motion carried on a voice vote.

- b. RECOMMENDATION FROM LICENSE COMMITTEE TO APPROVE ARCADE LICENSE APPLICATION FOR PERIOD FROM JULY 1, 2010 THROUGH JUNE 30, 2011.

The City Clerk indicated there was one application made for an arcade license and it is the same applicant as previous years, which is Rock River Lanes at 1010 Larsen Road. There have been no issues with the license.

This type of license only applies to establishments with ten or more amusement devices.

Cm. Schultz, seconded by Cm. Camplin, moved to approve the Arcade License application for the period from July 1, 2010 through June 30, 2011. The motion carried on a voice vote.

- c. RECOMMENDATION FROM LICENSE COMMITTEE TO APPROVE TAVERN DANCE HALL LICENSE APPLICATIONS FOR PERIOD FROM JULY 1, 2010 THROUGH JUNE 30, 2011.

The City Clerk said there are 12 applications, all being the same as last year and all recommended for approval.

Cm. Lescohier, seconded by Cm. Camplin, moved to approve the Tavern Dance Hall License applications for the period from July 1, 2010 through June 30, 2011. The motion carried on a voice vote.

d. REQUEST FOR ADDITIONAL FUNDS FOR WELL NO. 6 UPDATE PROJECT.

The City Manager said one of the main reasons for this overage is the prevailing wage determination that went into effect in January of 2010.

Mark Therou of Water Well Solutions reviewed the project with the Council. They found a lot of sediment in the well when they started the project, which needed to be bailed out and was a time consuming process. There were also ledges in the well that made it hard to move the pump up and down.

Pres. Gray asked how much of the increase in the project was due to labor costs. Mr. Therou estimated half of the job was labor and half was equipment. The Water Utility Supervisor said Water Well Solutions had to pay their employees an additional \$12.00/hour due to the prevailing wage determination.

Cm. Lescohier, seconded by Cm. Camplin, moved to approve the request for additional funds of \$8,582.75 for Water Well Solutions for the Well No. 6 update project. On call of the roll, the motion carried unanimously.

9. NEW BUSINESS

a. REVIEW AND APPROVE SIMPLIFIED RATE CASE APPLICATION FOR WATER UTILITY RATE INCREASE TO BE SUBMITTED TO THE PUBLIC SERVICE COMMISSION.

The City Manager indicated the last water rate increase was in 2006-2007. A simplified rate case is available to municipalities where you can apply for a 3% rate increase, which needs to be done under the following guidelines:

1. Notice of the increase must be published at least 45 days prior to implementing new rates.
2. The Application cannot be more than five (5) years since our last full rate case, which was 2006.
3. Utilities are only offered one Simplified Rate Case Application between full rate cases.
4. Current rates must be in place for at least 12 months.

The 3% rate increase would result in approximately \$46,000 annually to cover utility costs. The City Manager estimated the City would be in line for a full rate case in 2013 to 2015. He said the last major rate increase was around 40%.

Cm. Lescohier, seconded by Cm. Schultz, moved to approve submittal of the Simplified Rate Case Application to the Public Service Commission calling for a rate increase of 3%, a rate of return of 4.1%, and an effective date for new rates to be September 1, 2010. On call of the roll, the motion carried unanimously.

b. **REPORT ON INVESTIGATION BY DEPARTMENT OF NATURAL RESOURCES OF THE CITY'S PUBLIC WATER SUPPLY.**

The City Manager stated this is an annual report. There are just three recommendations in the report:

1. All water mains are not at least 6-inches in diameter.
2. An adequate wellhead protection program has not been designed and implemented including a water conservation plan.
3. A set of pictures of the well houses could be beneficial for emergency personnel.

The Water Utility Supervisor's responses to these recommendations are as follows:

1. There are no current plans for elimination of any undersized water main. The Utility has budgeted \$385,000 over the next six years for the replacement of water main with a high incidence of breaks. Unfortunately these are all six inches or greater and are from the 1950s.
2. The Utility has budgeted for one well head protection plan in 2015. There are no plans for a water conservation plan at this time. It is anticipated that a plan will be included in the next rate case.
3. Pictures were intentionally left out when the plan was developed due to concerns with security. This has been discussed with the Fire Chief and he feels there is no need to include them in the plan.

Cm. Mielke, seconded by Cm. Camplin, moved to accept and file the investigation report from the Department of Natural Resources on the City's public water supply. The motion carried on a voice vote.

c. **CONSIDERATION OF A PUBLIC OPEN COMMENT SESSION OF 15 MINUTES PRIOR TO EACH REGULARLY SCHEDULED FORT ATKINSON CITY COUNCIL MEETING.**

Pres. Gray said he requested this issue be put on the agenda. He feels that any way we can improve participation and include more people's participation in City government is an opportunity we don't want to miss. He said participation is what makes it all work. He thinks that the opportunity of a public comment time would be good for people to express what is on their mind. He said it would be a regular part of the Council meeting and would probably become agenda item number three, and would be 15 minutes at a maximum. It would be like a public hearing in a sense, wherein if there is no one at the meeting, we would just end it and move on.

He would suggest that it would be reviewed after six months to see how successful or unsuccessful it has been. He might consider something like a sign up sheet for people when they come to the meeting, so we know the order when

they sign in. This has been discussed before, but he feels it is time to decide if we really want to do it or not.

Cm. Schultz, seconded by Cm. Camplin, moved that the Fort Atkinson City Council establish a “Public Comments” session prior to the “Public Hearings” section of each regularly scheduled City Council meeting. This session would continue only as long as there are citizens wishing to speak for up to three minutes each, not to exceed 15 minutes total, unless extended by a majority of the members of the City Council. The President of the Council will have the authority to determine if the speaker is addressing issues germane to City business.

Cm. Schultz said he has supported this from the beginning. He has since had the opportunity to talk to the Jefferson County Corporation Counsel because the Jefferson County Board has this type of session before each meeting. One of the concerns is that as a Council, we have to just be quiet and listen and then move on. He has been advised this is not correct, we can in fact ask questions and we can refer something to a committee. We can't take any decisive action because it is not an agenda item.

He thinks anything that opens the process up to more people and makes people feel like they can come to us with their concerns is a good thing. A couple of things in the motion, and the reason that he included them in there, is the session would continue only as long as there are citizens wishing to speak, and for up to three minutes each. We don't want to sit there for 15 minutes with no one speaking. He did include a recommendation in the motion that would allow a majority of the Council to extend the time by five or ten minutes, or whatever was needed to get through everybody. That would be if the majority of the Council agrees with it. His motion also included the President having the authority to rule someone out of order and require that any issues that are brought up be germane to City business.

The City Attorney said he had also talked to the County Corporation Counsel because he knew they had a provision at their level. He reiterated what Cm. Schultz said in that it is okay to listen; it is okay to ask questions; it is okay to refer; but it is not okay to take any action without it being on the agenda. This item would need an ordinance, because right now in Chapter 2 our agenda has been established by a charter ordinance, so that would have to be changed.

Cm. Lescohier asked if this is something the Ordinance Committee should address.

Cm. Mielke said that the Ordinance Committee should take a look at it and consider all the nuances of the policy, because there are many. He said it is clear that the recent changes in the open meetings law allows for a public comment section on an agenda. They have made changes specifically for that. He thinks there is no doubt that it conforms with the letter of the open meetings law. He

questions if this conforms with the intent of the open meetings law. He certainly has had the experience of sitting through a public hearing when someone is presenting and they are asking questions, and in polite society when someone asks a question, they expect a response. You feel necessary to respond and you want to engage in that dialogue, but often times it is difficult to do so, even if the context is a public hearing.

He gets that it is about increasing public input, and that is a good thing. He said his track record shows that he certainly favors more debate over less. Just compare in contrast the public input that we have now, in that people can call you anytime. You run into them at the grocery store and you see them at community events, in fact the other day his wife sent him an email from her work and said a bank customer had stopped in and wanted to talk to him, so when he got home from work he called that person. You can engage in a dialogue with that person, you can ask questions, you can have comments back and forth and you can conduct research and come back with a well-considered answer. That kind of experience is satisfying for the citizens; it certainly is for him. He said that is the kind of input he likes and we should encourage.

Cm. Mielke stated he is not necessarily opposed to the idea, but we need to be sure that we understand its limitations. We will likely have to have a sign up sheet or a forum of some sort. Speakers would have to come to the podium and speak on the record and be recorded. Some might like that, but others might not. They would be limited in some way to the topics to which they could speak, whether it were things on the agenda or their comments would certainly be subject to the discretion of the chair. They would be somewhat curtailed in where they could go with it. They would be limited to just a few minutes each. It probably wouldn't be this back and forth open dialogue that you have outside of a published meeting and agenda.

Let's understand that while the public comment section of the agenda is a way to increase public input, we need to look at the kind of public input we are likely to get there. We need to make sure we are not setting it up to be something it isn't going to be. It isn't going to be that quality dialogue that we all rely on in order to make decisions. He said we run the risk at times of frustrating people who come and want to speak for more than three minutes, or disagree with the chair in terms of their interpretation of the topic, or weren't one of the people who got in the 15 minute timeframe and who wanted to engage in the dialogue and couldn't.

Cm. Mielke said he can think back to times when friends or neighbors came and kind of walked away shaking their heads saying "these guys just sat there and looked at me." That is not a comfortable feeling for anyone. He stated my comments aren't necessarily in opposition to the idea, but we shouldn't make it out to be something that it isn't going to be. People will say that this will augment the public comment that we get otherwise. He said that is true to a degree. It has the opportunity to augment the public comment that we get when

we are in the community or talking to people on the phone, but it also has the potential to leave some people who don't understand the very narrow box that they are going to be in and that they may walk away feeling very frustrated. This should be adopted carefully and then the challenge will be that every speaker that comes is going to understand the constraints that they and the Council are under.

Right now, the chair can pause and often does to recognize people in the audience who clearly have a topic to speak on, and that is a good practice that has served us well. One of the things that City government does is the way that we affect policy and the way that we implement our decisions are through ordinances. For example, tonight we had an ordinance for which the Council voted to suspend the rules and move it through its second and third readings, which is done with some regularity. He stated he is not sure this is a good practice. The first and second readings are designed to give the public an opportunity to hear about the ordinance, to read about the ordinance and to contact the Council with questions and concerns about the ordinance. So in terms of allowing for public input in the process, there may be other more effective methods.

Cm. Schultz said regarding the "public input toolbox", this isn't the only tool in the box. It is one that if someone feels strong enough that they want to come and appear before the entire City Council, they should be able to do that. He doesn't think they are in that narrow of a box. What this is intended to do is if it is an issue that is germane to City business, it is a narrow box in that area. If it has to do with City business, this is one more step in opening the government up to people. He doesn't want to blow this out beyond what it really is. It is not a panacea, it's probably not the most important tool in the toolbox, it is just one tool in the toolbox.

It is not going to be quality dialogue, but it doesn't necessarily have to be, because we are not making any decisions the night that they appear. We can't make any decisions under the open meetings law. All we are doing is hearing them out. If we need to refer it to a committee, we can do that, and then the serious discussion starts. They would use this tool to be given that discussion, it is only the beginning. It would make the community feel like they have a little bit more input in their City government. This is not a panacea, this is not the whole tool box, this is just one more tool. It may not be the most important tool, but if you don't know any of the five members of the Council and you feel really strongly about something, so strongly that you want to come up and stand at the podium and say "here is what problem I have", he doesn't know why as a Council we would be afraid of that. We do not have to just sit and stare, we can interact some as long as no decisions are being made.

Cm. Camplin said it would always allow people to know when and where they can make comments. There would be a six-month period in which it can be revisited, which he considers a sort of experiment. You don't know how it is going to turn out unless you do the experiment. If there are questions that we

need to respond to, he could see himself asking the City Attorney to see if it is appropriate, or to get a warning or caveat. We will have to depend on the City Attorney more than we do now. We don't know how it is going to work out. In six months we will have a track record of sorts and we can revisit it. People may come and get frustrated, but there are people that don't come at all and are frustrated. It could be a relief valve in some occasions for some people, and may be able to get them involved in some way with the process of how the City runs. It has some potential.

Pres. Gray asked the City Manager if we were to refer this to the Ordinance Committee, what would the ordinance likely include in regard to this subject. The City Manager said that in the ordinance at this time, it lists the agenda items. It lists just the way the agenda is set up. Pres. Gray then said the ordinance itself would be a change to the agenda, but would not be any more defined than that. He said we would insert an agenda item and call it "public information session" and that is all the detail that would entail. The City Manager indicated that was correct. Pres. Gray said that they would flesh out what the Council decides what that means. The City Manager said there needs to be some type of policy formed. Pres. Gray asked if the Ordinance Committee would decide anything more than how the agenda should read. The City Manager said they could decide the rules.

Cm. Schultz asked if this was put under public hearings, would it need to be an ordinance change. The City Manager said it would not go under public hearings. He said a public hearing is specific to an item. Pres. Gray asked if this is proposed for a six-month trial period, would it still be reasonable to create an ordinance to change the agenda for that six-months. The City Manager said if it is in the ordinance, we need to have it. Another ordinance would have to be brought back to delete it, but the likelihood of doing that would be pretty nil.

Cm. Mielke said his previous comments were not in opposition to the idea per se. He wants to caution as we look to adopt this, it may be small, but is an important distinction. He said under the scheme that Cm. Schultz is suggesting that people could come and speak to any City issue that was on their mind at the discretion of the chair, if someone comes and wants to talk about extending the riverwalk down past East Milwaukee for example, another person might want to know about that in advance so he could come and also hear what that person had to say and have an opportunity to offer comments either in support or opposition of that particular proposition. That is the purpose of an agenda item, a notice and a meeting. That is the forum in which you do those things to give everyone an opportunity to see what the Council is going to be discussing that night.

Cm. Mielke stated if we move down this route, he would be more supportive of a public comment period addressing issues that appear on the agenda for the evening. It doesn't give people an opportunity on both sides to be engaged in a debate, and it doesn't give an opportunity to the Council members to be prepared.

Pres. Gray said the Council doesn't need to be in a position to defend or support active actions that we may or may not have taken in the past, which is one of the things that is being said. Pres. Gray said if it is limited to agenda items, you limit the ability of the Council to find out what issues there are out there, because it may never get to be an agenda item.

Cm. Mielke said all he is suggesting is if and when we adopt this, the Ordinance Committee should look at it and consider these and other concerns. He has a publication from the Wisconsin League of Municipalities that identified some concerns and draft rules for public comment for municipalities from around the State and country. Some of them are very good suggestions we might want to look at. He said people who come to speak that night need a clear understanding about what the boundaries are, if any, and the Council members need to understand what they are as well.

Cm. Lescohier said he would be more comfortable knowing what the boundaries are going to be before we decide if this is a good idea or a bad idea. He said he feels the Council is all for encouraging constructive public participation in our meetings. He questions what the expectation of those who requested this in the past has been. Do they want an open microphone situation or do they want a two-way dialogue. If it is the two-way dialogue and they want real meaningful dialogue going on, can we do it in a couple of minutes and can we do it off the cuff without knowing what someone may be coming in and talking about.

Pres. Gray said this is why we would do this as a trial and reexamine it after six months. You can learn a lot in six months. We simply don't know because we have never done it.

Cm. Mielke said as a practical matter, if you adopt an ordinance that allows for public comments with the idea that you are going to repeal that ordinance, he doesn't see that happening. He would suggest a much more effective tool would be on Tuesday nights before the Council meetings, starting at 6:00 p.m., the Council all come and be available to talk to constituents. Not in the confines of a structured setting where you can't do this or you can't talk about that, but in an open dialogue where you can talk. The point is, if you want public input, and we all do, that is a much more effective method.

Cm. Schultz said this is being blown way out of proportion. The purpose of this is not to get in an in-depth dialogue on any issue for two or three minutes. That is not part of it. It gives the citizenry an opportunity to come and present an idea. It is when we refer that idea to a committee that we begin a more in-depth look at it. The intention is not to enter into some big dialogue to hash an issue out, it is to give the citizens of this community the opportunity to come to us and say they have an idea or they have a problem or an observation. It is not to resolve the problem. They have to realize that they cannot make their whole case in two to three minutes, but it makes us aware and gives them the opportunity to come here

and do that and we can refer it to a committee and that is when the real dialogue begins.

Cm. Lescohier said you could also argue that if someone is that committed to come to the meeting and present some issues to the Council, they are looking for more than two or three minutes. They are looking for a reply to what is on their mind. He said he can't stress enough that we are all for encouraging public participation in our meetings and there are a lot of other tools that we can implement to do that. He would like to explore all the opportunities and have some kind of public participation package stating the different things that can be done.

We could do something like Cm. Mielke suggested with having an office hours type meeting where people can come in and speak with Council members. It wouldn't have to be a weekly thing, it could be quarterly or twice a year. His point is that he feels it makes sense for this to go to the Ordinance Committee for setting the ground rules stating what we think it should be before we say yes or no.

Pres. Gray suggested if it goes to the Ordinance Committee, it be with the direction that they create an ordinance that allows for a public comment period, not that they examine all the different available types or ways that people can input information.

Pres. Mielke said he is not trying to blow this out of proportion, he knows having sat in the President's chair that when people come and feel passionate about something and they felt strong enough to come to the meeting, they want to share their passions and beliefs when they have the Council all in one room. Limiting that person to two or three minutes in subject matters deemed appropriate will be challenging for the chairperson.

Cm. Schultz said he likes the idea of a six-month trial, and chances are that at a large majority of the meetings no one will be there, but at least they have that opportunity. He then amended his motion to include: "The City Council establish a public comment section in the Petitions, Requests and Communications section of the agenda", and add to the end of the motion "to be a six-month trial."

Pres. Gray asked Cm. Schultz if he was suggesting that there is an appropriate place in the existing agenda, and that it would be in the "Petitions, Requests and Communications" section. The City Manager said it would not belong there and it should be the first item on the agenda.

The City Attorney said there could be a sunset provision on the ordinance indicating it would terminate on a specific date unless reinstated by the Council. He said the County has a separate agenda item for this public comment and he said Whitewater does as well.

Pres. Gray said there was a motion and second on the floor and we should take action on the motion that was originally presented by Cm. Schultz and seconded by Cm. Camplin. Cm. Schultz and Cm. Camplin withdrew their original motion.

Cm. Schultz, seconded by Cm. Lescohier, moved to refer this matter to the Ordinance Committee requesting preparation of a tentative ordinance covering a public comment session as part of the City Council agenda. On call of the roll, the motion carried unanimously.

10. MISCELLANEOUS

a. REQUEST TO SET CABLE TELEVISION COMMITTEE MEETING DATE.

The City Manager is requesting that the meeting be set for Monday, June 21, 2010 at 4:00 p.m. Cm. Mielke is the representative on the Cable Television Committee. It was agreed to set the meeting as requested. The issue to be discussed is community television.

b. GRANTING OPERATOR LICENSES.

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

Regular:

Mary R. Cervantes	Los Candiles Restaurant
Ashley B.J. Petri	Pizza Hut

The motion carried on a voice vote.

11. CLAIMS, APPROPRIATIONS AND CONTRACT PAYMENTS

Cm. Camplin, seconded by Cm. Mielke, moved the bills in the amounts of \$410,110.60 for the City (Fund 1); \$71,942.28 for the Sewer Utility (Fund 2); \$41,582.07 for the Water Utility (Fund 3); \$24.36 for Stormwater Management (Fund 10); and \$142,279.42 for Payrolls #10 and #10A per Schedule O-20 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. Schultz, seconded by Cm. Lescohier, moved to adjourn the June 1, 2010 regular City of Fort Atkinson Council meeting at 8:17 p.m. The motion carried on a voice vote.