

**CITY COUNCIL MINUTES
FORT ATKINSON, WISCONSIN
June 15, 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
Dick Schultz
Loren Gray

John Mielke was excused.

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

3. APPROVAL OF MINUTES OF JUNE 1, 2010 REGULAR COUNCIL MEETING

Cm. Schultz, seconded by Cm. Camplin, moved to approve the minutes of the June 1, 2010 regular Council meeting. The motion carried on a voice vote.

4. PUBLIC HEARINGS

None.

5. PETITIONS, REQUESTS AND COMMUNICATIONS

- a. REQUEST BY SCHOOL DISTRICT FOR WAIVER TO SEWER USE ORDINANCE ALLOWING INSTALLATION OF A HOLDING TANK ON THE HIGH SCHOOL PROPERTY.

The City Manager said the Booster Club is proposing to build restrooms and a concession stand by the athletic fields and there is no gravity sewer available that would feed that facility. They would be installing a 1,500-gallon holding tank. They will be hooking up to City water to service this facility.

Cm. Lescohier, seconded by Cm. Schultz, moved to approve the request by the School District for a waiver to the Sewer Use Ordinance allowing the installation of a holding tank on the High School Property. The motion carried on a voice vote.

b. **PETITION FOR DIRECT ANNEXATION OF 5.00 ACRES ON MEMORIAL DRIVE BY WELLINGTON MEADOWS.**

The City Manager said a PILOT Agreement will be entered into for this property, as it is a non-taxable unit. They will pay a portion of the City tax through the PILOT Agreement. They will be subject to sanitary sewer, water and stormwater fees. The Town of Koshkonong and State of Wisconsin have also received a copy of the Annexation Petition.

Cm. Schultz, seconded by Cm. Camplin, moved to refer the Petition for Direct Annexation of 5.00 acres on Memorial Drive by Wellington Meadows to the Planning Commission, and to set a public hearing on the Petition for the July 20, 2010 City Council meeting. The motion carried on a voice vote.

c. **REQUEST TO REZONE PARCEL AT NORTHEAST CORNER OF WEST MILWAUKEE AVENUE AND ROBERT STREET FROM C-3 TO C-5.**

The City Manager said the request is being made for the advantage of the C-5 zoning allowing zero lot line setbacks. There is a potential development that is requesting this rezoning.

Cm. Schultz, seconded by Cm. Camplin, moved to refer the request to rezone the parcel at the Northeast corner of West Milwaukee Avenue and Robert Street from C-3 to C-5 to the Planning Commission, and to set a public hearing on the request for the July 20, 2010 City Council meeting. The motion carried on a voice vote.

d. **REQUEST FOR VARIANCE TO HEIGHT LIMITATION ZONING ORDINANCE FOR PLACEMENT OF CRANES AND STRUCTURE IN CONJUNCTION WITH HIGHWAY 26 BYPASS PROJECT.**

The City Manager said as the project moves along, they are required to have an aeronautical study done to make sure it doesn't interfere with aviation. They have gotten a determination on no hazard from the Federal Aviation Administration. The following are the locations for which the variances are being requested:

<u>LOCATION</u>	<u>ALLOWED ELEVATION</u>	<u>PROPOSED ELEVATION</u>
Banker Road structure	986	888
Banker Road crane	986	1064
Hoard Road crane	986	1051
Hwy. 12 crane	986	1037
Hwy. 106 crane	Outside three-mile limit	989
Rock River crane	Outside three-mile limit	988

Pres. Gray asked if there is an expiration date for these variances. The City Engineer said there is a sunset clause with the variances, which is December of 2011.

Cm. Lescohier, seconded by Cm. Camplin, moved to approve the request for a variance to the Height Limitation Zoning Ordinance for placement of cranes and structure in conjunction with the Highway 26 Bypass Project. The motion carried on a voice vote.

6. RESOLUTIONS AND ORDINANCES

a. RESOLUTION COMBINING WARDS FOR THE SEPTEMBER 14, 2010 PARTISAN PRIMARY ELECTION.

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

RESOLUTION NO. 1173

BE IT RESOLVED by the City Council of the City of Fort Atkinson pursuant to Section 5.15(6)(d), Wisconsin Statutes, that the wards in the City of Fort Atkinson shall be combined as follows for the September 14, 2010 Partisan Primary:

WARDS 1 – 3
WARDS 4 – 6
WARDS 7 – 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.

Cm. Camplin, seconded by Cm. Lescohier, moved to adopt the Resolution combining Wards for the September 14, 2010 Partisan Primary Election. On call of the roll, the motion carried unanimously.

7. REPORTS OF OFFICERS, BOARDS AND COMMITTEES

Cm. Schultz, seconded by Cm. Camplin, moved to accept and file the Electrical, Building and Plumbing Permit Reports for May, 2010; the minutes of the Planning Commission meeting held June 8, 2010; the minutes of the Dwight Foster Public Library Board meeting held May 3, 2010; and the minutes of the Water Tower Committee meeting held June 2, 2010. The motion carried on a voice vote.

8. UNFINISHED BUSINESS

a. REVIEW AND APPROVE CHANGE ORDER FOR LIBRARY PROJECT.

The City Manager indicated this is the first Change Order for the Library Project. There is an \$819,000+ deduct on the project attributable to the City's direct purchases of materials.

The Library Director reviewed the individual change order items with the Council. The first item reviewed was the upgrade to the elevator to be installed. The next item was a change in the plumbing installation, which was required due to State Codes. The third item reviewed was various changes to the electrical layout and data relocations. The next item discussed was for additional areas of asbestos removal that needed to be completed. In addition, the stucco on the reframing, which was done during the 1983 project, was found to be rotting and pulling away from the walls and needed to be addressed. The next change discussed was for the over-excavation and fill needed to replace bad soils and for the removal of other items that were discovered in the ground. The last item on the Change Order was for the removal and replacement of damaged drywall and ceiling in the 1983 addition due to roof leaks. The total amount of Change Order No. 1 is \$88,875.57. The City Manager said the contingency fund for this project is \$330,000.

Cm. Schultz, seconded by Cm. Lescohier, moved to approve Change Order No. 1 for the Library project in the total amount of \$88,875.57 in additions, \$908,811.83 in deductions, of which \$863,897.80 will be transferred to the City. On call of the roll, the motion carried unanimously.

b. REVIEW AND APPROVE QUOTES FOR RADIO FREQUENCY IDENTIFICATION SYSTEM FOR LIBRARY PROJECT.

The Library Director said this system helps libraries with repetitive tasks. She said it will make things more efficient now that the building is larger and encompassing two floors. This allows many of the circulation functions to be automated, including self-check, which presorts book returns and helps track inventory. There was \$150,000 included in the budget for this purchase. There were two quotes received for this project, and were as follows:

3M Library System	\$163,000.00
SirsiDynix	\$128,455.37

The Library Director indicated the Library Board is also recommending a pre-paid maintenance contract for this system be awarded as well, at a total price from SirsiDynix of \$152,062.59, which would cover maintenance of the system for four years.

Cm. Schultz, seconded by Cm. Lescohier, moved to approve the quote for the radio frequency identification system for the Library from SirsiDynix in the amount of \$128,455.37, plus a three-year service agreement in the amount of \$23,607.22, for a total of \$152,062.59. On call of the roll, the motion carried unanimously.

9. NEW BUSINESS

- a. REVIEW AND APPROVE BIDS FOR LAB TKN TEST EQUIPMENT AT WASTEWATER UTILITY AS BUDGETED.

The Wastewater Utility Supervisor indicated there is \$7,000 in the budget for this purchase. The following quotes were received:

VWR International	\$6,717.61
Wilkens-Anderson	\$8,175.00
Fisher Scientific	\$7,113.97
North Central Laboratories	\$7,675.00

The Supervisor recommended the purchase of this equipment from VWR International.

Cm. Camplin, seconded by Cm. Schultz, moved to approve the purchase of the Lab TKN Test Equipment from VWR International at a price not to exceed \$6,717.61. On call of the roll, the motion carried unanimously.

- b. REVIEW AND APPROVE COMPLIANCE MAINTENANCE ANNUAL REPORT (CMAR) FOR WASTEWATER UTILITY, AND RESOLUTION.

The City Manager stated this is an annual report, which is the evaluation of the condition and performance of the Wastewater Utility.

The Wastewater Utility Supervisor said they had “A”s in all categories except one, which is the inflow and loadings, for which they received a “B”. This has been the category that pulls the Plant down each year, as it deals with river levels and the amount of rainfall. He said there were four months last year where they exceeded the 90% design flow, and three months where we exceeded 100% of our design flow.

It was indicated the Resolution was mistakenly not included with the Council packets. The City Manager said an extract of the Minutes will be done to indicate the Resolution text was discussed. He then informed the Council that the content of the Resolution is that the Council has reviewed the CMAR and to submit the proper documentation to the State.

Cm. Lescohier, seconded by Cm. Schultz, moved to approve the Compliance Maintenance Annual Report (CMAR) and authorize submittal of the proper documentation to the Wisconsin Department of Natural Resources. On call of the roll, the motion carried unanimously.

c. REVIEW AND APPROVE WATER STREET LIFT STATION AREA SANITARY SEWER EVALUATION STUDY.

The Wastewater Utility Supervisor said they had a firm do an evaluation of the Water Street lift station service area, which is mainly east of Main Street down East Milwaukee Avenue to McComb Street and back to the north. They were looking for sources of infiltration. They typically look for system defects, cracked/broken pipes, leaking manholes, etc. They televised 60% of the area.

Pres. Gray asked if there was any methodology in place to get property owners to replace damaged pipes. There is terminology in the Sewer Use Ordinance that addresses clear water discharges. Typically, an inspection will be done of a building and if clear water discharge is found the owner will be requested to make the needed corrections.

Cm. Lescohier, seconded by Cm. Camplin, moved to accept and file the Water Street Lift Station Area Sanitary Sewer Evaluation Study. The motion carried on a voice vote.

d. NOTIFICATION FROM DEPARTMENT OF COMMERCE OF GRANT FOR SANITARY SEWER REPAIRS.

At the time this Grant was applied for, the City did not have a firm cost for the rehabilitation project, and therefore gave an estimate. The City's grant is in the amount \$81,000.

Dennis Heiling of the Jefferson County Economic Development Consortium then addressed the Council. It was indicated that one of the requirements of the Grant was that the City have a Citizen Participation Plan in place, to which the City Manager said there is already one in place. He said there will need to be an agreement between the City and County, which will include CDBG contract information.

Cm. Camplin asked the City Manager where the extra funds would come from since the project was estimated at \$95,000 and the Grant is only for \$81,000. The City Manager said the City is hoping to do the project cheaper than what was estimated and will watch the project carefully to try and not go over the amount of the Grant.

Cm. Camplin, seconded by Cm. Schultz, moved to accept the Grant in the amount of \$81,000 for sanitary sewer repairs from the Department of Commerce. The motion carried on a voice vote.

10. MISCELLANEOUS

a. GRANTING OPERATOR LICENSES.

Cm. Camplin, seconded by Cm. Lescohier, moved to approve the following list of applicants for operator licenses for the 2008-2010 and 2010-2012 license periods:

REGULAR for 2008-2010:

Michelle L. Baumgardner	Walgreen's
Andrew A. Heard	Bienfang's Bar
Breyane N. Johnson	Stop-N-Go (Madison Ave.)
Lacy K. Kowalkowski	Bolt Inn
Kari L. Moen	Filling Station
Julie A. Radke	The Velvet Lips
Sarah K. Thayer	Walgreen's
Devin J. Truman	Stop-N-Go (Madison Ave.)
Heather L. Wellnitz	Stop-N-Go (Madison Ave.)
Amy M. Welsh	Velvet Lips Lounge

RENEWALS FOR 2010-2012:

Jeffrey Adsit	Lions Club
Charles F. Bieberitz	Lions Club
David R. Camplin	Lions Club
James E. Cheek	Lions Club
Gordon F. Day	Lions Club
Todd A. Duffrin	Lions Club
Patrick T. Dunn	Lions Club
Thomas W. Emrick	Lions Club
Brian R. Frohmader	Lions Club
David L. Gilberts	Lions Club
Wesley R. Gordon II	Lions Club
LeRoy M. Grove	Lions Club
Leroy E. Jahnke	Lions Club
Richard A. James	Lions Club
Bradley L. Kees	Lions Club
Glenn R. Lepley	Lions Club
John W. McKenzie	Lions Club
Doug L. Miller	Lions Club
Robert D. Novak	Lions Club
Alan P. Peterson	Lions Club
Timothy R. Radloff	Lions Club
William M. Roberts	Lions Club

Shane G. Sparks	Lions Club
Ronald J. Vogel	Lions Club
David J. Wiesmann	Lions Club
Doris A. Zieglemeier	Lions Club
Candice M. Allard	Fort Atkinson Generals
Hannah M. Bare **NEW**	Paddy Coughlin's
Ardis J. Behrens	Soup's on
Matthew G. Bienfang	Bienfang's
Lori D. Widish	Stop-N-Go
Julie R. Boerst	Fat Boyz
Todd W. Brom	Bienfang's
Devin L. Bruni	Pizza Hut
Debra J. Findlay	Stop-N-Go (Madison Ave.)
Dawn M. Frey	Citgo on the Point
Amy J. Gerlach	Belmont
Rosemary J. Goldsmith	Union Jacks
Heidi J. Green	Citgo on the Point
Tyler D. Hansen	Open
Norman W. Hartwig	Open
Wayne E. Hasel	Pick 'n Save
Mona B. Heffron	Union Jacks
Jennifer L. Holeman	Stop-N-Go (Madison Ave.)
Karen J. Holmes	Stop-N-Go (Madison Ave.)
Jennifer M. Jacobson	Salamone's
Karen L. Johnson	Soap n Pepper
Tammy E. Kingston	Soup's On
Jennifer A. Kracht	Stop-N-Go (Madison Ave.)
Dawn M. Lehman	Open
Bekim Lumani	Riverfront
Ronald L. Ortelle	Jansen's Banquet
Toni D. Pauline	Open
Jamie R. Peterson	Stop-N-Go (Both)
Nagida Rashid	Shell Handy Pantry
John C. Rea	Sentry Foods
Randy A. Rector	Rock River Lanes
Dong Yan Ren	China Buffet
Amy S. Root	Blodgett Milling
Janis K. Rusch	Blodgett Milling
Jayesh P. Sheth	S & D Quick Mart
Sarah L. Singsime	Salamone's
Chris P. Smolinski	Bolt Inn
Tanya N. Strese	Stop-N-Go
Cynthia S. Sweet	Capn's Steakhouse
Michelle W. Wales-Garant	Fort Atkinson Generals
Christopher J. Ward	Open

The motion carried on a voice vote.

b. **REQUEST TO SET LICENSE COMMITTEE MEETING DATE.**

The City Clerk requested a meeting be set for Monday, July 12, 2010 at 4:00 p.m. License Committee members include Cm. Mielke, Cm. Schultz and Pres Gray. The meeting was set as requested. The meeting is to review applications for the open "Class B" Combination Liquor License.

c. **SPECIAL BEER AND WINE LICENSE FOR ST. JOSEPH'S FAMILY FAIR ON AUGUST 6-8, 2010.**

Cm. Schultz, seconded by Cm. Lescohier, moved to approve the Special Beer and Wine License for St. Joseph's Family Fair on August 6-8, 2010. The motion carried on a voice vote.

d. **CITY, SEWER, WATER AND STORMWATER FINANCIAL STATEMENTS AS OF MAY 31, 2010.**

The City Manager said these are the regular monthly reports. A written quarterly report will be given on the Financial Statements in June. The City Manager indicated the Sewer Utility is starting to run short on cash, but should be okay through the rest of the year.

Cm. Lescohier, seconded by Cm. Camplin, moved to accept and file the City, Sewer, Water and Stormwater Financial Statements as of May 31, 2010. The motion carried on a voice vote.

11. **CLAIMS, APPROPRIATIONS AND CONTRACT PAYMENTS**

Cm. Schultz, seconded by Cm. Lescohier, moved the bills in the amounts of \$567,739.25 for the City (Fund 1); \$35,658.35 for the Sewer Utility (Fund 2); \$29,047.28 for the Water Utility (Fund 3); \$1,500.00 for Stormwater Management (Fund 10); \$160.15 for Downtown Economic Development (Fund 13); and \$136,794.28 for Payroll #11 per Schedule O-21 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. Camplin, seconded by Cm. Lescohier, moved to adjourn the June 15, 2010 regular City of Fort Atkinson Council meeting at 8:09 p.m. The motion carried on a voice vote.

/s/ Matt Trebatoski
City Clerk/Treasurer