

**CITY COUNCIL MINUTES
FORT ATKINSON, WISCONSIN
July 20, 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, and Engineer.

3. APPROVAL OF MINUTES OF JULY 6, 2010 REGULAR COUNCIL MEETING

Cm. Camplin, seconded by Cm. Schultz, moved to approve the minutes of the July 6, 2010 regular Council meeting. The motion carried on a voice vote.

4. PUBLIC HEARINGS

- a. PUBLIC HEARING ON REQUEST TO REZONE PROPERTY AT NORTHEAST CORNER OF ROBERT STREET AND WEST MILWAUKEE AVENUE FROM C-3 TO C-5.

Pres. Gray opened the public hearing on the request to rezone the property at the northeast corner of Robert Street and West Milwaukee Avenue, 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.

- b. PUBLIC HEARING ON ZONING FOR ANNEXATION OF 5.00 ACRES ON MEMORIAL DRIVE BY WELLINGTON HOMES.

Pres. Gray opened the public hearing on the request to set zoning for annexation of 5.00 acres on Memorial Drive, and stated if anyone wished to speak on the

topic, he or she should come to the podium and state his or her name and address for the record.

Ashley Krueger, Administrator of Wellington Meadows at N2550 Memorial Drive, said she was present on behalf of the Home and could answer any questions.

After a second and third call and hearing no others comments, Pres. Gray closed the public hearing.

c. **PUBLIC HEARING ON ANNUAL REVIEW ON CITY'S COMPREHENSIVE PLAN.**

Pres. Gray opened the public hearing on the annual review of the City's Comprehensive Plan, 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.

d. **PUBLIC HEARING ON APPLICATION BY COZUMEL II FOR COMBINATION "CLASS B" RETAIL FERMENTED MALT BEVERAGE AND INTOXICATING LIQUOR LICENSE.**

Pres. Gray opened the public hearing on the application by Cozumel II for a Combination "Class B" Retail Fermented Malt Beverage and Intoxicating Liquor License, 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**

None.

6. **RESOLUTIONS AND ORDINANCES**

a. **ORDINANCE AMENDING SEC. 2-53 AND 2-54 REGARDING PUBLIC COMMENT SESSIONS AT COUNCIL MEETINGS.**

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

ORDINANCE NO. _____

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

That Chapter 2, ADMINISTRATION, Article II, City Council, Division 2, Rules of Order and Procedure, Sec. 2-53, Order of Business, be repealed and replaced with the following:

Sec. 2-53. Order of business.

The order of business at all Council meetings shall be as follows:

- (1) Call meeting to order.
- (2) Roll call.
- (3) Approval of minutes of previous Council meeting.
- (4) Public hearings.
- (5) Public comment.
- (6) Petitions, request and communications.
- (7) Resolutions and Ordinances.
- (8) Reports of officers, boards and committees.
- (9) Unfinished business.
- (10) New business.
- (11) Miscellaneous.
- (12) Claims, appropriations and contract payments.
- (13) Adjournment.

That Chapter 2, ADMINISTRATION, Article II, City Council, Division 2, Rules of Order and Procedure, Sec. 2-54, Rules and bylaws, be amended to include the following:

Sec. 2-54. Rules and bylaws.

- (f) *Public Comment at Council Meetings.*

Structure –

Council reserves the right to limit length of Public Comment sessions.
Individual speakers allotted maximum of three (3) minutes and cannot defer their three (3) minutes to another person.

Anyone wishing to speak is required to enter the following information on the signup sheet which will be available just prior to any Council meeting (either posted at the door or at the Clerk's desk):

Name (printed)

Address

Subject matter of comment

Telephone # or email address (optional)

Sign-up will be allowed until the opening of the Public Comment session.

Speakers will be called to speak in the order in which they signed up.

Other-

Subject matter of speaker's comments is not limited to agenda items, but prohibited topics include:

Political topics (of any nature)

Issues regarding or with City Staff.

Any subject not relevant to the interest of the City of Fort Atkinson. Council President will decide on the appropriateness of any speaker's comments.

Comments by Council members in regard to the subject addressed by any speaker will be limited solely to clarification questions addressed to the speaker, with the speakers having been advised by Council President prior to that Public Comment session that no action or other consideration would be taken by the Council on Public Comments relating to non-agenda items for that Council meeting.

Written communications must be signed by the sender (including sender name and address), and received by the City Clerk no later than 24 hours prior to a Council meeting. Any such communication will be noted for the record during the Public Comment session, as to sender, but will not be read during the meeting. Any such communication in lieu of an in-person comment is subject to the same prohibitions as topic as those comments made in person (reference above).

Residency requirement – speakers must be residents of, or property owners in the City of Fort Atkinson, Wisconsin.

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.

Pres. Gray indicated this is the second reading of the proposed Ordinance.

Cm. Camplin said he would like to see the City Clerk go to the hallway and collect the sign-up sheet for the public comment session when the Council gets to item 5 on the agenda, and that would be an official cut-off point, or it could be 7:00 p.m.

Pres. Gray said he feels Council members should have copies of who has signed up and what their topic of comment will be.

Cm. Lescohier said then the sign-up should be cut off at 6:55 p.m. so that copies can be made and the meeting can move seamlessly from item 4 into item 5.

Cm. Schultz said he wasn't sure of the value of all Council members getting a copy of the sign-up sheet; it would make it more cumbersome. He said the Council can play it by ear and tweak items that may need to be done in the future.

Cm. Schultz said he would prefer that the cut-off for sign-up be 7:00 p.m.

Cm. Lescohier, seconded by Cm. Schultz, moved to amend the proposed Ordinance to allow sign-up for public comment until 6:55 p.m. prior to each Council meeting.

Cm. Schultz indicated he seconded the motion, but doesn't support it. He thinks there needs to be some flexibility.

Pres. Gray said the Ordinance would have to be amended in some way if the Council doesn't want the sign-up to go until the opening of the Public Comment session, as it is currently stated in the Ordinance.

Cm. Camplin said he isn't interested in knowing in advance what the citizens will be bringing to the table to speak on.

Pres. Gray asked if Council members would be in agreement to eliminate the sentence which reads "Sign-up will be allowed until the opening of the Public Comment session."

Cm. Camplin and Cm. Schultz indicated they would prefer that.

Pres. Gray called the question on the Cm. Lescohier/Schultz motion, and the motion failed on a 1 to 3 vote, with Cm. Lescohier voting for and Cm. Camplin, Cm. Schultz and Pres. Gray voting against the motion.

Cm. Schultz, seconded by Cm. Camplin, moved to eliminate the sentence in Sec. 2-54 (f) indicating "Sign-up will be allowed until the opening of the Public Comment session." On call of the roll, the motion carried on a 3 to 1 vote, with Cm. Lescohier voting against the motion.

Cm. Lescohier, then asked how this will be worked.

Pres. Gray said the goal should be 7:00 p.m. with the Council having flexibility on the cut-off time.

Cm. Camplin, seconded by Cm. Schultz, moved to set a public hearing on this matter for the August 3, 2010 Council meeting. On call of the roll, the motion carried unanimously.

7. REPORTS OF OFFICERS, BOARDS AND COMMITTEES

Cm. Schultz, seconded by Cm. Lescohier, moved to accept and file the minutes of the Police & Fire Commission meeting held June 17, 2010; the minutes of the Water Tower Committee meeting held July 7, 2010; the minutes of the License Committee meeting held July 12, 2010; the minutes of the Planning Commission meeting held July 13, 2010;

the minutes of the Jefferson County Economic Development Consortium meeting held June 9, 2010; and the minutes of the Historical Society Board meeting held June 17, 2010. The motion carried on a voice vote.

8. UNFINISHED BUSINESS

- a. RECOMMENDATION FROM PLANNING COMMISSION TO REZONE PROPERTY AT NORTHEAST CORNER OF ROBERT STREET AND WEST MILWAUKEE AVENUE FROM C-3 TO C-5, AND ORDINANCE.

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

ORDINANCE NO. 697

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

That Chapter 15, ZONING ORDINANCE, Section 15.6.5, ZONING MAP, be amended so as to change the zoning of the following described property from C-3 (General Commercial) to C-5 (Downtown Business).

A part of the SE ¼ of the NE fractional ¼ of Section 4, T5N, R14E, City of Fort Atkinson, Jefferson County, Wisconsin, to-wit:

Lot 2 and Outlot 2 of C.S.M. 4472, recorded in Jefferson County Records in Volume 22, pages 258 and 259.

Said parcel is located at the northeast corner of West Milwaukee Avenue and Robert Street.

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.

The City Manager indicated a public hearing was held on this item earlier at this meeting. This would allow a zero lot line setback for a proposed clinic for the Hospital. He also said there is a slight urgency in moving the matter along, as they would like to get the project started as soon as possible.

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. Camplin, seconded by Cm. Schultz, moved to adopt the Ordinance rezoning the property at the northeast corner of Robert Street and West Milwaukee Avenue from C-3 to C-5. On call of the roll, the motion carried unanimously.

- b. RECOMMENDATION FROM PLANNING COMMISSION TO APPROVE PETITION FOR ANNEXATION FROM WELLINGTON HOMES FOR PROPERTY ON MEMORIAL DRIVE, AND ORDINANCE.

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

ORDINANCE NO. 698

**AN ORDINANCE ANNEXING TERRITORY TO THE
CITY OF FORT ATKINSON, WISCONSIN**

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

Section 1. Territory Annexed. (Direct Annexation) In accordance with Section 66.0217 of the Wisconsin Statutes of 1965, and the petition for direct annexation filed with the City Clerk on June 11, 2010, **SIGNED BY ALL OF THE OWNERS** of all of the land in the area, in the territory, the following described territory in the Town of Koshkonong, Jefferson County, Wisconsin, is annexed to the City of Fort Atkinson, Wisconsin:

Lot 1, of Certified Survey Map #3992, recorded in Jefferson County Records in Volume 19, page 170.

Section 2. Effect of Annexation. From and after the date of this ordinance, the territory described in Section 1 shall be a part of the City of Fort Atkinson for any and all purposes provided by law and all persons coming or residing within such territory shall be subject to all ordinances, rules and regulations governing the City of Fort Atkinson.

Section 3. Initial Zoning Classification. Upon recommendation of the Planning Commission, the territory annexed to the City of Fort Atkinson by this ordinance is initially designated to be of the R-3 zoning of the City of Fort Atkinson for zoning purposes and subject to all provisions of Ordinance No. XV of the City of Fort Atkinson entitled "Zoning Ordinance" relating to such district classifications and to zoning in the City.

Section 4. Ward Designation. The territory described in Section 1 of this ordinance is hereby made a part of Ward 8 of the City of Fort Atkinson, subject to the ordinances, rules and regulations of the City governing wards. The population within this territory is twenty-six (26).

Section 5. Severability. If any provisions of this ordinance are invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application.

Section 6. Effective Date. This ordinance shall take effect upon passage and publication as provided by law.

The City Manager said a public hearing was held on this request earlier at this meeting. There is some importance in moving this project along, as the property owner is under orders from the Department of Natural Resources to connect to City sewer and water.

Cm. Schultz, seconded by Cm. Lescohier, 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. Camplin, seconded by Cm. Schultz, moved to adopt the Ordinance approving the Petition for Annexation from Wellington Homes for property on Memorial Drive. On call of the roll, the motion carried unanimously.

- c. REQUEST TO WAIVE 2,500-FOOT SEPARATION AND 1% OF POPULATION REQUIREMENTS FOR WELLINGTON HOMES COMMUNITY BASED RESIDENTIAL FACILITY (C.B.R.F.) ANNEXED IN ABOVE ITEM.

The City Manager indicated they are currently operating as a C.B.R.F., but since they are annexing to the City, they need approval to our Codes.

Cm. Camplin, seconded by Cm. Schultz, moved to approve the request to waive the 2,500-foot and 1% of population requirements for Wellington Homes to operate a Community Based Residential Facility at the property annexed in the previous item, contingent on obtaining all applicable licenses and complying with City Zoning Ordinances. The motion carried on a voice vote.

- d. REVIEW AND APPROVE PILOT AGREEMENT WITH WELLINGTON HOMES.

The City Manager said because this is a tax-exempt property, the City negotiated with the property owner to enter into a PILOT Agreement. The City Engineer has calculated the costs for this annexation at \$65,950. He said typically it would be the City's expense to extend water main, however the owner has agreed to put it in at their cost and the City will reimburse them by offsetting their PILOT payment in the first three years of the Agreement. The payments amounts will be calculated on the property's assessed value (\$1,163,300) times the City's tax rate (2009 = \$7.0859/\$1,000), which calculates out to approximately \$8,000/year.

Cm. Lescohier, seconded by Cm. Schultz, moved to approve the PILOT Agreement with Wellington Homes. On call of the roll, the motion carried unanimously.

e. RECOMMENDATION FROM LICENSE COMMITTEE TO AWARD COMBINATION “CLASS B” RETAIL FERMENTED MALT BEVERAGE AND INTOXICATING LIQUOR LICENSE FOR COZUMEL II.

The City Clerk indicated the License Committee recommended approving the license for Cozumel II on a 2-1 vote.

Cm. Schultz said the recommendation made by the License Committee is precisely what he had proposed a year ago and it benefited the same restaurant. Since that time however, he has had second thoughts and doesn't feel there is a fair resolution to this request. His concern is that we have basically gone to each restaurant and said, “here is what you need to do”, and they both complied. They were each given a deadline to file within and now we are saying because one filed five days before the other, they should receive the license. He said he feels they deserve an equal shot at the license, and would support a coin flip. To nitpick the five days is not fair.

Cm. Camplin said there was a public hearing earlier at this meeting, which would have been an appropriate time for someone to argue the facts, but no one did. He said that was the element of fairness, to have a chance to speak on the matter.

Pres. Gray said in the sense of openness that we maintain, he would offer the opportunity to one representative from each of the restaurants to speak at this time.

Jorge Alvarado of El Patron addressed the Council at this time. He said there have been about seven meetings on this request now. The previous license was given to Capn's because there were more people working there. Mr. Alvarado said he pays more property taxes and more sales taxes and is trying to do the best he can for the City. He put money into the building by building the patio, so his customers are able to sit outside in the summer. The only thing he wants is something that is fair.

He said they could work together and do one more year with no liquor license for either restaurant. Mr. Alvarado said it should not be approved because Jim Vos, the owner from Sentry, has a recommendation for the Cozumel license; he said he has a recommendation from God. He said he works many hours a day in his restaurant and the owners of Cozumel are sometimes only there once per month.

Pres. Gray asked Mr. Alvarado to keep his comments to his business only.

Mr. Alvarado then asked that the Council make the best decision they can.

Cm. Lescohier said that El Patron took a chance last year by opening for business without a liquor license, as did Cozumel II, and we are glad they did, and put faith in the City of Fort Atkinson. He asked Mr. Alvarado if he had known then what

he knows now, would they still have opened a restaurant in Fort Atkinson.

Mr. Alvarado said they would have. Mr. Alvarado said he didn't file for his liquor license the first time he came to City Hall because he needed to get a tax identification number.

Jim Vos, the property owner of the building occupied by Cozumel, then addressed the Council. He said the statements made by Cm. Schultz are correct, however a year ago, Cozumel was the first to apply for a license, of which there was one available. He agreed that this year when applications were due (June 30), it didn't really matter who applied when, but Cozumel did get theirs in first last year.

Cm. Lescohier asked Mr. Vos if Cozumel would have also made the same decision to open without a liquor license in hand and would they have made the same decision if they had known at the time they may not have a liquor license.

Mr. Vos said they are happy with the business and would probably still make that same decision.

The City Manager said as indicated in the License Committee minutes, Cm. Mielke said the criterion he was looking at wasn't the most recent application, he was looking at the applications made in 2009.

Cm. Lescohier said these are two very similar applicants applying for one liquor license, they are the same cuisine, they are both leased buildings, they are similar in size and can accommodate approximately the same amount of diners. They opened their doors for business at about the same time, and they are only a couple of hundred feet apart. He said they are essentially carbon copy applications.

City staff did the right thing by letting both of them know that a license had become available giving them a deadline to submit their applications, which was met by both businesses. He said it is a bit unfair to give one restaurant an edge based on which was the first one to submit an application last year, especially since we didn't use that criterion in awarding the license then. We will be in the same predicament for the foreseeable future, and he doesn't want to create an atmosphere where it becomes a race to submit an application whenever a license opens up.

Cm. Lescohier said the Council awarded the license to Capn's Steakhouse last year because it was felt that was the best use of the liquor license, and if you apply that same standard today, it is a toss-up in his mind. He said he would rather give two applicants, who are seemingly on equal footing, a 50/50 chance of landing a liquor license, than to arbitrarily select one over the other.

Cm. Schultz said if we were to go by the filing date, the previous license would not have gone to Capn's.

Cm. Schultz, seconded by Cm. Lescohier, moved to reject the recommendation from the License Committee to award the Combination “Class B” Retail Fermented Malt Beverage and Intoxicating Liquor License to Cozumel II. On call of the roll, the motion carried unanimously.

Cm. Schultz, seconded by Cm. Lescohier, moved to conduct a coin toss to determine which applicant should receive the available Combination “Class B” Retail Fermented Malt Beverage and Intoxicating Liquor License. On call of the roll, the motion carried unanimously.

The City Attorney said he is not aware of anything that would make it illegal to do it this way, however the decisions are supposed to be made by sound discretion and judgment of the governing body, and he doesn't think a coin toss meets that standard.

Pres. Gray said in this instance, he would agree with Cm. Lescohier's opinion that there just isn't anything about this, other than the five day window, that makes it possible to make a reasoned judgment.

The City Attorney said the license doesn't have to be awarded to anyone.

Pres. Gray asked what that would do for anybody.

The City Attorney said it would keep the two applicants on an even standard.

Cm. Schultz said if there is an election that ends up in a tie, which is what we have now, a coin toss occurs. So it certainly is recognized within the law as something you can do if you have all things equal.

Cm. Camplin asked if there was a possibility of the license going un-awarded until another one becomes available, and then give primacy to the two applicants that may be put on hold.

The City Attorney said you cannot promise a future license to someone else.

A coin toss was then conducted by the City Clerk. A representative of Cozumel II called “heads” while the coin was in the air. The official result was “tails”, therefore the license will be awarded to El Patron, tentative to the public hearing and approval at the next Council meeting.

The City Manager announced there will be a public hearing held on El Patron's application at the next Council meeting.

Pres. Gray apologized for the situation requiring this type of action, because he agreed with Cm. Mielke that this is not the way we ought to run City business, to decide items by a coin toss, but feels it was the fairest thing to do.

- f. RECOMMENDATION FROM PLANNING COMMISSION TO APPROVE PRELIMINARY CERTIFIED SURVEY MAP CREATING ONE LOT ON REGELEIN LANE (EXTRA-TERRITORIAL).

Cm. Schultz, seconded by Cm. Lescohier, moved to approve the recommendation from the Planning Commission to approve the Preliminary Certified Survey Map creating one lot on Regelein Lane (extra-territorial). The motion carried on a voice vote.

- g. RECOMMENDATION FROM PLANNING COMMISSION TO APPROVE PRELIMINARY CERTIFIED SURVEY MAP CREATING ONE LOT ON SCHWEMMER ROAD (EXTRA-TERRITORIAL).

Cm. Lescohier, seconded by Cm. Schultz, moved to approve the recommendation from the Planning Commission to approve the Preliminary Certified Survey Map creating one lot on Schwemmer Road (extra-territorial). The motion carried on a voice vote.

9. NEW BUSINESS

- a. ANNUAL REVIEW OF CITY'S COMPREHENSIVE PLAN.

The City Manager reviewed the Plan Implementation program with the Council, listing projects to be completed over the last few years. 2010 is the second year into the Plan. A summary of what has been done since last year was presented by the City Manager, City Engineer and Building Inspector.

Pres. Gray asked if it was felt that the City has done a reasonable job of complying with the first two years of the Plan. The City Manager said yes, very much so. Pres. Gray noted that there were no discussions held with the Township of Koshkonong or City of Jefferson regarding addressing issues of mutual concern and intergovernmental agreements. The City Manager said that was to iron out differences and to hold discussions on extensions of utilities, and at this time, there has not been a need to hold such discussions.

Cm. Lescohier, seconded by Cm. Camplin, moved to approve the annual review of the City's Comprehensive Plan. The motion carried on a voice vote.

- b. ANNUAL REPORT ON IDENTITY THEFT PREVENTION PROGRAM.

The City Clerk said this Program has been in force for approximately one year. It was required to be enacted by the Federal Trade Commission's Red Flag Rule, and is required to be reviewed annually. The Clerk indicated there has been no identify theft incidents or suspicions over the past year, and is therefore not recommending any changes at this time.

Cm. Camplin, seconded by Cm. Schultz, moved to approve the annual report on the Identity Theft Prevention Program. The motion carried on a voice vote.

c. **REQUEST BY OPPORTUNITIES, INC. TO CLOSE OFF A PORTION OF CLARENCE STREET DURING THE RECONSTRUCTION OF PLANT #2.**

This requested closure will allow Opportunities' contractor to have a staging area during the reconstruction project, and to utilize the remainder of Clarence Street as a drop-off and pick-up area for their workers. The surrounding property owners were contacted and had no opposition to the request. The closure is anticipated to last from approximately August, 2010 to April, 2011. Lorman's is also working on a solution for their truck traffic. The City Manager said a redesign of Clarence Street may be looked into in the future when this project is completed. Paul Strobusch of Opportunities reviewed the request with the Council.

Cm. Lescohier, seconded by Cm. Schultz, moved to approve the request by Opportunities, Inc. to close off a portion of Clarence Street during the reconstruction of Plant #2 from August, 2010 to April, 2011. The motion carried on a voice vote.

10. **MISCELLANEOUS**

a. **GRANTING OPERATOR LICENSES.**

Cm. Camplin, seconded by Cm. Schultz, moved to approve the following list of applicants for operator licenses for the 2010-2012 license period:

NEW for 2010-2012:

Ben S. Barnett	The Filling Station
Christina M. Casey	Fat Boyz
Rowen R. Douglas	Velvet Lips Lounge
Nick Grischow	The Bolt Inn

RENEWALS for 2010-2012:

Peggy Benteimer	Walgreen's
Erin R. Didion	Paddy Coughlin's
Tareva A. Feery	The Filling Station
Britta R. Haraldson	Blackhawk Tavern
Brandon Housley	Paddy Coughlin's
Gwen E. Housley	Paddy Coughlin's
Jennifer L. Huggins	Paddy Coughlin's
Ryan N. Hunsader	Pick-N-Save
Deborah A. Kenseth	Open

Kiley T. Kilkenny
Kaitlyn E. Laehr
Krist A. Lehman
Mary E. Newcomb
Jason E. Ricketts
Lindsay M. Schultz
Susanne M. Taggart
Sarah K. Thayer
John L. Tyler
Brian P. Verley
Lissa A. Wheeler

Paddy Coughlin's
Walgreen's
Bienfang's
Ralph Park
Fat Boyz
Paddy Coughlin's
Belmont
Walgreen's
Union Jacks
Shell
Soup's On

The motion carried on a voice vote.

- b. CITY, SEWER, WATER, STORMWATER AND FUNDS 4, 6, 8, 12, 13 AND 14 FINANCIAL STATEMENTS AS OF JUNE 30, 2010.

The City Manager and City Clerk prepared a written update on the second quarter Financial Statements and presented it to the Council.

Cm. Camplin questioned why the unemployment compensation account was over budget at this time. The City Manager said the City is self-insured for unemployment, and we only pay for the claims that we have. We did have one employee that worked for the City for approximately nine months while a full-time employee was on sick leave, and when the employee returned to work the temporary person filed for unemployment compensation. He has not found another job, and therefore it is affecting the City's account. The City Manager said there is a set dollar amount, and a set number of weeks this compensation will be paid.

Cm. Schultz, seconded by Cm. Lescohier, moved to accept and file the City, Sewer, Water, Stormwater and Funds 4, 6, 8, 12, 13 and 14 Financial Statements as of June 30, 2010. The motion carried on a voice vote.

11. CLAIMS, APPROPRIATIONS AND CONTRACT PAYMENTS

Cm. Schultz, seconded by Cm. Camplin, moved the bills in the amounts of \$751,113.67 for the City (Fund 1); \$66,602.15 for the Sewer Utility (Fund 2); \$ 67,337.39 for the Water Utility (Fund 3); \$789.63 for the Water Tower Fund (Fund 8); \$667.50 for Downtown Economic Development (Fund 13); and \$307,088.46 for Payrolls 13 and 14 per Schedule O-23 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. Lescohier, seconded by Cm. Schultz, moved to adjourn the July 20, 2010 regular City of Fort Atkinson Council meeting at 8:24 p.m. The motion carried on a voice vote.

/s/ Matt Trebatoski
City Clerk/ Treasurer