

**CITY COUNCIL MINUTES
FORT ATKINSON, WISCONSIN
July 21, 2009**

1. CALL MEETING TO ORDER

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

2. ROLL CALL

On call of the roll, members present were:

Loren Gray
Davin Lescohier
Richard Schultz
Mark Zastrow
John Mielke

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

3. APPROVAL OF MINUTES OF JULY 7, 2009 REGULAR COUNCIL MEETING

The minutes of the July 7, 2009 regular Council meeting were approved by consent.

4. PUBLIC HEARINGS

At this point in the meeting, Pres. Mielke informed those in attendance that there are four public hearings on the agenda. Each public hearing will be opened separately for testimony. If anyone is interested in speaking on an item, they should come to the podium and state their name and address for the record.

a. PUBLIC HEARING ON ANNUAL REVIEW OF CITY'S COMPREHENSIVE PLAN.

Pres. Mielke 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. Mielke closed the public hearing.

b. PUBLIC HEARING ON RENEWAL OF CLASS “A” BEER LICENSE FOR SPOERL PROPERTIES, LLC, FOR USE AT 1680 JANESVILLE AVENUE.

Pres. Mielke opened the public hearing on renewal of the Class “A” Beer License for Spoerl Properties, LLC, for use at 1680 Janesville 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. Mielke closed the public hearing.

c. PUBLIC HEARING ON “CLASS B” COMBINATION LIQUOR AND FERMENTED MALT BEVERAGE LICENSE FOR COZUMEL II, FOR USE AT 213 WASHINGTON STREET.

Pres. Mielke opened the public hearing on the “Class B” Combination Liquor and Fermented Malt Beverage License for Cozumel II, for use at 213 Washington Street, 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.

Ed Scaro, 525 West Court Street, Elkhorn, Wisconsin, stated he is representing the license applicant at 100 Madison Avenue. He said the tenants at this property have applied for this same license. He indicated he would recommend the license be given back to the Stockade, because it would make their property non-viable without the license. Mr. Scaro said between their tenant and Cozumel, he would prefer to compete against each other with similar licenses, and hopefully in the future when licenses become available, that they be issued to both of them at the same time.

Rep. Andy Jorgensen, 1424 Endl Boulevard, addressed the Council at this time. He said the law is in place because they don’t want an over-saturation of liquor licenses. If you are a bar owner, you want this law to remain. On the other hand, we don’t want empty store fronts; we have to create jobs and be able to give people the tools they need to become successful. He said as the City’s Representative, he is going to take a good look at this issue and if need be, pursue legislation specific to Fort Atkinson.

Cm. Lescohier asked Rep. Jorgensen how old the quota law is. Rep. Jorgensen indicated he did not know exactly, but believed that in the 1990s it was discussed and some changes were made at that time. Rep. Jorgensen said you could revamp the entire Statute, including all exemptions. Another option, for which there is a Bill in session at this time, is for exemptions for a specific area. He said when a Bill does come up; he will do his best to move it forward.

Cm. Schultz said a lot of the City licenses go to establishments that have less than 30% of their business in alcohol sales, so they are not competing with bars

anyway. He asked if there was any way to get the Legislation changed to possibly exempt establishments that do less than 20-30% of their business in alcohol. Rep. Jorgensen said that type of Legislation may take a little longer to review. He also informed the Council they do not go back into session until September, 2009.

Steve Dehnert, 234 Lakeshore Drive, Lake Mills, representing Badger Bank addressed the Council at this time. First, they are requesting this license for the business previously known as the Stockade, which property Badger Bank is now the owner of. He said it is important to accommodate this building to keep it what it was built to be, which was a bar and restaurant. Mr. Dehnert said he intends to open this business in 90 days of receiving a license from the City. Cm. Lescohier asked when the license that Stockade previously had became available. City Clerk Trebatoski said it was in 2008 when the license was not reapplied for. Mr. Dehnert said the previous owners chose not to reapply for the license as they were going through foreclosure of the property. He informed the Council that the foreclosure process took between 18 and 24 months.

Cm. Lescohier asked what Mr. Dehnert would think the odds of that building being sold without the liquor license would be. Mr. Dehnert said he felt it would be very hard to sell without the license. It was built as a bar and restaurant. He said the realtor that has the property listed told them the building would be pretty much unsellable without the license. Cm. Zastrow asked Mr. Dehnert what he meant when he said he would be open for business within 90 days of receiving the liquor license. Mr. Dehnert said that certainly the bar would be the primary focus to be opened. They intend to run it with food available also.

Jim Vos, W7588 Highway C, Fort Atkinson, owner of 213 Washington Street which will be where the Cozumel restaurant will be located, asked what the procedure would be if the license were granted to Badger Bank for the Stockade building and they want to sell it to a new buyer. Attorney Rogers said the new owner would have to apply to get that license and the License Committee would review the application and make a recommendation to the Council. Mr. Rogers said it is not automatic that it would go to the new owner. Mr. Vos said he also contacted Rep. Jorgensen to get assistance on this matter and get all three businesses a license.

Pres. Mielke then made a second and third call for anyone to come forward to address the issue. No one else came forward, and Pres. Mielke closed the public hearing.

d. **PUBLIC HEARING ON CLASS “B” BEER AND “CLASS C” WINE LICENSE FOR EL PATRON, FOR USE AT 100 MADISON AVENUE.**

Pres. Mielke opened the public hearing on the Class “B” Beer and “Class C” Wine License for El Patron, for use at 100 Madison 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.

Jorge Alvarado, of Eau Claire, Wisconsin, representing El Patron, said he would prefer that no one get the liquor license. He would like it held open for six months and then let the Council decide who has the best business for the license. Cm. Schultz asked Mr. Alvarado if the Council were to grant the "Class B" Combination Liquor and Fermented Malt Beverage License to Cozumel, if they would still be interested in the beer and wine licenses. He said they would be because they don't have another option. They have a lease and are ready to open their business in one month.

Pres. Mielke then made a second and third call for anyone to come forward to address the issue. No one else came forward, and Pres. Mielke closed the public hearing.

5. PETITIONS, REQUESTS AND COMMUNICATIONS

- a. PETITION FROM DWIGHT FOSTER PUBLIC LIBRARY TO REZONE LIBRARY PROPERTY FROM C-2 (CENTRAL BUSINESS) TO C-5 (DOWNTOWN BUSINESS).

The City Manager said this rezoning request was suggested by the Architect for the Library building project as the setback and parking requirements would better accommodate their proposal for the building expansion.

Cm. Schultz, seconded by Cm. Lescohier, moved to refer the request to the Planning Commission. The motion carried on a voice vote.

6. RESOLUTIONS AND ORDINANCES

None.

7. REPORTS OF OFFICERS, BOARDS AND COMMITTEES

Cm. Gray, seconded by Cm. Schultz, moved to accept and file the minutes of the Riverwalk Ad Hoc Committee meeting held June 30, 2009; the minutes of the Police & Fire Commission meeting held July 2, 2009; the minutes of the Airport Committee meeting held July 6, 2009; the minutes of the Joint Planning Commission/City Council meeting held July 14, 2009; the minutes of License Committee meeting held July 13, 2009; the minutes of Riverwalk Ad Hoc Committee meeting held July 13, 2009; the minutes of Board of Review meeting held June 30, 2009; and the minutes of Dwight Foster Public Library Growth Capital Campaign Committee meeting held July 13, 2009. The motion carried on a voice vote.

8. UNFINISHED BUSINESS

- a. RECOMMENDATION FROM AIRPORT COMMISSION TO REVIEW 2010 AIRPORT PROGRAM LIST TO INCLUDE CRACK SEALING AND EXPANSION JOINT REPAIR ON RUNWAY AND TO SUBMIT NEW PETITION TO BUREAU OF AERONAUTICS, AND TO ADJUST REMAINDER OF PROGRAM.

The Airport Committee recommended that in 2010 runway repairs be added and the lighting project be moved to 2011. Previously in 2011 there was a fencing project, which has been eliminated. In 2013 there was a project scheduled to reconstruct the runway and that project has been pushed back to 2014. The land acquisition was moved from 2014 to 2016 and the parallel taxiway construction was moved from 2016 to 2017. The projects will be funded by Federal, State and local funds. The City would typically pay for their share with either the capital improvement budget and/or the fuel tax from the Pilot's Association which is about \$15,000, so there is approximately \$30,000 available for the City's share.

Cm. Lescohier asked why the fencing project was being eliminated. The City Manager indicated it was decided it was not a very high priority item.

Cm. Gray, seconded by Cm. Zastrow, moved to approve the recommendation from the Airport Committee to revise the 2010 Airport program as presented. The motion carried on a voice vote.

- b. REVIEW OF EXECUTIVE SUMMARY ON STORMWATER MANAGEMENT PLAN AND INTRODUCTION OF UTILITY CONCEPT.

Jim Bachhuber of AECOM, the firm assisting the City in this project, addressed the Council and made a slide presentation at this time. Mr. Bachhuber reviewed the stormwater management requirements as dictated by a permit issued to the City and discussed funding through a stormwater utility. This program was started in 2006. There are six stormwater permit requirements which must be met including public education and outreach, illicit discharge detection and elimination, construction site erosion control, post-construction stormwater control, pollution prevention and stormwater quality management. Mr. Bachhuber said part of the stormwater quality management requirement is that the City reduce sediment pollution from land use conditions by 20% in 2008 and by 40% in 2013. It was indicated that the base condition (no management) of sediment pollution is 469 tons/year, and with the existing management measures in place, the City's existing pollution management condition is 411 tons/year which is a 12.3% reduction. There are two ways to meet the 40% sediment reduction which include purchasing and using high efficiency street cleaners and to build and/or rehabilitate three to five stormwater ponds in the City, with an estimated cost of \$3,000,000 to \$4,500,000.

Mr. Bachhuber then reviewed the funding options for the stormwater utility. He said some communities fund this through property taxes, however there are quite a few tax exempt properties that don't pay taxes (schools, churches, government buildings, etc.), however others are setting up a stormwater utility. This would be where the customer pays a fee for a stormwater service which is based on the amount of run-off generated from a property. Homeowners generally pay less than commercial and industrial properties. Downtown commercial properties will pay less also. There are over 60 communities in the State that have a stormwater utility at this time.

Mr. Bachhuber then reviewed how a utility is formed. The first step is to assess the program needs, which have been estimated at \$487,000 per year. The City then needs to determine the customer fee system. Most communities put a straight fee on residential units, however commercial, industrial and institutional properties would be calculated by their impervious area of property. The City Attorney asked how this would be billed to the customers. Mr. Bachhuber said most commonly, it is found to be most efficient to add it to the utility bill. The City Attorney asked if there would be an appeal process if property owners wanted to contest the calculation of their impervious area. Mr. Bachhuber said there is.

It was indicated the fee would be calculated using an "Equivalent Runoff Unit" or "ERU", and with their estimates, each ERU would cost approximately \$37.98/year. These calculations are done assuming that the stormwater utility is going to be funded 100% and nothing included on the taxes. Mr. Bachhuber informed the Council that another requirement of the stormwater permit is that the City Engineer file an annual report with the DNR on what has transpired each year. Mr. Bachhuber said the stormwater utility would be overseen by the Council, administered by the Department of Public Works and billed through the water and sewer utilities. The proposed timetable for this project is to present the stormwater plan and funding options at this Council meeting; on August 13, 2009, conduct a public informational meeting; on September 1, 2009, update the Council and consider a Resolution for creation of a utility; between September and December, 2009, prepare the billing system; and in February, 2010, initiate the utility billing.

The City Manager said the action needed by the Council at this time to keep this process moving is to approve the Executive Summary and to forward the Plan to the DNR for their comments. We also need to continue with the development of a stormwater utility and to set a public informational meeting.

Cm. Gray said he was wondering if action could be postponed on this matter at this time. He said he had no problem submitting the plan to the DNR, but would like more time to review the issues of the utility funding.

Cm. Zastrow, seconded by Cm. Gray, moved to accept the Executive Summary and forward the Stormwater Management Plan to the Department of Natural Resources for their review. The motion carried on a voice vote.

Cm. Gray, seconded by Cm. Schultz, moved to table further discussion on the creation of a Stormwater Utility until the next regular City Council meeting. The motion carried on a voice vote.

Cm. Zastrow, seconded by Cm. Lescohier, moved to set a public informational meeting for August 13, 2009 to review the stormwater regulations program and funding options. The motion carried on a voice vote.

c. **RESUBMITTAL OF WATERWAYS GRANT FOR PIERS ON ROCK RIVER, AND DISCUSSION ON USER FEE FOR BOAT LAUNCH.**

The City Manager said this is the second application for this Grant. Another Grant application was submitted earlier this year, however DNR funds were no longer available for this program. With the new budget funds available July 1st, we are looking for permission to reapply. We also changed the ramp sizing from three-feet wide to five-feet wide at the request of the DNR to be ADA compliant.

Another issue the DNR has placed on the City is that they want the users of the launch facilities to help pay for their upkeep and said they would withhold \$5,000 from our Grant award if we don't put in pay stations at the launching facilities. The City Manager did not feel it would not be worth putting in pay stations with the cost of time, posts, stickers, etc., it would probably be a wash if we didn't receive the \$5,000.

Cm. Zastrow said with the burden on the tax dollar and with the fact that we just reviewed the stormwater issue, user fees are not a bad thing to consider. However, administration of an honor system could be cumbersome. Since we don't have an active water patrol, this would be hard to monitor.

Cm. Lescohier, seconded by Cm. Zastrow, moved to approve the resubmittal of the Waterways Grant for the piers on the Rock River. On call of the roll, the motion carried unanimously.

Cm. Schultz said with the economy the way it is, it is reasonable to incorporate user fees, but we may not have much of a choice.

Cm. Gray questioned if the people that would be using the piers being funded by this Grant would be used by the people paying the boat launch fees. The City Manager said it would vary from person to person. Cm. Gray said he doesn't like to see people being assessed for something they are helping fund and not using.

Cm. Mielke said personally he didn't feel it is worth the hassle of putting in the boat launch fees. Cm. Lescohier said it is something that could be looked at down the road. Cm. Zastrow said we have been kind to users of public facilities over the years, and doesn't think we have the luxury of "free lunches" anymore. He said it is the principal of the issue rather than the dollar involved, and therefore wanted to keep this matter on the table for budget time. Cm. Lescohier agreed, but said the information needs to get out to the public before approving anything.

Cm. Zastrow, seconded by Cm. Schultz, moved to reject a user fee for boat launches as a condition of resubmittal for the Waterways Grant. The motion carried on a voice vote.

At this point in the meeting, Pres. Mielke requested that items 8-f, 8-g, 8-h and 9-a be moved forward in the agenda so those in attendance didn't need to sit through the entire meeting. It was agreed to do so by all Council members.

- f. RECOMMENDATION FROM LICENSE COMMITTEE TO APPROVE RENEWAL OF CLASS "A" BEER LICENSE FOR SPOERL PROPERTIES, LLC, FOR USE AT 1680 JANESVILLE AVENUE.

The City Manager said the License Committee recommended this approval contingent on the payment of the \$1,020 invoice to the Water Utility and that the License would expire on August 14, 2009, if the Revolving Loan was not paid off or brought up to date.

Cm. Gray, seconded Cm. Lescohier, moved to approve renewal of the Class "A" Beer License for Spoerl Properties, LLC for use at 1680 Janesville Avenue, with contingencies of payment of a \$1,020 invoice to the Water Utility, and that the Revolving Loan be paid off or brought up to date by August 14, 2009. The motion carried on a voice vote.

Pres. Mielke said before the next item is discussed, he was stepping down as Council President due to a conflict of interest and turned the chair over to Pres. Pro Tem Zastrow.

- g. RECOMMENDATION FROM LICENSE COMMITTEE TO APPROVE "CLASS B" COMBINATION LIQUOR AND FERMENTED MALT BEVERAGE LICENSE FOR COZUMEL II, FOR USE AT 213 WASHINGTON STREET.

Cm. Gray, seconded by Schultz, moved to approve the "Class B" Combination Liquor and Fermented Malt Beverage License for Cozumel II, for use at 213 Washington Street.

Cm. Schultz said this is a tough issue. He said there is no fair resolution to this problem. A lot of thought was put into this recommendation. The City has constraints from the State on this matter. He doesn't like the option suggested

earlier about not granting the license to any of the applicants; we want to encourage economic development. There are three empty buildings that would be occupied. He again stated to Rep. Jorgensen that the City would appreciate any assistance he could give in this matter. Cm. Schultz said he had talked to the Police Chief and there were no reasons found for any of the three applicants to be denied this license. He said one reason for his motion at the Committee meeting was because the bank did not have anyone ready to open that business and the other two applicants were ready to open their businesses. He said he believed the bank was looking for a license to open a bar to keep the license, which didn't work as well and wasn't as compelling as the two businesses who are ready to move in and open. Cm. Schultz said we have a responsibility of looking at the two businesses ready to open and frankly it came down to looking at the applications, and Cozumel II applied first; first come, first serve. It is sad that it came down to that; it was as fair as the Committee could be under the circumstances.

Cm. Gray said the summary of the meeting given by Cm. Schultz was very complete. He concurs with Cm. Schultz's thoughts and wishes there were three licenses available.

Cm. Lescohier respects the dilemma the License Committee faced in making a recommendation to the Council. He said it is a gut feeling about what makes the most long-term sense. Without a "Class B" Combination License, the Stockade building is not a viable commercial property and in the heart of our proposed newest T.I.F. District, which has intent to spur development in underperforming retail areas. The City wants to get vacant buildings and underdeveloped properties at their highest value and their best use, and clearly the best use for the former Stockade building is a restaurant and bar and he is not sure that same argument can be looked at for the other two properties being looked at for this license. He also wants to continue to seek some Legislative remedies to accommodate three very viable opportunities to open new businesses and create new jobs in the City.

Cm. Zastrow said he also feels that the former Stockade property would be virtually impossible to sell without the liquor license attached to it. He said in other years when there was a bar or restaurant that closed that had a license, we granted some extensions because they had a buyer in mind or had someone interested in the business. He feels it is imperative that Badger Bank have access to that liquor license. He said both Mexican Restaurants have indicated they would be able to open with just a wine and beer license, however not the most desirable way to open. Cm. Zastrow said there is an economic impact here. He would like to see the license stay with the Stockade also to help the T.I.F. District get off and running, and also allow the other two restaurants to open with the beer and wine licenses that are available.

Cm. Lescohier asked if when the City's population hits 12,500 will we get another license available. The City Manager said that is correct and that it would probably take place the first of the year following the City reaching that point in population. The City Manager said the law previously said that one license was issued for every 500 of population or fraction thereof, however the language saying "or fraction thereof" was removed. It was indicated the current City population is 12,130 so it will take us a while to get another license.

At this point, a roll call vote was taken on the motion to approve the "Class B" Combination Liquor and Fermented Malt Beverage License for Cozumel II, for use at 213 Washington Street. The motion failed on a 2-2 split vote.

The City Attorney said since there has been a public hearing on Cozumel's application, they could be granted at least a beer and wine license. He said also that if the Council would like to do something with the remaining "Class B" Combination Liquor License it could send it back to the License Committee for further review, or make another motion as to what to do with it. If it were granted to another applicant, another public hearing would be needed because the only license with a published legal notice was Cozumel.

Cm. Schultz, seconded by Cm. Lescohier, moved to approve a Class "B" Beer and "Class C" Wine License to Cozumel II for use at 213 Washington Street. On call of the roll, the motion carried unanimously.

Cm. Lescohier asked the representatives from the Cozumel Restaurant if they were agreeable to the beer and wine license, and they indicated they were.

A discussion then took place as to the procedures for the "Class B" Combination License.

Cm. Lescohier moved to set a public hearing on the application for a "Class B" Combination Liquor and Fermented Malt Beverage License for Badger Bank at the former Stockade Restaurant, at 855 Lexington Boulevard. Because there was no second made to the motion, Pres. Pro Tem Zastrow stepped down from the Chair and appointed Cm. Gray to proceed. Cm. Zastrow seconded the motion. The motion failed on a 2-2 split vote.

Cm. Schultz, seconded by Cm. Zastrow, moved to refer the existing three applications for the "Class B" Combination Liquor and Fermented Malt Beverage License to the License Committee for their study and recommendation. The motion carried on a voice vote.

Cm. Lescohier wondered what might be achieved by referring these applications back to the License Committee. Cm. Zastrow said there could be more information presented by Badger Bank or other business options that weren't available to discuss at the earlier meeting. Cm. Gray asked if Pres. Mielke should

be replaced by the President Pro Tem since he knows there is a definite conflict of interest for him to act on the matter. The City Manager said that would make sense. Pres. Pro Tem Zastrow agreed as did the Council President.

Acting Chair Gray then said he would request the City Clerk to set a meeting date for the License Committee to include the Pres. Pro Tem as opposed to the Council President.

At this point in the meeting, Pres. Mielke again took Chair of the meeting.

- h. RECOMMENDATION FROM LICENSE COMMITTEE TO APPROVE “CLASS B” BEER AND “CLASS C” WINE LICENSE FOR EL PATRON, FOR USE AT 100 MADISON AVENUE.

Cm. Schultz, seconded by Cm. Lescohier, moved to approve the Class “B” Beer and “Class C” Wine License for El Patron for use at 100 Madison Avenue. The motion carried on a voice vote.

9. NEW BUSINESS

- a. REVIEW AND APPROVE EXCLUSIVE SALE PROPOSAL AND VACANT LAND LISTING CONTRACT WITH MLG COMMERCIAL FOR ROBERT L. KLEMENT BUSINESS PARK.

Sheldon Mielke, President of the Industrial Development Corporation, addressed the Council at this time. Mr. Mielke said we need an aggressive program to attract new businesses to Fort Atkinson. We are fortunate to be able to present a plan that fulfills this bill. He said the Industrial Development Corporation is very happy that MLG Commercial, LLC, a premier realtor in the State, has agreed to take over the listing of the property available in the Robert L. Klement Business Park.

John Henderson, of NAI MLG Commercial, then addressed the Council. He said their company is the largest commercial real estate company in the State of Wisconsin. Their company will be able to get the word out that the property in our Business Park is available; they really like to be a partner with the community. The Contract being proposed is a two-year listing.

The City Attorney pointed out there is an exclusion with Oman Foodstuff Factory, LLC, due to previous contact with the City for a possible purchase in the Business Park. Pres. Mielke asked if that transaction would take place without a commission. The City Manager said it would be a negotiated commission. The City Manager said he has contacted CB Richard Ellis, and they offered no protected clients, so we are clear on that end. Pres. Mielke said it would be valuable to the Council if they could get regular updates from MLG Commercial. Mr. Henderson said they would keep the City Manager involved with any

negotiations, which could be shared with other City representatives. He also said they will not take a client to another community if contact has been made regarding them locating in Fort Atkinson, unless the City releases them and says it is okay to do so.

Cm. Zastrow, seconded by Cm. Lescohier, moved to approve the Exclusive Sale Proposal and Vacant Land Listing Contract with MLG Commercial for the Robert L. Klement Business Park. On call of the roll, the motion carried unanimously.

8. UNFINISHED BUSINESS

d. NOTIFICATION FROM DEPARTMENT OF TRANSPORTATION ON GRANT REQUEST FOR DEVELOPMENT ON WEST RIVERBANK.

The City Manager said earlier this year the City applied for a Grant for development of the west riverbank and we have been notified that unfortunately we didn't rank high enough to be awarded this Grant. We probably weren't far enough along in the project. The City Manager said we will be resubmitting when we find an opportunity to do so in the future.

Cm. Zastrow asked if this project could be used with the Glacial Trails program presented to the Council at a previous meeting. The City Manager said this would be an ideal project for that. This should tie in with the County-wide bike plan which is being updated.

Cm. Lescohier, seconded by Cm. Gray, moved to accept and file the notification from the Department of Transportation on the Grant request for development of the west riverbank. The motion carried on a voice vote.

e. ANNUAL REVIEW OF CITY'S COMPREHENSIVE PLAN.

The City Manager said our Plan calls for an annual review of the implementation program. The City Manager said one item that was required and that the City is addressing at this time is to change the Code to allow upper story housing in the downtown districts as a permit rather than conditional use, and that we need to get a copy of the County Standards, which will be done by the Engineering Department. The City Manager said also there have been no discussions with the Towns of Jefferson or Koshkonong to address intergovernmental issues.

Cm. Zastrow, seconded by Cm. Gray, moved to accept and file the annual review of the City's Comprehensive Plan. The motion carried on a voice vote.

9. NEW BUSINESS

- b. REQUEST TO CLOSE STREET FOR ANNUAL BLOCK PARTY ON ADRIAN BOULEVARD FROM ENDL BOULEVARD TO PURK LANE ON SATURDAY, AUGUST 1, 2009 (RAIN DATE SUNDAY, AUGUST 2, 2009).

The City Manager said the request submitted was signed by the neighbors and this same request has been approved the last couple of years. The request has been reviewed by the Police Chief and is recommended for approval.

Cm. Zastrow, seconded by Cm. Schultz, moved to approve the request for the annual block party on Adrian Boulevard from Endl Boulevard to Purk Lane on Saturday, August 1, 2009 (rain date Sunday, August 2, 2009). The motion carried on a voice vote.

10. MISCELLANEOUS

- a. GRANTING OPERATOR LICENSES.

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

Regular:

Barbara A. Behrend	Belmont
Patrick T. Dunn	Lions Club
Christopher M. McCann	Central Coast
Dorphina S. McClure	Filling Station Bar
Vishnaubhai S. Pater	Sai Mart Citgo
Joseph F. Rabe	Open
Timothy R. Radloff	Lions Club
Stephanie M. Shuler	Central Coast

The motion carried on a voice vote.

- b. CITY, SEWER AND WATER FINANCIAL STATEMENTS AS OF JUNE 30, 2009.

The City Manager presented the highlights of the City, Sewer and Water Financial Statements for the second quarter of 2009. One item pointed out was that we should have an adequate supply of salt for the winter season. The Aquatic Center is off to a good start. He said some of the concerns for the 2010 Budget are a reduction in shared-revenue, additional landfill tipping fees, health insurance premium increases, utility increases, storm water utility fees, wage increases, etc. The City Manager said there is a possibility that if a Storm Water Utility is not

approved, there will be budget reductions as well as lay-offs. For Fund 6 (Revolving Loan Fund), we may want to look at adjusting the interest rate and look at ways to make our loan program more attractive. The City Manager said for the Sewer Utility, the industrial quarterly revenues are down about 8%. The Talcott/Halcyon Water project has begun and should take approximately 2-3 weeks to complete.

Cm. Zastrow, seconded by Cm. Lescohier, moved to accept and file the City, Sewer and Water Financial Statements as of June 30, 2009. The motion carried on a voice vote.

- c. SPECIAL BEER AND WINE LICENSE FOR ST. JOSEPH CATHOLIC CHURCH FAMILY FAIR BEING HELD AUGUST 7 – 9, 2009.

The City Clerk indicated the application has been reviewed and is recommended for approval. There have not been any problems or issues with this event in the past.

Cm. Schultz, seconded by Cm. Gray, moved to approve the Special Beer and Wine License for St. Joseph Catholic Church Family Fair being held August 7-9, 2009. The motion carried on a voice vote.

11. CLAIMS, APPROPRIATIONS AND CONTRACT PAYMENTS

- a. VERIFIED CLAIMS.

Cm. Zastrow, seconded by Cm. Lescohier, moved the bills in the amounts of \$342,463.62 for the City (Fund 1); \$23,258.83 for the Sewer Utility (Fund 2); \$25,480.93 for the Water Utility (Fund 3); \$27.50 for Downtown Economic Development (Fund 13); \$2,605.00 for Northwest Corridor Development (Fund 14); and \$314,011.53 for Payrolls #13 and 14 as per Schedule N-98 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. Lescohier, moved to adjourn the July 21, 2009 regular City of Fort Atkinson Council meeting at 9:45 p.m. The motion carried on a voice vote.

/s/ Matt Trebatoski
City Clerk/Treasurer