

**CITY COUNCIL MINUTES
FORT ATKINSON, WISCONSIN
OCTOBER 16, 2007**

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:

LaVerne Behrens
John Mielke
Jim Simdon
Steve Tesmer
Mark Zastrow

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

3. APPROVAL OF MINUTES OF SEPTEMBER 25, 2007 CAPITAL IMPROVEMENT PROGRAM WORKSHOP, AND OF OCTOBER 2, 2007 REGULAR COUNCIL MEETING.

Cm. Tesmer, seconded by Cm. Zastrow, moved to approve the minutes of the September 25, 2007 Capital Improvements Program Workshop and the October 2, 2007 regular Council meeting. The motion carried on a voice vote.

4. PUBLIC HEARINGS

None.

5. PETITIONS, REQUESTS AND COMMUNICATIONS

- a. REQUEST TO WAIVE 2,500-FOOT SPACING AND 1% OF POPULATION REQUIREMENTS FOR AN ADULT FAMILY HOME TO BE LOCATED AT 421 CLOVER LANE.

Cm. Simdon, seconded by Cm. Tesmer, moved to approve the request to waive the 2,500-foot spacing and 1% of population requirements for an adult family home to be located at 421 Clover Lane, contingent on receiving all applicable licensing and complying with City Zoning Ordinances. The motion carried on a voice vote.

6. RESOLUTIONS AND ORDINANCES

a. RESOLUTION REQUESTING EXEMPTION FROM COUNTY LIBRARY TAX.

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

RESOLUTION NO. 1125

**RESOLUTION REQUESTING EXEMPTION
FROM COUNTY LIBRARY TAX**

WHEREAS, the Jefferson County Board has established a county library and levies a county library tax as authorized under Section 43.57(3) of the Wisconsin Statutes, and

WHEREAS, Section 43.64(2)(b) of the Wisconsin Statutes provides that a village or city which levies a tax for public library service and appropriates and expends for a library fund as defined by s.43.52(1) during the year for which the county tax levy is made a sum at least equal to the county tax rate in the prior year multiplied by the equalized valuation of the property in the city or village for the current year is exempt from the county library tax, and

WHEREAS, the City of Fort Atkinson will, in 2008, appropriate and expend an amount in excess of that calculated above.

NOW THEREFORE, BE IT RESOLVED that the City of Fort Atkinson hereby requests of the Jefferson County Board of Supervisors that the City of Fort Atkinson be exempted from the payment of any tax for the support of the County Library Service as provided in Section 43.64(2).

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded by the City Clerk to the following parties:

ADMINISTRATOR
Jefferson Co. Library Council
Dwight Foster Public Library
102 East Milwaukee Ave.
Fort Atkinson WI 53538

COUNTYCLERK
320 S. Main St., Rm. 109
Jefferson WI 53549

Fiscal Note:

Estimated Municipal 2008 Library Appropriation -- \$411,088

The City Manager stated at least \$255,352 must be spent to qualify for the County exemption and the City is estimating it will spend \$411,088.

Cm. Tesmer, seconded by Cm. Simdon, moved to adopt the resolution requesting exemption from the County Library Tax. On call of the roll, the motion carried unanimously.

7. REPORTS OF OFFICERS, BOARDS AND COMMITTEES

Cm. Zastrow, seconded by Cwmn. Behrens, moved to accept and file the minutes of the Dwight Foster Public Library Board meeting held September 10, 2007; the Electrical, Building and Plumbing Permit reports for September, 2007; the minutes of the Planning Commission meeting held October 9, 2007; and the minutes of the Historical Preservation Commission meeting held October 2, 2007. The motion carried on a voice vote.

8. UNFINISHED BUSINESS

- a. RECOMMENDATION FROM PLANNING COMMISSION TO APPROVE PLAT OF BELL TOWER ADDITION AT EVERGREEN CEMETERY, AND RESOLUTION.

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

RESOLUTION NO. 1126

WHEREAS, at their regularly scheduled meeting of October 9, 2007, the Fort Atkinson Planning Commission did review and approve the Plat for the bell Tower Addition at the Evergreen Cemetery; and

WHEREAS, at their regularly scheduled meeting of October 16, 2007, the Fort Atkinson City Council did review and approve the Plat for the Bell Tower Addition at the Evergreen Cemetery.

NOW THEREFORE, BE IT RESOLVED, that the Cemetery Plat of Bell Tower Addition, Evergreen Cemetery Association owner, is hereby approved by the Common Council, City of Fort Atkinson.

Cm. Zastrow, seconded by Cm. Simdon, moved to approve the plat of the Bell Tower Addition at Evergreen Cemetery and resolution. On call of the roll, the motion carried unanimously.

9. NEW BUSINESS

a. REVIEW AND APPROVE CONTRACT FOR ASSESSMENT SERVICES WITH ASSOCIATED APPRAISAL.

The City Clerk/Treasurer stated the current four year maintenance and revaluation contract with Associated Appraisal expired with the 2007 assessment. The proposed three year contract includes maintenance services from 2008-2010 with an increase of \$900 or approximately 3% each year. The costs are as follows:

2008 Maintenance	\$30,600
2009 Maintenance	\$31,500
2010 Maintenance	\$32,400

There is no revaluation figured into this contract due to its proximity to the 2006 revaluation. The City will need to examine where it is at with assessed to equalized value at the end of this and any other future contracts to determine when the next revaluation will need to take place. Staff would recommend going out for bids when it is time for the next full revaluation.

City staff has been satisfied with the service of Associated Appraisal and with a relatively small increase each year would recommend approval of the three-year contract renewal.

Cwmn. Behrens, seconded by Cm. Tesmer, moved to approve the contract for assessment services with Associated Appraisal. On call of the roll, the motion carried unanimously.

10. MISCELLANEOUS

a. GRANTING OPERATOR LICENSES.

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

REGULAR:	Jessica A. Diaz	for use at	Lennigan's
	Jesse C. Fisher	“ “	Loeder BP

The motion carried on a voice vote.

b. CITY, SEWER AND WATER FINANCIAL STATEMENTS AS OF SEPTEMBER 30, 2007.

The City Manager stated the 2008 budget will be reviewed next week along with projected expenses for the rest of 2007, so there isn't too much to report at this time. The City has received a Brownfield grant from the State for a location on

Sherman Avenue, but other than that the City has been mostly conducting routine operations over the last couple of months.

Currently the City is at 75% of expenses and 85% of revenues, so other than a few overages that have been discussed throughout the year, the City should be right on budget at the end of December.

The Sewer Utility Construction account is down to \$135,000 as the Sherman Avenue project winds down. The Sewer Utility had a good 3rd quarter for revenues and should see about a \$160,000 surplus at the end of the year. Expenditures are at about 76% and Revenues are at around 83% of budget.

The Water Utility is finally beginning to see some positive cash flow, which shows that the rate increases have been effective. The Water Construction account is down to \$328,000 as the Sherman Avenue project winds down and final State payments are made. Expenses are at approximately 73% and revenues are at about 80% of budget.

Cm. Zastrow, seconded by Cm. Simdon, moved to accept and file the City, Sewer and Water Financial Statements as of September 30, 2007. The motion carried on a voice vote.

11. CLAIMS, APPROPRIATIONS AND CONTRACT PAYMENTS

a. VERIFIED CLAIMS.

Cm. Zastrow, seconded by Cm. Simdon, moved the bills in the amounts of \$238,951.20 for the City (Fund 1); \$12,502.52 for the Sewer Utility (Fund 2); \$16,312.89 for the Water Utility (Fund 3); \$4,004.75 1901 Water Tower (Fund 8); \$3,005.79 for Downtown Economic Development (Fund 13); and \$120,825.67 for Payroll 20 as per Schedule N-56 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. Simdon, seconded by Cm. Tesmer, moved to adjourn the October 16, 2007 regular City of Fort Atkinson Council meeting at 7:18 p.m. The motion carried on a voice vote.

/s/ Matt Trebatoski
City Clerk/Treasurer