

**CITY COUNCIL MINUTES
FORT ATKINSON, WISCONSIN
October 21, 2008**

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, Attorney, Engineer, and Clerk/Treasurer.

3. APPROVAL OF MINUTES OF OCTOBER 7, 2008 REGULAR COUNCIL MEETING

The minutes of the October 7, 2008 regular Council meeting were approved by consent.

4. PUBLIC HEARINGS

None.

5. PETITIONS, REQUESTS AND COMMUNICATIONS

None.

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. 1139

**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 2009, 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

COUNTY CLERK
320 S. Main St., Rm. 109
Jefferson WI 53549

Fiscal Note:

Estimated Municipal 2009 Library Appropriation -- \$426,102

The City Manager said the minimum amount the City would be required to spend on library services to be exempt from the library tax would be \$260,356 and our estimated 2009 appropriation is \$426,102, so we easily qualify for the exemption.

Cm. Simdon, seconded by Cm. Tesmer, 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 Cm. Tesmer, moved to accept and file the minutes of the Dwight Foster Public Library Board meeting held September 15, 2008; the minutes of the Jefferson County Consortium meeting held September 10, 2008; and the minutes of the Historical Society Board meeting held September 18, 2008. The motion carried on a voice vote.

8. UNFINISHED BUSINESS

None.

9. NEW BUSINESS

a. REVIEW AND APPROVE 2009 SMALL ANIMAL COLLECTION CONTRACT WITH JEFFERSON COUNTY HUMANE SOCIETY.

The City Manager said the Humane Society is proposing a change to the previous Contract, in that they are requesting to assess a trip charge. This could be a way for them to recoup some fuel charges that they incur while picking up stray animals. The Humane Society is proposing the trip charge for the City be \$1.00 per trip. Based on the first nine months of this year, the estimated total charge for the year would be approximately \$150. In addition, the Contract goes up along with population and inflationary increases on the rate per person, so the proposed rate for 2009 would be \$26,686. We typically pay the Contract in full in January and take a discount of \$727. When adding the trip charge, the total Contract would be just over \$26,000, and that is the amount included in the 2009 budget.

The City Attorney asked the City Manager if the City gets charged separately for the Humane Society taking care of animals other than dogs and cats. The City Manager said we typically don't have anything other than dogs and cats, that is more typical for rural properties.

Cm. Simdon asked if the Humane Society provides a total number of pick-ups for the year. The City Manager said they do not, but they do track it by municipality.

Cm. Zastrow, seconded by Cm. Tesmer, moved to approve the 2009 Small Animal Collection Contract with the Jefferson County Humane Society. On call of the roll, the motion carried unanimously, with Cwmn. Behrens abstaining from the vote.

b. REVIEW AND APPROVE 911 JOINT POWERS AGREEMENT WITH JEFFERSON COUNTY SHERIFF'S DEPARTMENT.

The City Manager said this is the annual request to execute a joint powers agreement, which provides emergency services through the 911 system of Jefferson County.

Cm. Simdon, seconded by Cm. Tesmer, moved to approve the 911 Joint Powers Agreement with Jefferson County Sheriff's Department. On call of the roll, the motion carried unanimously.

10. MISCELLANEOUS

a. REQUEST TO APPOINT ELECTION INSPECTORS AND SPECIAL REGISTRATION DEPUTIES FOR NOVEMBER 4, 2008 GENERAL ELECTION.

The City Clerk/Treasurer said it is required for the municipal body to approve any inspectors for the elections the City conducts. He is requesting that we get a few extras appointed so we have enough people for the presidential election in November. At the last presidential election, approximately 1,000 people registered at the polls. We also have received a large amount of absentee ballots that will need to be processed the day of the election. The following is the list being proposed for approval:

Election Inspectors:

Richard Bleecker	Sara Carl
Tom Carl	Tina Congdon
Mary Ellen Findlay	Angela Honeyman
Elaine Hulstein	Linda Mann
Connie Meyer	Samantha Ninnemann
Marsha Steinfeld	Kelly Voelker
Dennis Wagie	John Wilmet
Faith York	
18 High School Seniors (to fill in for lunch and dinner breaks)	

Special Registration Deputies:

Teri Kratky	Linda Maasz-Schaller
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Cm. Tesmer asked if the high school seniors requested to be appointed have to be 18 years of age. The City Clerk/Treasurer said they only need to be 16, but we are only going to be using seniors from the high school, and they do need their parent's and Principal's permission.

Cwmn. Behrens, seconded by Cm. Zastrow, moved to approve the appointment of the election inspectors and special registration deputies for the November 4, 2008 General Election. The motion carried on a voice vote.

b. GRANTING OPERATOR LICENSES.

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

Colin Hartwig

Citgo on the Point

The motion carried on a voice vote.

c. CITY, SEWER AND WATER FINANCIAL STATEMENTS AS OF SEPTEMBER 30, 2008.

The City Manager said the Water and Sewer Utilities seem to be doing very well. Because of the flooding and all of the extra costs the City incurred, we are probably going to see a deficit in expenses over revenues this year.

Cm. Simdon asked if all of our expenses have been submitted to FEMA for their audit. The City Manager said we have submitted all expenses paid to date and the ones we anticipate to finish up. Cm. Simdon asked what percentage of that we expect in funding. Cm. Mielke said we are anticipating reimbursement for all but approximately \$50,000. Cm. Simdon then said he noticed that the City is requesting \$107,000 from the Community Foundation and the City Manager said that amount includes expenses that are non-eligible items; in particular the park expenses. The cleanup of the parks is not eligible, repairs to the pumps at the pool are not eligible and basically the landscaping portion is also non-reimbursable. We are asking the Foundation to assist us in the restoration of the landscaping and tree replacement.

Cwmn. Behrens said that looking at the City Manager's forecast, the City will probably be okay in the midst of the chaos of budgeting at this time. The City Manager said the budget process has been difficult for us as well, most of the reserves that we had put aside are pretty much gone. The difficult part that communities are facing is that the levy limits that are in place are at 2% of our levy amount, and when the State reduces their highway aids and their shared revenue and expenditure restraint payment, that 2% now becomes less than 2% because revenues are gone. Therefore we have to move our expenditures down even further to meet the 2% levy limit.

Cm. Zastrow, seconded by Cm. Simdon, moved to accept and file the City, Sewer and Water Financial Statements as of September 30, 2008. The motion carried on a voice vote.

11. CLAIMS, APPROPRIATIONS AND CONTRACT PAYMENTS

Cm. Simdon, seconded by Cm. Tesmer, moved the bills in the amounts of \$340,587.97 for the City (Fund 1); \$50,202.51 for the Sewer Utility (Fund 2); \$24,839.26 for the Water Utility (Fund 3); \$260.81 for Grant Reimbursement (Fund 6); \$1,786.00 for Downtown Economic Development (Fund 13); and \$127,441.37 for Payroll 20 as per Schedule N-80 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. Tesmer, seconded by Cm. Zastrow, moved to adjourn the October 21, 2008 regular City of Fort Atkinson Council meeting at 7:12 p.m. The motion carried on a voice vote.

/s/ Matt Trebatoski
City Clerk, Treasurer