

**CITY COUNCIL MINUTES
FORT ATKINSON, WISCONSIN
November 17, 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
Dick Schultz
Mark Zastrow
John Mielke

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

3. APPROVAL OF MINUTES OF OCTOBER 27 AND 28, 2009 SPECIAL COUNCIL MEETINGS, AND OF NOVEMBER 3, 2009 REGULAR COUNCIL MEETING

The minutes of the October 27 and 28, 2009 Special Council meetings, and November 3, 2009 regular Council meeting were approved by consent.

4. PUBLIC HEARINGS

a. PUBLIC HEARING ON 2010 BUDGET.

Pres. Mielke opened the public hearing on the 2010 Budget 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.

Dennis Heling, of the Jefferson County Economic Development Consortium, 864 Collins Road, Jefferson, addressed the Council and thanked them for their financial commitment to support the collaboration efforts of the County-wide regional economic development efforts. Cm. Zastrow said it is the City's hope that by joining the Consortium, we will see activity in the Klement Business Park.

Pres. Mielke then addressed the Budget. He said the City is looking at a less than one percent increase in spending with a significant decrease in State aids and other sources of revenue, and the result is a 3.5% property tax increase for the City's portion of the tax bill, or \$0.24 per \$1,000 of assessed value. Pres. Mielke

said in past years other communities have hired human resources, IT, personnel managers, etc., and are now cutting those positions. We have not hired those positions; our existing staff has taken on those duties. He said he believes our Public Works Department maintains a larger number of miles of streets than other communities, with minimal staffing levels. Pres. Mielke said he did not want to adopt a budget this year that would put the City in a more difficult position in future years.

Cm. Lescohier said he feels there is a record demand for programs and services such as the Library, Aquatic Center, Museum, parks, etc., which costs the City more money. He also feels staffing levels are currently spread pretty thin, and that this is a good budget.

Cm. Zastrow agreed with all of the previous comments.

After the second and third calls, and hearing no further comments, Pres. Mielke closed the public hearing on the 2010 Budget.

1. ADOPTION OF 2010 CITY, SEWER AND WATER BUDGETS.

The City Manager reviewed how the 2010 tax dollar will be distributed, which is as follows: \$.43 for public schools, \$.31 for City, \$.17 for County, \$.06 for Vocational School, \$.01 for State, and \$.02 for tax increment. He said the total levy for all taxing jurisdictions is just shy of \$20,000,000. The bulk of the City tax dollar is for public safety and public works, and approximately 90% of the revenues come from property taxes and State aids.

Cm. Zastrow, seconded by Cm. Schultz, moved to adopt the 2010 City, Sewer and Water Budgets. On call of the roll, the motion carried unanimously.

2. APPROVE RESOLUTION CONFIRMING LEVY FOR CITY PURPOSES.

The City Manager stated the overall tax rate for City purposes will be roughly \$7.09 per \$1,000 of assessed value.

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

RESOLUTION NO. 1165

WHEREAS, the financial requirements for 2010 municipal operations and estimated revenues have been determined as follows:

EXPENDITURES:		
General Government	\$ 816,193.00	
Public Safety	3,195,325.00	
Health & Social Services	26,800.00	
Public Works	2,124,215.00	
Culture & Recreation	1,655,710.00	
Conservation & Development	157,990.00	
Public Service Enterprises	<u>20,000.00</u>	
	\$7,996,233.00	+0.6%
Outlay Expenses	<u>\$ 371,400.00</u>	
	\$8,367,633.00	+0.8%
Debt Service (Less: Gen'l Fund Advance)	<u>\$ 571,440.00</u>	
TOTAL GEN'L FUND EXPENDITURES	\$8,939,073.00	+0.9%
Less Revenues (Other than Property Taxes)	<u>\$3,168,081.00</u>	
	\$5,770,992.00	
Capital Project – Road Improvements	<u>\$ 400,000.00</u>	
	\$6,170,992.00	+3.48%
Plus Tax Increment for TIF Districts	<u>\$ 148,383.24</u>	
Net Expenses Over Revenues	\$6,319,375.24	
TAXES LEVIED FOR CITY PURPOSES	\$6,319,375.24	+3.88%

SUMMARY OF PROPOSED TAX RATE BY FUND

<u>GENERAL FUND</u>	<u>LEVY</u>	<u>RATE</u>
Revenues (excluding property tax, debt service & capital projects)	\$ 3,168,081.00	
Expenditures	<u>(8,367,633.00)</u>	
Net Surplus (Deficit)	\$(5,199,552.00)	
NET TAXES - GENERAL FUND	\$ 5,199,552.00	\$5.830126861*
<u>DEBT SERVICE FUND</u>		
Revenues	\$ -0-	
Expenditures - Principal & Interest	<u>(571,440.00)</u>	
	\$ (571,440.00)	
TOTAL DEBT SERVICE FUND	\$ 571,440.00	\$0.640741297*

and directed to spread against the total assessed valuation of property in the City of Fort Atkinson heretofore determined to total the amount of \$19,918,608.09 upon the General Tax Roll for 2009 a tax rate of \$22.334539719 per thousand of assessed valuation.*

Cm. Schultz, seconded by Cm. Gray, moved to approve the Resolution confirming the total levy to be collected and approving the overall gross tax rate. On call of the roll, the motion carried unanimously.

4. MOTION TO APPROVE SPECIAL ASSESSMENTS AND DELINQUENT BILLS TO BE INCLUDED IN THE 2010 TAX ROLL.

The City Manager reviewed the special assessments and delinquent bills with the Council.

Cm. Lescohier, seconded by Cm. Schultz, moved to approve the special charges in the amount of \$11,680.58 and miscellaneous charges in the amount of \$1,458.13, for a total of \$13,138.71. On call of the roll, the motion carried unanimously.

5. APPROVE ORDINANCE AMENDING SEWER USE CHARGES.

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

ORDINANCE NO. 693

2010 Rate

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

That Chapter XXI, Section 21.09(D)(9), be amended as follows:

In accordance with the procedures outlined in the City Ordinance No. 21.09(D), SEWER USE CHARGES, shall be as follows:

BOD	0.592 per pound
S.S.	0.781 per pound
TKN	1.534 per pound
Phosphorus	1.773 per pound

The charges for BOD, S.S., TKN and Phosphorus will be used for surcharging users that discharge higher than domestic strength wastes.

The equivalent rate for domestic strength wastewater shall be \$4.57 per

thousand gallons.

In addition, the charges to Jones Dairy Farm for domestic strength waste, BOD, S.S. and TKN will be in accordance with the 1991 contract.

The annual fixed rate charge will be \$66.60 per year per sewer hook-up.

That Chapter 98, UTILITIES, Article IV, Sewers, Division 9, Charges and Fees, Sec. 98-365, Charges for Class C Users, Table C, Campers, be amended as follows:

Campers (less than 30 gallons)	Minimum bill -- \$5.00
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All ordinances or parts of ordinances in conflict herewith are hereby repealed.

This ordinance shall take effect and be in force for meter consumptions beginning in November and billable in January, 2010 for non-sampled customers (Class A), and January 1, 2010 for sampled customers (Class B, C and D).

Cm. Zastrow, seconded by Cm. Lescohier, moved to suspend the rules and pass the Ordinance to amend the sewer use charges through its second and third readings. On call of the roll, the motion carried unanimously.

Cm. Zastrow, seconded by Cm. Schultz, moved to approve the Ordinance amending the sewer use charges. On call of the roll, the motion carried unanimously.

b. **PUBLIC HEARING ON REQUEST TO VACATE A PORTION OF STREET RIGHT-OF-WAY ON CASWELL STREET.**

Pres. Mielke opened the public hearing on the request to vacate a portion of street right-of-way on Caswell 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.

After three calls and hearing no comments, Pres. Mielke closed the public hearing.

5. **PETITIONS, REQUESTS AND COMMUNICATIONS**

None.

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 Dwight Foster Public Library Board meeting held October 5, 2009; the minutes of the Jefferson County Economic Development Consortium meeting held October 14, 2009; the Electrical, Building and Plumbing Permit Reports for October, 2009; the minutes of the Historic Preservation Commission meeting held November 3, 2009; the minutes of the Water Tower Committee meeting held November 10, 2009; and the minutes of the Finance Committee meeting held November 12, 2009. The motion carried on a voice vote.

8. UNFINISHED BUSINESS

- a. FINAL DETERMINATION ON VACATION OF A PORTION OF STREET RIGHT-OF-WAY ON CASWELL STREET, AND ORDER.

The City Manager said the 40-day waiting period has elapsed and this is the final action needed to vacate a portion of right-of-way on Caswell Street. The Order will be recorded to finalize the transaction.

Cm. Zastrow, seconded by Cm. Lescohier, moved to approve the Order vacating a portion of street right-of-way on Caswell Street. The motion carried on a voice vote.

- b. REVIEW AND APPROVE TRANSFER AGREEMENT AND RESOLUTION FOR JURISDICTIONAL TRANSFER ON MADISON AVENUE.

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

Resolution No. 1167

APPROVING CHANGES TO THE CONNECTING LIMITS
IN THE CITY OF FORT ATKINSON

WHEREAS, the functional/jurisdictional relationship of present State and Local Highway Systems have been cooperatively reviewed by the City of Fort Atkinson and the State; and

WHEREAS, the State and the City have cooperated in developing this connecting limits change; and

WHEREAS, Section 86.32, Wisconsin Statutes, enables the State to designate certain marked routes of the State Trunk Highway System as connecting highways, for which the local municipality has jurisdictional control.

THEREFORE BE IT RESOLVED, that the Common Council of the City of Fort Atkinson that the following segments of highway be added to the Fort Atkinson connecting highway allocation:

From a point on US 12 located 0.01 miles northwest of Banker Road to a point located 0.12 miles northwest of Reena Avenue, all in the City of Fort Atkinson, Jefferson County.

BE IT FURTHER RESOLVED, that the Common Council of the City of Fort Atkinson authorizes the City Manager to execute a Connecting Limits Agreement with the State of Wisconsin Department of Transportation, and this resolution shall become effective upon the execution of a satisfactory agreement between the City and WisDOT.

The City Manager said the Department of Transportation is backing off on their enforcement of the speed limit change in this area and have agreed to the jurisdictional transfer to the City. It was also indicated that this will increase the amount of highway aids that the City receives.

Cm. Lescohier, seconded by Cm. Schultz, moved to approve the Jurisdictional Transfer Agreement and Resolution for jurisdictional transfer on Madison Avenue. On call of the roll, the motion carried unanimously.

c. RECOMMENDATION FROM FINANCE COMMITTEE TO APPROVE APPLICATION FOR REVOLVING LOAN FUNDS FOR CAPN'S OF FORT AT 855 LEXINGTON BOULEVARD.

The revolving loan has been reviewed and recommended for approval by both the Finance Committee as well as Foth & Van Dyke. The loan will be in the amount of \$300,000. There will be an equity injection of \$107,040 and a bank loan of \$287,500 for a total project cost of \$694,040. They will be creating 15 new jobs. The City Manager did receive word from the Department of Commerce indicating the City can loan this money at an interest rate of 4% for a 15-year term.

Cm. Zastrow, seconded by Cm. Gray, moved to approve the recommendation of the Finance Committee to approve the application for a Revolving Loan Fund for \$300,000 for Capn's of Fort at 855 Lexington Boulevard, with a fixed loan rate of 4%, contingent on a second mortgage on the real estate and a general business security agreement (first lien on the equipment, fixtures and inventory). On call of the roll, the motion carried unanimously.

9. NEW BUSINESS

None.

10. MISCELLANEOUS

a. GRANTING OPERATOR LICENSES

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

Regular:

Norman W. Hartwig	Open
Clayton T. Laird	Lions Quick Mart
Scott W. Taylor	Belmont

The motion carried on a voice vote.

11. CLAIMS, APPROPRIATIONS AND CONTRACT PAYMENTS

Cm. Zastrow, seconded by Cm. Gray, moved the bills in the amounts of \$282,769.67 for the City (Fund 1); \$19,230.63 for the Sewer Utility (Fund 2); \$24,072.93 for the Water Utility (Fund 3); \$3,373.57 for Debt Service (Fund 4); \$450.00 for Northwest Corridor Development (Fund 14); \$131,674.42 for Payroll 22; and \$50,178.10 for Sewer Debt Service Account as per Schedule O-07 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 November 17, 2009 regular City of Fort Atkinson Council meeting at 7:36 p.m. The motion carried on a voice vote.

/s/ Matt Trebatoski
City Clerk/Treasurer