

**CITY COUNCIL MINUTES
FORT ATKINSON, WISCONSIN
December 1, 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, Engineer, Library Director and Police Chief.

3. APPROVAL OF MINUTES OF NOVEMBER 17, 2009 REGULAR COUNCIL MEETING

The minutes of the November 17, 2009 regular Council meeting were approved by consent.

Prior to beginning the regular Council meeting, Rep. Andy Jorgensen updated the Council on Legislation regarding liquor license quotas. A Bill has been introduced by Rep. Hintz of Oshkosh, who is facing a similar situation as Fort Atkinson regarding the shortage of liquor licenses. Rep. Jorgensen has also requested legislation specific to Fort Atkinson that would allow the City to have two more licenses contingent on if they are surrendered back to the City, they will be dissolved. This proposed Bill still needs to go through the Assembly and Senate prior to final approval.

4. PUBLIC HEARINGS

None.

5. PETITIONS, REQUESTS AND COMMUNICATIONS

- a. REPORT FROM CHAMBER OF COMMERCE ON 2009 TOURISM ANNUAL REPORT AND BUDGET.

Bill Marklein, representing the Tourism Department of the Chamber of Commerce, appeared before the Council at this time. Mr. Marklein said they have been receiving room taxes since 1998, of which a portion is dedicated to tourism at the Chamber. \$54,630 in room tax was collected this year. For 2010, they have budgeted \$26,000 for marketing and advertising.

Cm. Zastrow, seconded by Cm. Lescohier, moved to accept and file the 2009 Tourism Annual Report and adopt the 2010 Budget. The motion carried on a voice vote.

6. RESOLUTIONS AND ORDINANCES

None.

7. REPORTS OF OFFICERS, BOARDS AND COMMITTEES

Cm. Schultz, seconded by Cm. Gray, moved to accept and file the minutes of the Public Library Capital Campaign Committee meeting held November 9, 2009; the minutes of the Dwight Foster Public Library Building Committee meeting held September 21, 2009; the minutes of the Tourism Committee meeting held August 13, 2009; the minutes of the Tourism Committee meeting held November 12, 2009; the minutes of the Historical Society Board meeting held October 15, 2009; the minutes of the Public Works Committee meeting held November 24, 2009; the minutes of the Planning Commission meeting held November 24, 2009; and the minutes of the Library Building Committee meeting held November 16, 2009. The motion carried on a voice vote.

8. UNFINISHED BUSINESS

a. REVIEW AND APPROVE CHANGE ORDER NO. 1 WITH AECOM FOR STORMWATER UTILITY SERVICES.

The City Manager said the original contract for these services was for \$99,500, of which \$70,600 was covered by a State grant. AECOM is currently working on measurements for non-residential properties for use in calculating their utility fees. The estimate to complete the work, and the amount of this change order is, \$11,000.

Cm. Zastrow, seconded by Cm. Schultz, moved to approve Change Order No. 1 with AECOM for the stormwater utility services in an amount not to exceed \$11,000. On call of the roll, the motion carried unanimously.

b. REVIEW AND APPROVE QUOTE FOR SOIL BORING CONTRACT FOR HWY. 26 BYPASS PROJECT.

Three proposals were received for this project, and are as follows:

Giles Engineering Assoc.	\$3,160.50
CGC, Inc.	\$3,920.00
SES, Inc.	\$4,090.00

This is for the soil borings that need to be done prior to the utility extensions for the Hwy. 26 Bypass expansion project.

Cm. Gray, seconded by Cm. Lescohier, moved to approve the proposal from Giles Engineering Assoc. in an amount of \$3,160.50. On call of the roll, the motion carried unanimously.

c. REVIEW AND APPROVE MISCELLANEOUS COSTS ASSOCIATED WITH LIBRARY RELOCATION IN CONJUNCTION WITH RENOVATION PROJECT.

The City Manager said the Library will be relocating during their upcoming construction project. Several locations were investigated, and it was decided that the best location would be the lower level of the former Digi-Star building. This area will be leased for ten months at \$6,300/month, plus 75% of the utility bills. Spacesaver has assisted in this project by designing the layout of shelving, etc., as gratis work. Cm. Schultz wanted to recognize Spacesaver for all of their donations and work involved with this project, as well as others they have done in the City.

It was also discovered that there is some asbestos in the building that needs to be removed, and quotes were received as follows for that abatement project: EMC of Lake Mills, Wisconsin at a price of \$5,355 and from Liesch of Milwaukee, Wisconsin at a price of \$13,842.

Cm. Gray, seconded by Cm. Lescohier, moved to approve the estimated expenditure of \$131,029 for the relocation of the Library during construction to include the issuance of a contract to Yerges for an amount not to exceed \$37,014 for their share of the move to the temporary site as well as the move back to the Library; Jill Kessenich in the amount of \$3,425 for her services in facilitating the move; EMC in the amount of \$5,355 for asbestos abatement in the present Library building; and that the City Attorney be authorized to draft a lease agreement with Aristotle Corporation (Nasco) with the terms as outlined by the City Manager. On call of the roll, the motion carried unanimously.

9. NEW BUSINESS

a. REQUEST BY POLICE CHIEF TO ADOPT VEHICLE IMPOUND POLICY.

The Police Chief addressed the Council and indicated there needs to be a policy in order to impound a car from a driver who does not have a valid driver's license. It is hoped that this will deter people without a valid license from driving. He

said there are a large number of defendants who are operating after revocation multiple times. It was indicated that Havill-Spoerl said they would be willing to do this service and place the vehicles in their secured area. Before releasing the vehicle they would need to be paid for their towing service as well as being presented proof of ownership of the vehicle. It is hoped this will change the trend of operating after revocation.

Cm. Zastrow, seconded by Cm. Lescohier, moved to direct the City Attorney to draft a vehicle impound policy for review by the Council. The motion carried on a voice vote.

b. REVIEW AND APPROVE BIDS FOR PURCHASE OF TWO POLICE SQUAD CARS.

The following bids were received for two police vehicles to be purchased in 2010:

Frank Boucher CDJ (Dodge Charger V8)	\$47,994
Frank Boucher CDJ (Dodge Charger V6)	\$46,708
Ewald Comm. Vehicle Serv. (Crown Victoria)	\$42,334
Ewald Comm. Vehicle Serv. (Chev. Impala)	\$42,116
Ewald Comm. Vehicle Serv. (Dodge Charger)	\$41,894

The Police Chief is recommending the bid from Ewald Commercial Vehicle Services for the Chevrolet Impalas at a price of \$42,116 since changing over from a Chevrolet to a Dodge (low bid), would create additional costs. There is \$47,000 budgeted for this purchase, and with the two squads, graphics and changeover costs, it is estimated to total \$46,992.80.

Cm. Gray, seconded by Cm. Schultz, moved to approve the bids for two 2010 Chevrolet Impala 4-door police package sedans from Ewald Commercial Vehicle Services at a cost of \$42,116, and the associated changeover costs, for a total cost of \$46,992.80. On call of the roll, the motion carried unanimously.

c. APPOINTMENT OF ELECTION WORKERS FOR 2010-2011.

The City Clerk/Treasurer informed the Council that State laws require that election officials be appointed by the governing body for every two-year election period.

Cm. Lescohier, seconded by Cm. Zastrow, moved to approve appointment of the election officials for 2010-2011 as listed in the memorandum from the City Clerk/Treasurer. The motion carried on a voice vote.

10. MISCELLANEOUS

a. SET DATE FOR PUBLIC WORKS COMMITTEE MEETING.

The City Engineer is requesting a meeting of the Public Works Committee be set to review the credit policy for the non-residential stormwater accounts. Members of the Public Works Committee consented to a meeting date of Wednesday, December 16, 2009 at 4:00 p.m.

b. **GRANTING OPERATOR LICENSES**

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

Regular:

Rachel M. Ameen	Stop-N-Go
Justin D. Blakey	Capn's of Fort
Matthew J. Bolton	Bughouse
Donald M. Castine	Capn's of Fort
Robert Michael Dunham	Capn's of Fort
Jayne K. Grady	Citgo on the Point
Jodi L. Gromowski	Capn's of Fort
Charsei E. Riedy	Lennigan's
Cindy S. Sweet	Capn's of Fort
Heather F. Young	Union Jacks
Anthony A. Zick	Capn's of Fort

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 \$138,223.93 for the City (Fund 1); \$34,248.57 for the Sewer Utility (Fund 2); \$9,169.25 for the Water Utility (Fund 3); \$300,000.00 for Revolving Loan to Capn's of Fort, LLC (Fund 6); \$1,000.00 for Northwest Corridor Development (Fund 14); and \$137,993.04 for Payrolls 23 and 23A as per Schedule O-08 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. Schultz, seconded by Cm. Zastrow, moved to adjourn the December 1, 2009 regular City of Fort Atkinson Council meeting at 8:01 p.m. The motion carried on a voice vote.

/s/ Matt Trebatoski
City Clerk/Treasurer