

**CITY COUNCIL MINUTES
FORT ATKINSON, WISCONSIN
DECEMBER 18, 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 DECEMBER 4, 2007 REGULAR COUNCIL MEETING

Cwmn. Behrens, seconded by Cm. Tesmer, moved to approve the minutes the December 4, 2007 regular Council meeting. The motion carried on a voice vote.

4. PUBLIC HEARINGS

- a. PUBLIC HEARING ON REQUEST FOR CLASS "A" FERMENTED MALT BEVERAGE LICENSE AND CLASS "A" LIQUOR LICENSE FOR J&R PETRO, LLC FOR USE AT 415 JANESVILLE AVENUE.

President Mielke opened the public hearing on the request for a Class "A" Fermented Malt Beverage License and a Class "A" Liquor License for J&R Petro, LLC for use at 415 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, President Mielke closed the public hearing on the request for a Class "A" Fermented Malt Beverage License and a Class "A" Liquor License for J&R Petro, LLC for use at 415 Janesville Avenue.

- b. PUBLIC HEARING ON REQUEST FOR “CLASS B” COMBINATION LIQUOR AND FERMENTED MALT BEVERAGE LICENSE TO NEE’S TASTE OF THAI, LLC FOR USE AT 120 NORTH MAIN STREET.

President Mielke opened the public hearing on the request for a “Class B” Combination Liquor and Fermented Malt Beverage License for Nee’s Taste of Thai, LLC for use at 120 N. Main 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, President Mielke closed the public hearing on the request for a “Class B” Combination Liquor and Fermented Malt Beverage License for Nee’s Taste of Thai, LLC for use at 120 N. Main Street.

5. PETITIONS, REQUESTS AND COMMUNICATIONS

None.

6. RESOLUTIONS AND ORDINANCES

None.

7. REPORTS OF OFFICERS, BOARDS AND COMMITTEES

Cm. Zastrow, seconded by Cm. Simdon, moved to accept and file the Electrical, Building and Plumbing Permit reports for November, 2007; the minutes of the Traffic Review Committee meeting held November 30, 2007; the minutes of the Closed Finance Committee meeting held November 27, 2007; the minutes of the License Committee meeting held December 3, 2007; and the minutes of the Planning Commission meeting held December 11, 2007. The motion carried on a voice vote.

8. UNFINISHED BUSINESS

- a. RECOMMENDATION FROM LICENSE COMMITTEE TO TRANSFER “CLASS B” COMBINATION LIQUOR AND MALT BEVERAGE LICENSE TO CASEY PENCE FOR USE AT 130 NORTH MAIN STREET (WIZARD’S RETREAT).

The Clerk/Treasurer stated due to the unfortunate and unexpected death of the owner, her daughter has requested the license be transferred to her name for the remainder of the licensing period. The Police Department has conducted an investigation and recommends approval of the request.

Cm. Zastrow, seconded by Cm. Tesmer, moved to approve the transfer of the “Class B” Combination Liquor and Fermented Malt Beverage License to Casey

Pence for use at 130 N. Main Street (Wizard's Retreat). The motion carried on a voice vote.

- b. RECOMMENDATION FROM LICENSE COMMITTEE TO APPROVE CLASS "A" FERMENTED MALT BEVERAGE LICENSE AND CLASS "A" LIQUOR LICENSE FOR J&R PETRO, LLC FOR USE AT 415 JANESVILLE AVENUE.

The Clerk/Treasurer stated all of the proper applications and forms have been submitted and the Police Department conducted an investigation and recommends approval.

Cm. Simdon, seconded by Cm. Tesmer, moved to approve the Class "A" Fermented Malt Beverage License and Class "A" Liquor License for J&R Petro, LLC for use at 415 Janesville Avenue. The motion carried on a voice vote.

- c. RECOMMENDATION FROM LICENSE COMMITTEE TO APPROVE "CLASS B" COMBINATION LIQUOR AND FERMENTED MALT BEVERAGE LICENSE TO NEE'S TASTE OF THAI, LLC FOR USE AT 120 NORTH MAIN STREET.

The Clerk/Treasurer stated all of the proper applications and forms have been submitted and the Police Department conducted an investigation and recommends approval.

Cm. Tesmer, seconded by Cm. Simdon, moved to approve the "Class B" Combination Liquor and Fermented Malt Beverage License for Nee's Taste of Thai, LLC for use at 120 N. Main Street. The motion carried on a voice vote.

- d. RECOMMENDATION FROM TRAFFIC REVIEW COMMITTEE TO RESTRICT PARKING ON NORTH FOURTH STREET FROM ARMENIA STREET TO MCMILLEN STREET TO TWO-HOURS FROM 7:00 A.M. TO 5:00 P.M., MONDAY THROUGH FRIDAY, AND ORDINANCE.

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

ORDINANCE NO. 657

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

That Chapter 94, TRAFFIC AND VEHICLES, Article VIII, Traffic Schedule, Division 6, Stopping, Standing and Parking, Subdivision V, Two-Hour Limit, Sec. 94-526, Specific Limitations, (c) be created as follows:

- (c) *Weekdays, 7:00 a.m. to 5:00 p.m.* No person shall park, stop or leave standing any vehicle, whether attended or unattended, for a period of more than two hours between the hours of 7:00 a.m. and 5:00 p.m., on the following described streets or portions thereof:

North Fourth Street.

From its intersection with Armenia Street to its intersection with McMillen Street, on both sides of the street.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

This ordinance shall take effect and be in force from and after the date of its passage and publication.

The City Manager stated there are five recommendations from the Traffic Review Committee all originated from citizen requests and safety concerns.

Cm. Zastrow, seconded by Cm. Simdon, moved to suspend the rules and pass the ordinance to restrict parking on North Fourth Street from Armenia Street to McMillen Street to two-hours from 7:00 a.m. to 5:00 p.m., Monday through Friday through its second and third readings. The motion carried on a voice vote.

Cm. Zastrow, seconded by Cm. Simdon, moved to adopt the ordinance to restrict parking on North Fourth Street from Armenia Street to McMillen Street to two-hours from 7:00 a.m. to 5:00 p.m., Monday through Friday. On call of the roll, the motion carried unanimously.

- e. RECOMMENDATION FROM TRAFFIC REVIEW COMMITTEE TO RESTRICT PARKING TO TWO-HOURS FROM 9:00 A.M. TO 5:00 P.M., WEEKDAYS ON BOTH SIDES OF THE 200 BLOCK OF BARRIE STREET FROM THE ALLEY TO THE SENTRY PARKING LOT, AND ORDINANCE.

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

ORDINANCE NO. 658

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

That Chapter 94, TRAFFIC AND VEHICLES, Article VIII, Traffic Schedule, Division 6, Stopping, Standing and Parking, Subdivision V, Two-Hour Limit, Sec. 94-526, Specific Limitations, (a) be amended to include:

Barrie Street.

From its intersection with the alley, east to the Sentry Parking Lot (200 Block), on both sides of the street.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

This ordinance shall take effect and be in force from and after the date of its passage and publication.

Cm. Tesmer, seconded by Cm. Simdon, moved to suspend the rules and pass the ordinance to restrict parking to two-hours from 9:00 a.m. to 5:00 p.m., weekdays on both sides of the 200 block of Barrie Street from the alley to the Sentry parking lot through its second and third readings. The motion carried on a voice vote.

Cm. Tesmer, seconded by Cm. Simdon, moved to adopt the ordinance to restrict parking to two-hours from 9:00 a.m. to 5:00 p.m., weekdays on both sides of the 200 block of Barrie Street from the alley to the Sentry parking lot. On call of the roll, the motion carried unanimously.

- f. RECOMMENDATION FROM TRAFFIC REVIEW COMMITTEE TO INSTALL “YIELD TO PEDESTRIANS” SIGN AND STROBE LIGHTS AT ROBERT/JANESVILLE/SOUTH THIRD STREET INTERSECTION.

The City Manager stated the City has been working with the bike club on safety precautions for this intersection for quite some time and has recommended a yield sign with strobe lights be installed. A no turn on red would be a last resort.

Cm. Tesmer, seconded by Cm. Zastrow, moved to install a “Yield to Pedestrians” sign and strobe lights at the Robert/Janesville/South Third Street intersection. The motion carried on a voice vote.

- g. RECOMMENDATION FROM TRAFFIC REVIEW COMMITTEE TO PLACE A STOP SIGN ON HANDEYSIDE LANE AT WILCOX STREET.

Cwmn. Behrens, seconded by Cm. Tesmer, moved to place a stop sign on Handeyside Lane at Wilcox Street. The motion carried on a voice vote.

- h. RECOMMENDATION FROM TRAFFIC REVIEW COMMITTEE TO PLACE L.E.D. LIGHTS ON SCHOOL FLASHER AT WHITEWATER AVENUE AT SOUTH FOURTH STREET.

The City Manager stated this recommendation is a result of safety concerns due to speeding vehicles through this area.

Cm. Zastrow, seconded by Cm. Simdon, moved to place L.E.D. lights on the school flasher at Whitewater Avenue at South Fourth Street. The motion carried on a voice vote.

- i. RECOMMENDATION FROM PLANNING COMMISSION TO APPROVE PRELIMINARY CERTIFIED SURVEY MAP CREATING ONE LOT ON HOARD ROAD (EXTRA-TERRITORIAL).

Cm. Simdon, seconded by Cm. Tesmer, moved to approve the Preliminary Certified Survey Map creating one lot on Hoard Road (extra-territorial). The motion carried on a voice vote.

9. NEW BUSINESS

- a. APPOINTMENT OF ELECTION WORKERS.

Cm. Simdon, seconded by Cm. Tesmer, moved to approve the appointment of election workers as presented. The motion carried on a voice vote.

10. MISCELLANEOUS

- a. GRANTING OPERATOR LICENSES.

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

REGULAR:	Kimberly Meier	for use at	Central Coast
	John J. Aguirre	“ “	Central Coast

The motion carried on a voice vote.

11. CLAIMS, APPROPRIATIONS AND CONTRACT PAYMENTS

- a. VERIFIED CLAIMS.

Cm. Simdon, seconded by Cm. Tesmer, moved the bills in the amounts of \$307,151.20 for the City (Fund 1); \$22,314.32 for the Sewer Utility (Fund 2); \$74,849.83 for the Water Utility (Fund 3); \$1,773.00 for the Klement Business Park (Fund 12); \$12,835.46 for Downtown Economic Development (Fund 13); and \$188,264.87 for Payrolls 25 and 25L as per Schedule N-60 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 December 18, 2007 regular City of Fort Atkinson Council meeting at 7:20 p.m. The motion carried on a voice vote.

/s/ Matt Trebatoski
City Clerk/Treasurer