

CITY COUNCIL MEETING IN PERSON AND VIA ZOOM TUESDAY, JUNE 6, 2023 – 7:00 PM CITY HALL – SECOND FLOOR

https://us02web.zoom.us/j/5997866403?pwd=alcreldSbGpNUVI1VnR1RWF5bXovdz09

Meeting ID: 599 786 6403 Passcode: 53538

> Dial by Location +1 312 626 6799

If you have special needs or circumstances which may make communication or accessibility difficult at the meeting, please call (920) 397-9901. Accommodations will, to the fullest extent possible, be made available on request by a person with a disability.

AGENDA

- 1. Call meeting to order
- 2. The City Clerk will administer the **Oath of Office** to newly appointed elected Council Member Lescohier (Ebbert, Clerk/Treasurer/Finance Director)
- 3. Roll call
- 4. Public Hearing None
- 5. <u>Public Comment:</u> The City Council will receive comments from City residents. Comments are generally limited to three minutes per individual. Anyone wishing to speak is required to sign up in advance or state the following items for the record when called upon: name, address, subject matter, and contact information. No action will be taken on any public comments unless the item is also elsewhere on the agenda.
- **6.** <u>Consent Agenda:</u> The Consent Agenda outlined below is hereby presented for action by the City Council. Items may be removed from the Consent Agenda on the request of any one Council member. Items not removed may be adopted by one action without debate.

Removed items may be taken up either immediately after the Consent Agenda or placed later on the agenda at the discretion of the Council President.

- a. Review and possible action relating to the **minutes of the May 16, 2023 regular Fort Atkinson City Council meeting** (Ebbert, Clerk/Treasurer/Finance Director)
- Review and possible action relating to the minutes of the May 23, 2023 regular Fort Atkinson Plan Commission meeting (Ebbert, Clerk/Treasurer/Finance Director)
- c. Review and possible action relating to the **minutes of the May 25, 2023 License Committee meeting** (Ebbert, Clerk/Treasurer/Finance Director)
- d. Review and possible action relating to the **minutes of the June 1, 2023 Police and Fire Commission meeting** (Ebbert, Clerk/Treasurer/Finance Director)
- e. Review and possible action relating to a **Temporary Class B Retailer's Licenses** for the Fort Atkinson Historical Society Special Events (Ebbert, Clerk/Treasurer/Finance Director)
- f. Review and possible action **Special Event: Lemke Legacy 5K** on Saturday, July 15, 2023 from 9 a.m. to 11 a.m. at Lion's Park Shelter, Glacier Trail (Ebbert, Clerk/Treasurer/Finance Director)
- g. Review and possible action Special Event: Fort Fall Fiesta on Saturday, Sept. 9, 2023 from 9 a.m. to 4 p.m. at Jones Park (Ebbert, Clerk/Treasurer/Finance Director)
- h. Review and possible action **Special Event: Dwight Foster Food Truck Festival** on Sunday, Sept. 10, 2023 from 11 a.m. to 3 p.m. at 200 block of Merchants Avenue (Ebbert, Clerk/Treasurer/Finance Director)
- i. Review and possible action relating to **Citizen Appointments** to Committees, Commissions, and Boards (Houseman, City Manager)

7. Petitions, Requests, and Communications - None

8. Resolutions and Ordinances

- a. Third and Final reading of an Ordinance to adopt Amendments to the City of Fort Atkinson Comprehensive Plan (Selle, City Engineer/Director of Public Works)
- b. Third and Final reading of an Ordinance relating to a **Zoning Map Amendment** to change the zoning from Institutional (I) to Single Family Residential (SR-5) and Duplex (DR-8) for the property formerly addressed 426 McMillen St. (Selle, City Engineer/Director of Public Works)
- c. First reading of an Ordinance relating to a **Zoning Map Amendment** to change the zoning from Downtown Periphery Mixed Use (DPMU) to Neighborhood Mixed Use (NMU) for the property located at 211 Milwaukee Avenue East and 210 South Water Street East (Selle, City Engineer/Director of Public Works)

9. Reports of Officers, Boards, and Committees:

a. City Manager's Report (Houseman, City Manager)

10. Unfinished Business - None

11. New Business:

- a. Review and possible action relating to **Council Appointments** to Committees, Commissions, and Boards by Council President (President Johnson)
- b. Review and possible action on the **2022 Department of Natural Resources annual Recycling Report** (Selle, City Engineer/Director of Public Works)
- Review and possible action relating to Alcohol Beverage License applications for the licensing period of July 1, 2023 to June 30, 2024 (Ebbert, Clerk/Treasurer/Finance Director)
- Review and possible action relating to Cigarette and Tobacco Products Retail
 License applications for the licensing period of July 1, 2023 to June 30, 2024

 (Ebbert, Clerk/Treasurer/Finance Director)
- Review and possible action relating to Alcohol Beverage License application for the licensing period of July 1, 2023 to June 30, 2024 (Ebbert, Clerk/Treasurer/Finance Director)

12. Miscellaneous – None

13. Claims, Appropriations and Contract Payments:

 a. Review and possible action relating to the Verified Claims presented by the Director of Finance and authorization of payment (Ebbert, Clerk/Treasurer/Finance Director)

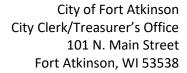
14. Adjournment

Date Posted: June 2, 2023

CC: City Council; City Staff; City Attorney; News Media; Fort Atkinson School District; Fort Atkinson Chamber of Commerce

Visit us online! City news and information can be found at www.fortatkinsonwi.gov, and be sure to follow us on Facebook @FortAtkinsonWI.

Note the City's new .gov domain name and new phone numbers. Visit our website for more information.





CITY COUNCIL MEETING IN PERSON AND VIA ZOOM TUESDAY, MAY 16, 2023 – 7:00 PM CITY HALL – SECOND FLOOR

1. CALL MEETING TO ORDER

President Johnson called the meeting to order at 7:00 pm.

2. ROLL CALL

Present: Cm. Becker, Cm. Jaeckel, Cm. Schultz and President Johnson. Also present: City Manager, City Clerk/Treasurer, City Attorney, City Engineer, Public Works Superintendent, Public Works Supervisor, Fire Chief, Parks & Recreation Director, Museum Director, Library Director and Electrician.

3. PUBLIC HEARINGS - NONE

4. PUBLIC COMMENT - NONE

5. CONSENT AGENDA:

- a. Review and possible action relating to the minutes of the May 2, 2023 regular City Council meeting (Ebbert, Clerk/Treasurer/Finance Director)
- b. Review and possible action relating to the minutes of the May 9, 2023 Joint Plan Commission and City Council meeting (Ebbert, Clerk/Treasurer/Finance Director)
- c. Review and possible action relating to the minutes of the May 4, 2023 Airport Committee meeting (Ebbert, Clerk/Treasurer/Finance Director)
- d. Review and possible action relating to building, plumbing, and electrical permit report for April 2023 (Draeger, Building Inspector)
- e. Review and possible action relating to the City Clerk-issued License and Permit Report for March 2023 (Ebbert, Clerk/Treasurer/Finance Director)
- f. City Sewer, Water, and Stormwater Utility Financial Statements as of April 30, 2023 (Ebbert, Clerk/Treasurer/Finance Director)
- g. Review and possible action relating to Citizen Appointments to Committees, Commissions, and Boards (Houseman, City Manager)
- h. Review and possible action relating to a Special Event: Special Event: American Legion Post 166 Fishing Derby located at 201 S Water St E & Purdy Street (North of Water St. E.), Saturday, June 3, 2023, 5 a.m. to 3:30 p.m. (Ebbert, Clerk/Treasurer/Finance Director)
- i. Review and possible action relating to a Special Event: Special Event: Dairy Day at the MOOseum located at Hoard Historical Museum Grounds, Foster Street and Whitewater Avenue,

- Friday, June 16, 2023 6-8 p.m. and Saturday, June 17, 2023, 11 a.m. to 2 p.m. (Ebbert, Clerk/Treasurer/Finance Director)
- j. Review and possible action relating to a Special Event: Special Event: WWII USO Dance located at Hoard Historical Museum Grounds, Foster Street and Whitewater Avenue, Saturday, June 24, 2023 (Ebbert, Clerk/Treasurer/Finance Director)
- k. Review and possible action relating to a Special Event: Special Event: Lions and Fat Boyz Motorcycle Raffle located in Fat Boyz back parking lot, Saturday, June 24, 2023 (Ebbert, Clerk/Treasurer/Finance Director)
 - Cm. Schultz moved, seconded by Cm. Becker to approve the Consent Agenda as listed, items 5.a. through 5.k. Motion carried.

6. PETITIONS, REQUESTS, AND COMMUNICATIONS

- a. Presentation from Jefferson County Economic Development Consortium (JCEDC)/Thrive ED Executive Director Deb Reinbold No action required.
- Review and possible action relating to proclamation recognizing May 4, 2023 as International Firefighters Day (Houseman, City Manager)
 Cm. Becker moved, seconded by Cm. Schultz to approve the proclamation recognizing May 4, 2023 as International Firefighters Day. Motion carried.
- Review and possible action relating to proclamation recognizing May 21-27, 2023 as Emergency Medical Services Week (Houseman, City Manager)
 Cm. Schultz moved, seconded by Cm. Jaeckel to approve the proclamation recognizing May 21-27, 2023 as Emergency Medical Services Week. Motion carried.
- d. Review and possible action relating to proclamation recognizing May 14-20, 2023 as National Police Week (Houseman, City Manager)
 Cm. Jaeckel moved, seconded by Cm. Schultz to approve the proclamation recognizing May 14-20, 2023 as National Police Week. Motion carried.
- Review and possible action relating to proclamation recognizing May 21-27, 2023 as National Public Works Week (Houseman, City Manager)
 Cm. Becker moved, seconded by Cm. Schultz to approve the proclamation recognizing May 21-27, 2023 as National Public Works Week. Motion carried.

7. RESOLUTIONS AND ORDINANCES:

a. Second and possible third/final reading of an Ordinance to amend the Official Zoning Map of the City of Fort Atkinson to change the zoning from Single-Family Residential (SR-2) to Multi-Family Residential (MRH-30) for a portion of the City-owned property located along Banker Road (Selle, City Engineer/Director of Public Works)

Engineer Selle discussed part of the first phase of the implementation of the Banker Road Neighborhood Plan, adopted in 2021. In total, the Neighborhood Plan covers 75.62 acres located within 3 parcels on the east and west sides of Banker Road, from Campus Drive to

Hoard Road. The City of Fort Atkinson owns all 3 parcels within the planning area. The proposed Rezoning includes only a portion of the southernmost property (parcel number: 226-0614-3323-000) from SR-2 to MRH-30. Today, the applicant has submitted plans for formal review of rezoning of the new property to MRH-30, Multi-Family Residential. The existing property is adjacent to the High School campus on the west, Campus Drive Apartment project and remnant Town of Koshkonong parcels to the south, existing City of Fort Atkinson neighborhoods to the east, and City-owned farmland to the north. Banker Road currently splits the parcel in half north to south.

Cm. Becker moved, seconded by Cm. Schultz to suspend the rules and offer a third and final reading of this ordinance. Motion carried.

Cm. Becker moved, seconded by Cm. Jaeckel to enact the ordinance amending the Official Zoning Map of the City of Fort Atkinson to change the zoning of the subject property from SR-2 to MRH-30. Motion carried.

b. Second reading of an Ordinance to adopt Amendments to the City of Fort Atkinson Comprehensive Plan (Selle, City Engineer/Director of Public Works)
Engineer Selle referenced Wisconsin State Statutes (66.1001) that outlines the process for municipal Comprehensive Plan updates or amendments. This requires a 30-day notice, a public hearing before the City Council, and action by both the Plan Commission and City Council. The applicant has worked with City staff over the last two years in developing the neighborhood plan and preparing for the first phase of its implementation. Additionally, the applicant presented the project conceptually before the Plan Commission in April. The proposed amendments and neighborhood plan aim to relocate existing Fort Healthcare services and parking onto its main campus and foster new mixed-use redevelopment and infill development opportunities on existing underutilized sites. Overall, the proposed amendments could provide new tax base, housing units, and local economic benefits in the community.

Cm. Schultz moved, seconded by Cm. Becker to direct the City Manager to prepare this Ordinance for a third and final Reading at the June 6, 2023 City Council meeting. Motion carried.

8. REPORTS OF OFFICERS, BOARDS, AND COMMITTEES:

a. City Manager's Report (Houseman, City Manager)No action required.

9. <u>UNFINISHED BUSINESS</u>:

a. Review and possible action relating to the Appointment of an Applicant to fill the vacant City Council seat for the term of May 17, 2023, through April 16, 2024, including the following action items:

City Council Applicant Introductions and Council Questions: James Garthwait, John Donohue, Mary Kay Paulson Weston, Paul Brady, Davin Lescohier and Diana Shull.

i. Review and possible action by the City Council to determine the top three Applicants for further discussion and debate (Johnson, Council President)

Each Council member announced their top three applicants amongst those that applied for the vacation position.

Applicant Davin Lescohier received 4 votes.

Applicant Diana Shull received 3 votes.

Applicant Mary Kay Paulson Weston received 3 votes.

Applicant John Donahue received 2 votes.

The top three applicants Lescohier, Shull and Paulson Weston will advance to the discussion and debate amongst the City Council. The Council shared their observations from the top three candidates' presentations and submitted applications.

ii. Review and possible action by the City Council to appoint an Applicant to a position on the City Council from May 17, 2023 through April 16, 2024 (Johnson, Council President)
President Johnson moved to appoint Davin Lescohier to the Fort Atkinson City Council for a term beginning on May 17, 2023, through April 16, 2024. Motion seconded by Cm. Becker and carried 3-1 on a roll call vote, Jaeckel opposed.

10. NEW BUSINESS:

a. Review and possible action relating to the implementation of Airport Improvement projects and funding in 2023 (Selle, City Engineer/Director of Public Works)

Engineer Selle spoke of the efforts that that began in December of 2022, petitioning the State of Wisconsin's Bureau of Aeronautics for funds to implement certain maintenance and improvement projects and to develop a Master Plan. The petition was approved by the State and a signed Eligibility Statement and a fully executed Agency Agreement (both attached) were received in February, 2023. The airport committee met on May 4, 2023. The committee voted to support the dedication of funds for these projects and recommended that the City Council approve the projects and funding. The estimated local match of \$9,750 will be disbursed from the previously described CARES act funds, through the Airport Fund (Fund 20). If these projects are approved and implemented, then \$65,250 would be available for future local matches for additional projects. Note that no local property tax funds will be used for these projects.

Project Description	Year	Entitlement	Apportionment	Total AIP	State Match	Local Match	Total Cost
Acquire Snow Removal Equipment	2022	\$108,000	\$0	\$108,000	\$6,000	\$6,000	\$120,000
Conduct Airport Master Plan Phase 1	2022	\$0	\$267,500	\$267,500	\$3,750	\$3,750	\$275,000
2023 State Wide Crack seal Program - Runway 3/21	2023	\$80,000		\$80,000	\$0	\$0	\$80,000
2023 State Wide Crack seal Program - Taxiway A	2023	\$60,000		\$60,000	\$0	\$0	\$60,000
2023 State Wide Crack seal Program - Taxiway B	2023	\$40,000		\$40,000	\$0	\$0	\$40,000

2023 State Wide Crack seal Program – Taxi lanes	2023	\$40,000		\$40,000	\$0	\$0	\$40,000
2023 State Wide Crack seal Program - Apron	2023	\$20,000		\$20,000	\$0	\$0	\$20,000
TOTALS:		\$348,000	\$267,500	\$615,500	\$9,750	\$9,750	\$635,000

The Airport Committee voted to dedicate funds for these projects and recommended that the City Council approve the following projects and funding:

- 1. Acquire new snow removal equipment.
- 2. Conduct airport master plan and update airport layout plan.
- 3. Crack fill and seal coat airfield pavement.

Cm. Schultz moved, seconded by Cm. Becker to authorize staff to implement the three Airport Improvement projects and the associated funding through the Airport Fund (Fund 20), as outlined in the staff report, Agency Agreement and Eligibility Statement. Motion carried.

11. MISCELLANEOUS - NONE

12. CLAIMS, APPROPRIATIONS AND CONTRACT PAYMENTS:

a. Review and possible action relating to the Verified Claims presented by the Director of Finance and authorization of payment (Ebbert, Clerk/Treasurer/Finance Director)
 Cm. Becker moved, seconded by Cm. Jaeckel, to approve the Verified Claims as presented.
 Motion carried.

13. ADJOURNMENT

Cm. Jaeckel moved, seconded by Cm. Becker to adjourn. Meeting adjourned at 8:27 pm.

Respectfully submitted, Michelle Ebbert City Clerk/Treasurer



PLAN COMMISSION MEETING IN PERSON AND VIA ZOOM TUESDAY, MAY 23, 2023 – 4:00 PM CITY HALL – SECOND FLOOR

1. CALL MEETING TO ORDER

Manager Houseman called the meeting to order at 4:00 pm.

2. ROLL CALL

Present: Manager Houseman, Engineer Selle, Council Rep Schultz, Commissioners: Gray and Highfield. Also present: City Clerk/Treasurer and City Attorney.

3. REVIEW AND POSSIBLE ACTION RELATING TO THE MINUTES OF THE APRIL 25, 2023 REGULAR PLAN COMMISSION MEETING

Gray moved, seconded by Highfield to approve the minutes from the April 25, 2023 Plan Commission meeting as submitted. Motion carried.

4. REVIEW AND POSSIBLE ACTION RELATING TO THE MINUTES OF THE MAY 9, 2023 JOINT CITY COUNCIL AND PLAN COMMISSION MEETING

Gray moved, seconded by Engineer Selle to approve the minutes from the May 9, 2023 Joint City Council and Plan Commission meeting as submitted. Motion carried.

5. PUBLIC HEARING: PROPOSED ZONING MAP AMENDMENT TO CHANGE THE ZONING FOR THE PROPERTY LOCATED AT 211 MILWAUKEE AVENUE EAST AND 210 SOUTH WATER STREET EAST (226-0514-0323-026 AND 226-0514-0323-027) FROM DOWNTOWN HISTORIC MIXED USE (DHMU) TO NEIGHBORHOOD MIXED USE (NMU) TO ACCOMMODATE A FUTURE REDEVELOPMENT (ZMA-2023-02)

Chairperson Manager Houseman conducted the public hearing. No action required.

Melanie Becker, property owner, noted the existing zoning is Downtown Periphery Mixed Use.

6. REVIEW AND POSSIBLE RECOMMENDATION TO THE CITY COUNCIL RELATING TO A
ZONING MAP AMENDMENT TO CHANGE THE ZONING FROM DOWNTOWN HISTORIC
MIXED USE (DHMU) TO NEIGHBORHOOD MIXED USE (NMU) FOR THE PROPERTY LOCATED
AT 211 MILWAUKEE AVENUE EAST AND 210 SOUTH WATER STREET EAST (ZMA-2023-02)
(SELLE)

Engineer Selle discussed the submitted request to rezone two existing parcels at 211 Milwaukee Avenue East and 210 South Water Street East. Both properties are currently zoned DPMU, and the applicant is seeking to rezone both to NMU to provide additional residential

development opportunities. Today, there are no structures on the site and no development plans associated with the rezoning at this time. The applicant has expressed that in an attempt to sell the properties over the past several years, all interest has been related to a potential residential development. The DPMU zoning district does not permit residential development as a standalone land use. However, the NMU zoning district provides the ability for a range of residential development opportunities (single-family, two-family, and multi-family), in addition to commercial and mixed-use opportunities. The Re-Zone will be made contingent upon submittal and approval of a CSM, or other legal instrument, that would combine the two lots prior to any development plans. Both properties are currently zoned DPMU. This zoning district allows for and is oriented to a mix of small and large-scale commercial, institutional, and residential land uses in a mixed-use format that acts as a buffer between the historic character of downtown and lower-density residential

City staff recommends approval of the <u>Rezoning</u> from DPMU to NMU, subject to the following conditions:

- Combining of the 2-lots by CSM, approved by Plan Commission and City Council
- Site Plan review and approval by the Plan Commission prior to the issuance of any building permits.
- Any other recommendations of City staff and the Plan Commission.

Manager Houseman asked if there is a plan for the lots once combined and rezoned. Melanie Becker stated she has been looking at a few options and listed it for sale in the past year. Interest was for the property to be used as residential.

Gray moved, seconded by Highfield to recommend the City Council approve a Zoning Map Amendment to change the zoning of the properties located at 211 Milwaukee Avenue East and 210 South Water Street East from DPMU to NMU to better accommodate future development and subject to the conditions included in the Staff report. Motion carried.

7. REVIEW AND POSSIBLE ACTION RELATING TO A SITE PLAN REVIEW FOR THE DB OAKS PROPERTY LOCATED AT 700 OAK STREET (SPR-2023-01) (SELLE)

Engineer Selle discussed how this project came before the Plan Commission on December 13, 2022 for approval of the building and land use. It was approved with several conditions including the submittal of a full site plan set for review and approval by the Plan Commission prior to the applicant seeking building permits. DB Oak Limited Partnership owns a 20-acre site that includes an existing approximately 100,000 square foot building and was the site of a 2021 fire that burned down the previous northern portion of the building (was approximately 68,000 square feet). The property is bounded by the railroad to the east, Oak Street and N. Main Street to the west, and Cramer Street to the north. Since the fire, the property owner has worked with the Wisconsin DNR on a remediation plan for the northern portion of the site of the former building and is proposing to reconstruct a new 67,856 square foot building in its place. The proposed development impacts only the northern portion of the site where the former building was located and the areas directly surrounding it. The existing building and southern portion of

the site are proposed to remain the same. The new site plan materials provided include new site improvements on the north, east, and west sides of the building addition that was previously approved. Additionally, the applicant has completed a Wetland Delineation for the far northern portion of the site and has been approved by the DNR for disturbance permits through a small section of the wetlands to facilitate a new ingress/egress driveway that connects to Cramer Street. Within the new Zoning Ordinance, only new additions, improvements, and development are subject to the requirements of the ordinance. This memo reviews only the relevant site plan components within the proposed addition area.

City staff recommends approval of the Site Plan, subject to the following conditions:

- Allow for the maximum number of on-site parking stalls to be exceeded for the addition area because the proposed new parking will serve both the building addition and some portions of the existing building. If the entire site is considered, the buildings and parking meet the City's parking requirements.
- Require curbing be added to the proposed west side parking area to match the proposed curbing along the eastern parking area.
- (if applicable) Require a dumpster enclosure plan and elevations that complies with all requirements of the Zoning Ordinance and is reviewed and approved by City staff.
- Require all conditions of approval from the (December 13, 2022) Plan Commission be met.
- Any other recommendations of City staff and the Plan Commission.

Schultz moved, seconded by Gray to approve the Site Plan for the DB Oaks project located at 700 Oak Street, subject to the conditions outlined in the staff report. Motion carried.

8. REVIEW AND POSSIBLE ACTION RELATING TO A SITE PLAN REVIEW FOR FORT HEALTHCARE NORTH PARKING LOT, FOR THE PROPERTY LOCATED AT 611 SHERMAN AVE. (SPR-2023-10) (SELLE)

Engineer Selle reviewed the Fort Healthcare proposed parking lot site improvements. Neighbors within the immediate area expressed concern about stormwater, light pollution from fixed lights and vehicle lights, and a disruption to the neighborhood aesthetics. Fort Healthcare has given attention to these concerns; adding a stormwater detention pond, shielded parking lot light fixtures, using vegetation and fencing to provide barriers to headlights and the parking area, and moving the entrance from Armenia St to better align with N 4th St.

City staff recommends approval of the Site Plan, subject to the following conditions:

- Require the addition of 10 bicycle parking stalls to be provided near the north façade of the building with direct access to sidewalks.
- Require the applicant to provide north privacy fence color and layout that meet the requirements of the Zoning Ordinance, subject to approval by City staff.
- Require the applicant to provide landscaping plans that meet the requirements of the Zoning Ordinance, subject to approval by City staff.
- Require the applicant to update the stormwater modeling and provide a maintenance agreement for the pond.

- Require the applicant to submit a Plat of Vacation (CSM) combining all lots and redefining the new right of way.
- Any other recommendations of City staff and the Plan Commission.

Highfield moved, seconded by Schultz to approve the Site Plan for the Fort HealthCare north parking lot located at 611 Sherman Avenue, subject to the conditions outlined in the staff report. Motion carried.

9. REVIEW AND POSSIBLE ACTION RELATING TO A SITE PLAN REVIEW: SIGNAGE FOR LSM FORT ATKINSON LLC, LOCATED AT 1000 MADISON AVE. (SPR-2023-12) (SELLE)

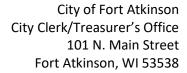
Engineer Selle introduced the submission from LSM Chiropractic. The property was purchased by a chiropractor and is proposing a new illuminated wall sign located on the Southern facade of the building, facing Madison Avenue and to replace the face on the existing monument sign at the corner of Cloute St. and Madison Ave. The proposed wall sign will be located at the center of the building under the overhang and will depict the company logo and business name. The wall sign would be 8 ft wide and 4' tall with a total of 32 Sq Ft. The location of the existing monument sign is 15' off the curb on Madison Ave. and is a total of 40 Sq ft. The Monument will also be backlit with translucent vinyl lettering on the face.

Gray moved, seconded by Highfield to approve the Site Plan: Signage for LSM Fort Atkinson LLC located at 1000 Madison Avenue, subject to the conditions outlined in the staff report. Motion carried.

10. ADJOURNMENT

Highfield moved, seconded by Manager Houseman to adjourn. Meeting adjourned at 4:29 pm.

Respectfully submitted, Michelle Ebbert City Clerk/Treasurer





LICENSE COMMITTEE MEETING IN PERSON AND VIA ZOOM THURSDAY, MAY 25, 2023 – 3:30 PM MUNICIPAL BUILDING - SECOND FLOOR - CONFERENCE ROOM

1. CALL MEETING TO ORDER

President Johnson called the meeting to order at 3:30 pm.

2. ROLL CALL

Present: Cm. Becker, Cm. Schultz and President Johnson. Also present: City Manager, City Clerk/Treasurer, Deputy Clerk

3. REVIEW AND POSSIBLE RECOMMENDATION TO THE CITY COUNCIL RELATING TO
RENEWAL ALCOHOL BEVERAGE LICENSE APPLICATIONS FOR THE LICENSING PERIOD OF
JULY 1, 2023 THROUGH JUNE 30, 2024. (EBBERT, CLERK/TREASURER/FINANCE DIRECTOR)

Clerk Ebbert reviewed the submitted applications for renewal including the classifications of licenses, quotas and fees. The Police Department has been performing compliance checks on the licensed locations and making a positive interaction with owners and employees. All renewal applications were submitted timely and reviewed for accuracy.

Cm. Becker moved, seconded by Cm Schultz to recommend the City Council approve the Renewal Alcohol License Applications for the licensing period of July 1, 2023 to June 30, 2024 contingent upon all monies owed to the City are paid prior to license issuance by the City Clerk. Motion carried.

4. REVIEW AND POSSIBLE RECOMMENDATION TO THE CITY COUNCIL RELATING TO CIGARETTE AND TOBACCO PRODUCT APPLICATIONS FOR THE LICENSING PERIOD OF JULY 1, 2023 THROUGH JUNE 30, 2024. (EBBERT, CLERK/TREASURER/FINANCE DIRECTOR)

Clerk Ebbert discussed the cigarette license applications. All applications were licensed locations this past year. One business did not renew their license.

Cm. Becker moved, seconded by Cm. Schultz to recommend the City Council approve the Cigarette and Tobacco Products Retail License Applications for the licensing period of July 1, 2023 to June 30, 2024 contingent upon all monies owed to the City are paid prior to license issuance by the City Clerk. Motion carried.

5. REVIEW AND POSSIBLE RECOMMENDATION TO THE CITY COUNCIL RELATING TO ALCOHOL BEVERAGE LICENSE APPLICATION FOR MCGRATH CATERING FOR USE AT 1245
WHITEWATER AVENUE FOR THE LICENSING PERIOD OF JULY 1, 2023 THROUGH JUNE 30, 2024. (EBBERT, CLERK/TREASURER/FINANCE DIRECTOR)

Clerk Ebbert reviewed the submitted application from McGrath Catering. McGrath's purchased the property located at 1245 Whitewater Avenue, formerly Jansen's Banquet operating as Remmington, LLC. Jansen's and McGrath's have been operating jointly and remodeling the property during the license application waiting period. Successful background checks were performed and a letter from Jansen's was provided confirming their surrendering of such license upon approval by City Council.

Cm. Schultz moved, seconded by Cm. Becker to recommend the City Council approve the Alcohol License Application for the licensing period of July 1, 2023 to June 30, 2024 for McGrath Catering contingent upon all monies owed are paid prior to license issuance by the City Clerk. Motion carried.

6. ADJOURNMENT

Cm. Becker moved, seconded by Cm. Schultz to adjourn. Meeting adjourned at 3:48 pm.

Respectfully submitted,

Michelle Ebbert
City Clerk/Treasurer/Finance Director



POLICE AND FIRE COMMISSION MEETING IN PERSON AND VIA ZOOM THURSDAY, JUNE 1, 2023 – 1:00 P.M. CITY HALL – SECOND FLOOR

AGENDA

1. CALL MEETING TO ORDER

Manager Houseman called the meeting to order at 1:00 pm.

2. ROLL CALL

Commissioners: Hartwick, Jones, Raub and Schultz. Also present: City Manager and Clerk/Treasurer.

3. APPOINTMENT OF A CHAIRPERSON OF THE POLICE AND FIRE COMMISSION

Schultz nominated Jones to serve as Chairperson. Raub seconded the motion and carried. Jones accepted the nomination.

4. REVIEW AND POSSIBLE ACTION RELATING TO THE MINUTES OF THE JANUARY 18, 2023 MEETING OF THE POLICE AND FIRE COMMISSION

Schultz moved, seconded by Raub to approve the minutes of the January 18, 2023 meeting of the Police and Fire Commission. Motion carried.

5. REVIEW AND POSSIBLE ACTION IN RELATION TO HIRING OF TOP CANDIDATE FROM THE HIRING PROCESS FOR THE POLICE DEPARTMENT (BUMP)

Chief Bump discussed the two recruiting processes that were held as the number of candidates was lower than average. Sixteen applications were submitted between the two processes. The Department interviewed five candidates with one final candidate as a top choice with a secondary candidate to be a potential addition to the eligibility list.

Schultz moved, seconded by Hartwick to offer an employment to Benjamin Pawlek contingent upon a successful background check, psychology test, a physical, physical agility test and to attend the Police Academy the fall of 2023. Motion carried.

6. REVIEW AND POSSIBLE ACTION ON CERTIFYING AN ELIGIBILITY LIST FOR FUTURE VACANCIES WITHIN THE DEPARTMENT, IF APPLICABLE (BUMP)

Chief Bump recommended Marisela Gonzalez be placed on the eligibility list through 2023.

Schultz moved, seconded by Raub to add Marisela Gonzalez on the eligibility list through 2023. Motion carried.

7. THE POLICE AND FIRE COMMISSION WILL CONSIDER MOVING INTO CLOSED SESSION PURSUANT TO WIS. STAT. §19.85(1)(C) FOR THE PURPOSES OF CONSIDERING EMPLOYMENT, PROMOTION OR PERFORMANCE EVALUATION DATA WITH RESPECT TO THE FILLING OF A VACANT DEPARTMENT POSITION (HOUSEMAN)

Hartwick moved to go into Closed Session pursuant to Wis. State. 19.85(1) for the purposes of considering employment, promotion or performance evaluation data with respect to the filling of a vacant department position. Seconded by Schultz and carried unanimously by voice vote.

8. THE POLICE AND FIRE COMMISSION MAY RECONVENE IN OPEN SESSION AND MAY TAKE ACTION RELATED TO THE APPOINTMENT OF AN INTERIM FIRE CHIEF STARTING ON JUNE 23, 2023 (HOUSEMAN)

Raub moved to reconvene into open session. Motion seconded by Hartwick and carried unanimously by voice vote.

Schultz moved, seconded by Hartwick to appoint Michael Lawrence as the Interim Fire Chief starting on June 23, 2023. Motion carried unanimously.

9. REVIEW AND POSSIBLE ACTION TO AUTHORIZE THE CITY MANAGER TO ISSUE A REQUEST FOR PROPOSALS FOR RECRUITMENT SERVICES FOR A FIRE CHIEF (HOUSEMAN)

Manager Houseman reviewed the RFP with the Commission. The submissions would be due June 23, 2023. The Commission would meet later in June for review of the submissions with recommendation to the City Council for potential final approval at July 6, 2023.

Hartwick moved, seconded by Schultz to authorize the City Manager to issue a Request for Proposals for Recruitment Services for a Fire Chief. Motion carried.

10. ADJOURNMENT

Schultz moved, seconded by Hartwick to adjourn. Meeting adjourned at 1:36 pm.

Respectfully submitted

Michelle Ebbert
City Clerk/Treasurer/Finance Director





City of Fort Atkinson City Clerk/Treasurer's Office 101 N. Main Street Fort Atkinson, WI 53538

MEMORANDUM

DATE: June 6, 2023

TO: Fort Atkinson City Council

FROM: Michelle Ebbert, City Clerk/Treasurer/Finance Director

RE: Discussion and possible action relating to Temporary Class B Retailer's Licenses

for the Fort Atkinson Historical Society

BACKGROUND

The State of Wisconsin regulates alcohol licensing for local governments through Chapter 125. There are three classes of Licenses: Class A, Class B and Class C. "Class C" pertains strictly to wine with consumption on-site in a restaurant. The difference between Class A and B is where alcohol is authorized for sale and for consumption. Class A generally offers sale of alcohol on-site with consumption off-site (e.g. grocery or liquor store, gas station or convenience store). Class B allows for on-site sale and on-site consumption (e.g. Restaurant, Bar, Bowling Alley, Tavern). Class A can easily be remember as you consume alcohol *Away* from the premises. Likewise, Class B you consume on-site, for example *Bar*.

Alcohol licenses are further defined by the quotation marks used. For example, "Class A" refers to intoxicating liquor while Class "A" refers to fermented malt beverages. These licenses can also be issued together as a combination license, most common for grocery stores.

Temporary Class "B" (picnic) beer and/or wine licenses may sell fermented malt beverages to consumers at a picnic or similar gathering of limited duration. Such licenses may be issued only to bona fide clubs, chambers of commerce, county or local fair associations, agricultural societies, churches, lodges, societies, veteran's organizations that have been in existence for at least six months.

There is no limit to the number of Temporary Class "B" fermented malt beverage licenses that may be issued to an eligible organization in a calendar year. However, there is a limit of two Temporary "Class B" wine licenses that may be issued to an eligible organization in a 12-month period.

Temporary license holders must have licensed operators (bartenders) and they must purchase their products from a Distributor/Wholesaler.

DISCUSSION

The Fort Atkinson Historical Society applied for two temporary retailer licenses. These special events were approved by the City Council on May 16, 2023.

Organization: Lodge/Society

Name: Fort Atkinson Historical Society

Street Location: Hoard Museum, 401 Whitewater Avenue

Manager of affair: Merrilee Lee

Premises: Hoard Museum, 401 Whitewater Avenue

Name of Event: Trivia Night

Date of Event: Friday, June 16, 2023

The Named Organization Applied for the Following License(s): Class "B" Fermented Malt

Beverage License and "Class C" Wine License

Organization: Lodge/Society

Name: Fort Atkinson Historical Society

Street Location: Hoard Museum, 401 Whitewater Avenue

Manager of affair: Merrilee Lee

Premises: Hoard Museum, 401 Whitewater Avenue

Name of Event: WWII USO Dance

Date of Event: Saturday, June 24, 2023

The Named Organization Applied for the Following License(s): Class "B" Fermented Malt

Beverage License and "Class C" Wine License

FINANCIAL ANALYSIS

There is a \$10.00 license fee per Application for Temporary Retailer's License. Publication is not required for these licenses.

RECOMMENDATION

Staff recommends that the City Council approve of the Temporary Class B Retailer's License to sell beer and wine at the Fort Atkinson Historical Society events scheduled for June 16, 2023 and June 24, 2023 at 401 Whitewater Avenue contingent upon having licensed operators and purchasing products from a Wisconsin beverage distributor.

ATTACHMENTS

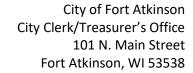
Temporary Class B Retailer's License Applications

Application for Temporary Class "B" / "Class B" Retailer's License

See Additional Information on reverse side. Contact the municipa	l clerk if you have questions.
FEE \$	Application Date: 04/21/2023
Town Village City of Fort Atkinson	County of Jefferson
The named organization applies for: (check appropriate box(es).) A Temporary Class "B" license to sell fermented mait beverage A Temporary "Class B" license to sell wine at picnics or similar at the premises described below during a special event beginning to comply with all laws, resolutions, ordinances and regulations (st	gatherings under s. 125.51(10), Wis. Stats. 06/16/2023 and ending 06/16/2023 and agrees
and/or wine if the license is granted.	
1. Organization (check appropriate box) → ☐ Bona fide Club ☐ Veteran's Orga ☐ Chamber of C ch. 181, Wis. S	nnization Fair Association or Agricultural Society ommerce or similar Civic or Trade Organization organized under
(a) Name Fort Atkinson Historical Society	
(b) Address 401 Whitewater Ave	
(Street)	☐ Town ☐ Village ☑ City
(c) Date organized 11/01/1939	
(d) If corporation, give date of incorporation 11/01/1939	
(e) If the named organization is not required to hold a Wiscons box: (f) Names and addresses of all officers:	in sellør's permit pursuant to s. 77.54 (7m), Wis. Stats., check this
President Bill Camplin	
Vice President Jenny Kalvaltis	
Secretary Karen Gomez	
Treasurer Josh Kline	
(g) Name and address of manager or person in charge of affai	Merrilee Lee, 401 Whitewater Ave., Fort Atkinson, WI
Location of Premises Where Beer and/or Wine Will Be So Beverage Records Will be Stored: (a) Street number 401 Whitewater Ave	ld, Served, Consumed, or Stored, and Areas Where Alcohol
(b) Lot	Block
(c) Do premises occupy all or part of building? All	
(d) If part of building, describe fully all premises covered under to cover:	this application, which floor or floors, or room or rooms, license is
A. M	
Name of Event (a) List name of the event Trivia Night	
(b) Dates of event 06/16/2023	
DECLAI	RATION
An officer of the organization, declares under penalties of law that the best of his/her knowledge and belief. Any person who knowingly person be required to forfeit not more than \$1,000.	he information provided in this application is true and correct to the provides materially false information in an application for a license
Officer William M, Whate)	Fort Alkinson Historial Society
Date Filed with Clerk 5-22.2023	Date Reported to Council or Board (0, 10, 2023
Date Granted by Council	License No.
AT-315 (R. 9-19)	Wisconsin Department of Revenue

Application for Temporary Class "B" / "Class B" Retailer's License

See Additional Information on reverse side. Contact the municipa	l clerk if you have questions.
FEE \$ /O -	Application Date: 04/21/2023
Town Village City of Fort Atkinson	County of Jefferson
The named organization applies for: (check appropriate box(es).) A Temporary Class "B" license to sell fermented malt beverage A Temporary "Class B" license to sell wine at picnics or similar at the premises described below during a special event beginning to comply with all laws, resolutions, ordinances and regulations (st and/or wine if the license is granted.	gatherings under s. 125.51(10), Wis. Stats. 06/24/2023 and ending 06/24/2023 and agrees
1. Organization (check appropriate box) → ☐ Bona fide Club ☐ Veteran's Orga ☐ Chamber of C	nization Fair Association or Agricultural Society ommerce or similar Civic or Trade Organization organized under
ch. 181, Wis. S (a) Name Fort Atkinson Historical Society	itats.
(b) Address 401 Whitewater Ave	
(Street)	☐ Town ☐ Village ☑ City
(c) Date organized 11/01/1939	Tanger C
(d) If corporation, give date of incorporation 11/01/1939	•
DOX:	in seller's permit pursuant to s. 77.54 (7m), Wis. Stats., check this
(f) Names and addresses of all officers: President Bill Camplin	
Vice President Jenny Kalvaltis	
Secretary Karen Gomez	
Treasurer Josh Kline	
(g) Name and address of manager or person in charge of affair	: Merrilee Lee, 401 Whitewater Ave., Fort Atkinson, WI
2. Location of Premises Where Beer and/or Wine Will Be So Beverage Records Will be Stored: (a) Street number 401 Whitewater Ave	ld, Served, Consumed, or Stored, and Areas Where Alcohol
(b) Lot	Block
(c) Do premises occupy all or part of building? All	DIOCK
	this application, which floor or floors, or room or rooms, license is
3. Name of Event (a) List name of the event WWII USO Dance	
(b) Dates of event 06/24/2023	
(b) Dates of everit containing	
DECLAR	ATION
An officer of the organization, declares under penalties of law that to best of his/her knowledge and belief. Any person who knowingly person who knowingly person who knowledge and belief. Any person who knowledge and belief. Any person who knowledge and belief. Any person who knowledge and belief.	he information provided in this application is true and correct to the
Officer My My Wate) (Signature Whate)	FORT Attly wor Historical Society (Name of Organization)
Date Filed with Clerk 5-33.3	Date Reported to Council or Board 6-6-2023
Date Granted by Council	License No.
AT-315 (R. 9-19)	Wisconsin Department of Revenue





MEMORANDUM

DATE: June 6, 2023

TO: Fort Atkinson City Council

FROM: Michelle Ebbert, City Clerk/Treasurer/Finance Director

RE: Review and possible action Special Event: Lemke Legacy 5K on Saturday, July

15, 2023 from 9 a.m. to 11 a.m. at Lion's Park Shelter, Glacier Trail

BACKGROUND

The City of Fort Atkinson is committed to supporting quality special events throughout the community. The Special Event Guide and Application was created to assist with planning events in the city and to allow appropriate contact information be obtained and forwarded to Departments. The planning guide is designed to assist members of the community in the planning, preparation and running of events and programs in Fort Atkinson.

The Special Event Guide defines a special event as a planned extraordinary occurrence or temporary aggregation of attractions, open to the public, that (a) is conducted on public property, (b) is conducted on private property and has a substantial impact on public property, (c) has activities that request special temporary licenses; or (d) require special city services, whether open to the public or not, including but not limited to, any of the following: street closures, provisions of barricades, garbage cans, stages or special no parking signs, special electrical services, or special police protection. Special events include, but not limited to, neighborhood and community festivals, parades, processions, fairs, and bicycle or foot races.

Event: Lemke Legacy 5K

Date: Saturday, July 15, 2023

Location: Lion's Park Shelter, Glacier Trail

Contact Person: Rose Filipiak

Hours of Event: 9:00 am to 11:00 am **Estimated Number of Attendees:** 50

Event information was routed to Departments without any concerns provided.

There are limited parking spaces at the Lion's Park Shelter, the event coordinator has coordinated with Nasco to utilize their parking lot. All participants utilizing the Nasco parking lot will utilize the crosswalk to cross the street to the Lion's Park Shelter. The 5K will remain on the bike path.

FINANCIAL ANALYSIS

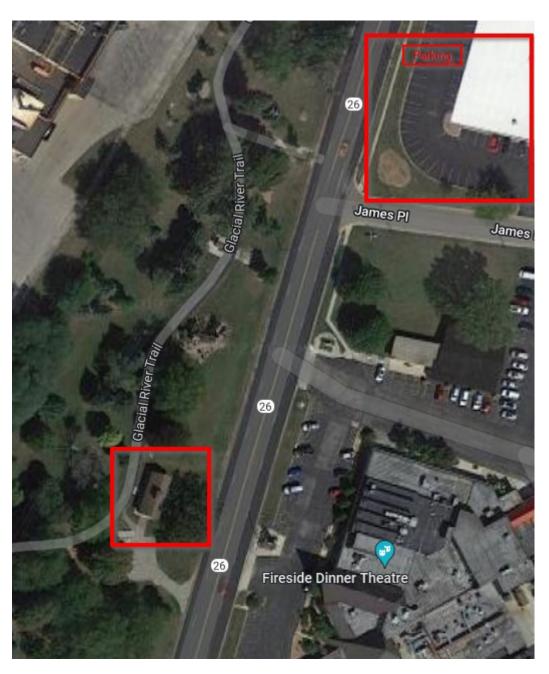
There is no financial impact to the City of Fort Atkinson for the event.

RECOMMENDATION

Staff recommends that City Council approve the Lemke Legacy 5K on July 15, 2023 at the Lion's Park Shelter and Glacier Trail.

ATTACHMENTS

Special Event Application





CITY OF FORT ATKINSON Special Event Application

Name of Business/Group Organizing Event:	Lemke Legacy SK				
Contact Person for Event: Rose F					
Phone Number: 920-420-7222	- Email: jemkelegacy 5k@gmail: com				
Is the Business/Group Organizing Event:	For profit or Non-Profit Special Event Details				
Event Name: Lemkelegacy &	5K				
levent Date: 1.1 1 7 7 22					
Event Location: Lion's Shetter 1130 Janesuille Ave, Fort Atkinson, w1 53538 Estimated Number of Attendees: 50 Hours of Event: 9am - 11 am - setup Starting Check all applicable boxes: at 7am					
Estimated Number of Attendees: 50	Hours of Event: 9am - 11 am - Setup Starting				
Check all applicable boxes:	at 7am				
I am renting a City Park	Attach copy of paid park rental from Parks & Recreation (920) 563-7781.				
I will be having music	Start and end time of music:				
I will be closing a street(s)	Attach site diagram with details. Barricades can be provided by Public Works upon request (920) 563-7771.				
I will be selling beer and/or wine*	Attach Temporary License and Bartender/Operator Applications. Contact City Clerk (920) 563-7760				
*Restroom Plan also required with sales of	of beer and/or wine. Refer to the Special Event Guide.				
I will be erecting a tent, canopy or othe	r temporary structure.				
By signing, I agree to the following statements: I understand I am responsible for a fire safety and medical plan. I understand it is my responsibility to read the Special Events Guide. I understand I may be required to provide Proof of Insurance. I am responsible to contact each Department to arrange for assistance. I understand I am responsible for timely clean up after the event. Responsible Party Signature:					
	Office Use Only				
Date Submitted to Clerk:	Date Emailed to Departments:				
Department	Comments, Concerns, Action(s) to be taken				
Clerk/Treasurer					
EMS - Ryan Brothers Ambulance					
Engineer and Building Inspection					
Electrician					
Fire and Rescue Department					
Library and Museum					
Parks & Recreation					
Police Department					
Public Works Department					
Wastewater and Water Utility					
Date Reported to City Council (if necessary):					
Comments, Contingencies, Findings:					







Fort Atkinson Parks & Recreation Department PARK SHELTER RESERVATION PERMIT 2022

Date S	helter is reserved for: 101	4 15, 2023		Type of Ev	/ent: <u>5K (</u>	ace		
Name (print): Rose Flipiak				Name of (Group (if applic	able): Lemk	elegacy	5K
Addres	s: 1215 Cumberlan	d Trl		Phone: 4	20-420-	7222	5 5	
City/St	ate: OshKosh, WI S	4904		Zip: 54904	Email:	lemkelea	acy 5K@	gmail.com
	SHELTER	LOCATION	PLAY AREA	SEATING FOR APPROX.	HAS ELECTRICITY	KEY REQUIRED	PARK FEES	DEPOSIT FEES
	THE CLUBHOUSE	400 Sinnissippi Drive	x	65-100 (inside shelte 100-150 (outside pati	,	X	\$150.00	\$50.00
	ROCK RIVER PAVILION	210 Sinnissippi Drive	X	150 (inside shelter) 0-500 (outside shelter	X	X	\$100.00	\$20.00
	JONES PARK SHELTER	615 Janesville Ave	X	75 (inside shelter) 0-150 (outside shelte	X er)	X	\$35.00	\$20.00
	BARRIE PARK	210 Robert Street	X		×	X	\$35.00	\$20.00
	RALPH PARK LIONS	600 Jefferson Street	х	75 (inside shelter) 0-100 (outside shelt	X er)	X	\$35.99	\$20. 00
	RALPH PARK CORNER	600 Jefferson Street	Х	75 (inside shelter) 0-100 (outside shelt	X er)	X	\$35.00	520.00
X	LIONS PARK SHELTER	1130 Janesville Ave		50 (inside shelter) 0-50 (outside shelter	r)		\$35.00	520.00
	**Large events will incur add	litional charges – weddir	igs, corpo	orate picnics, etc. ** ①	MAKE CHE	CKS PAYABL	E TO: CITY	OF FORT)
№ Д	YES Will you be putting approval. See #10 o	up a tent or driving any	y type of	stakes into the ground	l? If yes, you a	re responsible for	obtaining the	proper permit and
囚	Will you be roasting a pig at your event? If yes, you are responsible for obtaining the proper instructions. See #11 on the back of this for				e back of this form			
X	Will you have music	e, a live band, or amplif	fied soun	nd at your event? If ye	s, see #16 on th	e back of this for	m.	
I have	fully read this reservation p	ermit (front and back	c) and I	understand and agre	ee to all stipula	ations.		
Signatu				Signature:				
	Park Permit Responsi	ble Party			Park &	Recreation Repre	sentative	Account of the second pulled to the second pulled t
			9	OFFICE USE ONLY				
	Park Rent Amount Paid:			Check/Cash:	ar e finis de vicina de la giuntant de	Date Paid:		
	Deposit for Keys:			Check/Cash:		Date Paid:		***************************************
	Date Keys May be Picked Up	:		Key Number:		Date Keys Rep	urned:	

** As of 1-3-22 you can book your 2023 reservations.

Additional charge occurs for early reservation, non-refundable **

Clubhouse: \$100 reservation fee, additional to Park & Deposit Fee



City of Fort Atkinson City Clerk/Treasurer's Office 101 N. Main Street Fort Atkinson, WI 53538

MEMORANDUM

DATE: June 6, 2023

TO: Fort Atkinson City Council

FROM: Michelle Ebbert, City Clerk/Treasurer/Finance Director

RE: Review and possible action Special Event: Fort Fall Fiesta on Saturday, Sept. 9,

2023 from 9 a.m. to 4 p.m. at Jones Park

BACKGROUND

The City of Fort Atkinson is committed to supporting quality special events throughout the community. The Special Event Guide and Application was created to assist with planning events in the city and to allow appropriate contact information be obtained and forwarded to Departments. The planning guide is designed to assist members of the community in the planning, preparation and running of events and programs in Fort Atkinson.

The Special Event Guide defines a special event as a planned extraordinary occurrence or temporary aggregation of attractions, open to the public, that (a) is conducted on public property, (b) is conducted on private property and has a substantial impact on public property, (c) has activities that request special temporary licenses; or (d) require special city services, whether open to the public or not, including but not limited to, any of the following: street closures, provisions of barricades, garbage cans, stages or special no parking signs, special electrical services, or special police protection. Special events include, but not limited to, neighborhood and community festivals, parades, processions, fairs, and bicycle or foot races.

DISCUSSION

Event: Fort Fall Fiesta

Date and Hours of Event: Saturday, September 9, 2023 9:00am – 4:00pm

Location: Jones Park, Janesville Avenue

Contact Person: Whitney Townsend; wtownsned@fortcommunity.com

Estimated Number of Attendees: 500-1,000

The application and event information was routed to all City Departments without comments or concerns.

FINANCIAL ANALYSIS

There is no financial impact to the City of Fort Atkinson for the event.



RECOMMENDATION

Staff recommends that City Council approve the Unity Project: Fort Fall Fiesta on Saturday September 9, 2023 from 12:00 pm to 4:00 pm.

ATTACHMENTS

Special Event Application, Event Description



CITY OF FORT ATKINSON Special Event Application

FORT ATKINSON	Special Event Fee: \$2	• •	
lame of Business/Group Organizing Eve	·	.5.00	
Contact Person for Event:			
Phone Number: cell: 920-723-9390 v	vork: 920-563-7305	Email: wtownsend@fortcor	mmunity com
Day of Event Contact Person (if different		Phone:	Email:
()	Special Eve		
Event Name:	opedial Eve		
Event Date (mm/dd/yyyy):			
Event Location:			
Estimated Number of Attendees:		Hours of Event:	
Event Setup Time: Event Description:		Event Tear Down Time:	
.vent bescription.			
Goal/Purpose of Event:			
Attach a map of the event including:	Designated parking areas and availab	le number of spaces*, directional s	signage for events (i.e. parking guidance),
pedestrian street crossing locations, location of any traffic control barricades or personnel to ensure safe			
	coordination of vehicles and pedestri		ring businesses/property to utilize their
	parking	proof of permission from neighbor	ing businesses, property to utilize their
Check all applicable boxes:			
I am renting a city park	Attach copy of paid park rental from	Parks & Recreation Department. Ed	quipment rentals are reservable through
	the Parks & Recreation office 920-39	7-9910. You are responsible for pic	king up, setting up, tearing down, and
			age/recycling receptacles, and additional coordinator will need to pick up additional
	can liners from Park & Recreation off	ice. The event coordinator is respo	nsible for trash and recycling disposal. If
	there is no dumpster on site, a dump	· · · · · · · · · · · · · · · · · · ·	
X I am renting city equipment	Please secure and submit payment for *Attach a map with a location for dro		
	·		
	8' white plastic table (43 available; \$4	•	Qty _20=\$90.00
	Metal folding chair (190 available; \$0		Qty48=\$36.00
	Additional Picnic Table (\$15/each; inc	ciudes delivery & pick up)*	Qty
	Additional Garbage/Recycling Can*		Qty
	Barricades*		Qty
	Traffic Cones*		Qty
Electrical Access	The City Electrican may reach out to y	you to address any needs/concerns	
	Please specify if you have any reques		
	case specify if you have any reques	as a requirements beyond current	

	(Per City Ordinance 17.03) no person shall	cause or allow loud, excessive or unusual noise that will disturb the					
	comfort and quiet repose of persons in the vicinity. All music shall terminate as of 10:00 p.m. City noise ordina must be followed						
	Start Time of Music:	End Time of Music:					
I will be closing a street(s)*	Barricades can be provided by Public Work	ks upon request					
	* Provide proof of permission from neighbo	oring businesses/properties if street closure impacts daily activity					
■ I will be selling beer and/or wine*	Alcohol license and licensed bartender(s) required. Contact City Clerk (920) 397-9901 prior to submitting this application.						
	*Restroom Plan also required with sales of beer and/or wine. Refer to the Special Event Guide.						
I will be erecting a tent, canopy or otl	her temporary structure.*						
	*Fuent coordinator is responsible for ensur	ring that the temporary structure is safely installed. Event Coordinator i					
		t 4 business days prior to the event. Diggershotline.com, 1-800-242-851					
I am having a walk/race*							
	*See map instructions above. In addition to route on the map.	o the previously listed map requirements, clearly mark your walk/race					
	By signing, I agree to the follow	wing statements:					
I understand I am responsible for a fire sa	afety and medical plan. I understand it is my re	esponsibility to read the Special Events Guide. I understand I may be					
required to provide Proof of Insurance. I u	understand that I may need to contact multipl	le Departments to arrange for assistance. I understand I am responsible					
for timely clean up after the event. I unde	erstand that additional charges may apply and	that I can be billed after my event.					
	11 /hitan Tannagan						
Responsible Party Signature:	Whitney Townsend						
Submission Date:							
For Office Use Only:							
Date Received:							
Date Paid:							
Council Approval / Denial Date:							
Date applicant notified of Council action a	and any event stinulations:						
	and any event supulations.						
event stipulations:							
event Supulations:							
event Supulations:							
event Supulations:							
event Supulations:							
event Supulations:							
event Supulations:							
event Supulations:							
event Supulations:							
Event Supulations:							
Event Supulations:							
Event Stipulations:							
event Supulations:							

Request Submitted

TENTATIVE RESERVATION: 3214

Your reservation request has been recorded.

PLEASE NOTE: This reservation request is TENTATIVE ONLY until approved by our staff.

You will be notified upon approval.

If charges apply, your credit card will not be charged until the requested reservation is approved.

To the right is your itemized request.

Print Page

Fort Atkinson Parks and Rec RESERVATION ID 3214

30 N Water St West INTERNET Fort Atkinson, WI 53538 (920) 397-9910

REQUEST FOR FACILITY RESERVATION

Name: Whitney B Townsend Address: 800 Madison Ave

Fort Atkinson, WI 53538

Phone: (920) 723-9390 **Age:** 36

Facility: Jones Park Shelter

 Date/Time:
 09/09/2023 (Sat} From 9:00am - 10:00pm

 Fee:
 \$60.00

 Deposit:
 \$50.00

Print This Request For Your Records.



City of Fort Atkinson City Clerk/Treasurer's Office 101 N. Main Street Fort Atkinson, WI 53538

MEMORANDUM

DATE: June 6, 2023

TO: Fort Atkinson City Council

FROM: Michelle Ebbert, City Clerk/Treasurer/Finance Director

RE: Review and possible action Special Event: Dwight Foster Food Truck Festival on

Sunday, Sept. 10, 2023 from 11 a.m. to 3 p.m. at 200 block of Merchants

Avenue

BACKGROUND

The City of Fort Atkinson is committed to supporting quality special events throughout the community. The Special Event Guide and Application was created to assist with planning events in the city and to allow appropriate contact information be obtained and forwarded to Departments. The planning guide is designed to assist members of the community in the planning, preparation and running of events and programs in Fort Atkinson.

The Special Event Guide defines a special event as a planned extraordinary occurrence or temporary aggregation of attractions, open to the public, that (a) is conducted on public property, (b) is conducted on private property and has a substantial impact on public property, (c) has activities that request special temporary licenses; or (d) require special city services, whether open to the public or not, including but not limited to, any of the following: street closures, provisions of barricades, garbage cans, stages or special no parking signs, special electrical services, or special police protection. Special events include, but not limited to, neighborhood and community festivals, parades, processions, fairs, and bicycle or foot races.

DISCUSSION

Event: Fort Library Food Truck Festival **Date**: Sunday September 10, 2023

Location: 200 block of Merchants Avenue

Contact Person: Autumn Harden, autumn.harden@nitardyfuneralhome.com

Hours of Event: 11:00 am to 3:00 pm **Estimated Number of Attendees:** 600

Event information was routed to Departments with the following comments and concerns regarding safety. The Public Works will assist with barricading Merchants Ave. Details regarding barricade needs still pending with event coordinator.

The Post Office has confirmed they have no conflict with the closure and can access their parking lot from 3rd Street.

FINANCIAL ANALYSIS

There is no financial impact to the City of Fort Atkinson for the event.

RECOMMENDATION

Staff recommends that City Council approve the Block Party Extravaganza for the Dwight Foster Public Library on Sunday September 10, 2023, the closure of the municipal parking lot, and the closure of the 200 block of Merchants Avenue.

ATTACHMENTS

Special Event Application, Site Plan Layout and Event Proposal



CITY OF FORT ATKINSON Special Event Application

Name of Business/Group Organizing Event:	Dwight Foster Library				
Contact Person for Event: Autumn Hard	len				
Phone Number: 920-723-9202	Email: autumn.harden@nitardyfuneralhome.com				
Is the Business/Group Organizing Event:	For profit or XXXNon-Profit				
	Special Event Details				
Event Name: Fort library Food Truck F	estival				
Event Date: Sunday, September 10, 202	23				
Event Location: In front of the library and on the side of the library, using the 200 block of Merchants Ave. to park food trucks. We would like to use guest parking for the Market Square public lot.					
Estimated Number of Attendees: 600	Hours of Event: 11AM - 3PM				
Check all applicable boxes:					
☐ I am renting a City Park	Attach copy of paid park rental from Parks & Recreation (920) 563-7781.				
XXXI will be having music	Start and end time of music: 11 AM - 3 PM				
XXXI will be closing a street(s)	Attach site diagram with details. Barricades can be provided by Public Works upon request (920) 563-7771.				
☐ I will be selling beer and/or wine*	Attach Temporary License and Bartender/Operator Applications. Contact City Clerk (920) 563-7760				
*Restroom Plan also required with sales of	of beer and/or wine. Refer to the Special Event Guide.				
☐ I will be erecting a tent, canopy or othe	r temporary structure.				
By signing, I agree to the following statements: I understand I am responsible for a fire safety and medical plan. I understand it is my responsibility to read the Special Events Guide. I understand I may be required to provide Proof of Insurance. I am responsible to contact each Department to arrange for assistance. I understand I am responsible for timely clean up after the event.					
Responsible Party Signature:					
	Office Use Only				
Date Submitted to Clerk:	Date Emailed to Departments:				
Department	Comments, Concerns, Action(s) to be taken				
Clerk/Treasurer					
EMS - Ryan Brothers Ambulance					
☐ Engineer and Building Inspection					
☐ Electrician					
Fire and Rescue Department					
Library and Museum					
Parks & Recreation					
Police Department					
Public Works Department					
■ Wastewater and Water Utility					
Date Reported to City Council (if necessary):					
Comments, Contingencies, Findings:					

FOSTER STREET

PROPOSED EVENT LAYOUT FOR LIBRARY'S FOOD TRUCK RALLY SUNDAY, SEPTEMBER 10, 2023

EAST LAWN
TABLES W/CHAIRS AND
POSSIBLE LARGE SCREEN
IF PACKERS PLAYING

LIBRARY

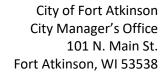
SOUTH LAWN
PERFORMER,
KID ACTIVITIES,
TABLES
W/CHAIRS

MERCHANTS AVENUE

FOOD TRUCK VENDOR SPACE AROUND THE PERIMETER

- ALSO PART OF REQUESTED SPACE

CITY PARKING LOT





MEMORANDUM

DATE: June 6, 2023

TO: Fort Atkinson City Council

FROM: Rebecca Houseman, City Manager

RE: Review and possible action relating to Citizen Appointments to Committees,

Commissions, and Boards

BACKGROUND

The City has a wide variety of Committees, Commissions, and Boards made up of citizens, staff, and elected officials. Some of these groups are outlined in the City's Ordinances. Most often, the City Manager is responsible for appointing citizen members, subject to approval by the City Council. Similarly, in most cases, the Council President is responsible for appointing Council members to these groups.

DISCUSSION

The following citizen members are eligible for appointment or reappointment to the Committees, Commissions, and Boards below for the terms indicated:

1. Board of Zoning Appeals:

- a. Paul Brady for a two-year term ending in 2025
- b. Jordan Lamb for a two-year term ending in 2025

2. Economic Development Commission:

a. Mary Kay Paulson Weston for a three-year term ending in 2026

3. Parks and Recreation Board:

a. Hillary Baird for a three-year term ending in 2026

4. Plan Commission:

a. Diana Shull for the remainder of a three-year term ending in 2025

Note the following vacancies for citizens on City Commissions, Committees, and Boards:

- Board of Zoning Appeals (two seats)
- Cable Television Committee (one seat)
- Economic Development Commission (one seats)
- Tourism Commission (one seat)

Staff continues to work on filing these vacancies and encourages members of the public to submit an <u>application</u> to serve if interested.

FINANCIAL ANALYSIS

The appointments of citizens to these Committees, Commissions, and Boards is not expected to impact the City financially.

RECOMMENDATION

Staff recommends that the City Council confirm the appointments listed in this memo through the Consent Agenda.

ATTACHMENTS

None



Agenda City of Fort Atkinson City Manager's Office 101 N. Main Street Fort Atkinson, WI 53538

MEMORANDUM

DATE: June 6, 2023

TO: Fort Atkinson City Council

FROM: Andy Selle, P.E., City Engineer/Director of Public Works

RE: Third and Final reading of an Ordinance to adopt Amendments to the City of

Fort Atkinson Comprehensive Plan

RECOMMENDATION

At a Joint meeting of the Fort Atkinson City Council and Plan Commission on May 9, 2023, the Plan Commission reviewed this matter and recommended that the City Council adopt the attached resolution recommending that the City Council approve the following:

- <u>Comprehensive Plan Amendment for 426 McMillen Street (#1 listed above)</u>, subject to the following conditions:
 - o Any other recommendations of City staff, the Plan Commission, and City Council.
- Comprehensive Plan Amendment for 500, 550, 650, and 660 McMillen Street (#2 listed above), subject to the following conditions:
 - o Any other recommendations of City staff, the Plan Commission, and City Council.
- <u>Comprehensive Plan Amendment for 601 Handyside Lane (#3 listed above)</u>, subject to the following conditions:
 - o Any other recommendations of City staff, the Plan Commission, and City Council.
- <u>Comprehensive Plan Amendment for two parcels with no assigned address bounded by High Street and McMillen Street (#4 listed above)</u>, subject to the following conditions:
 - o Any other recommendations of City staff, the Plan Commission, and City Council.

Staff recommends that the City Council adopt the Ordinance amending the Comprehensive Plan as outlined above and in said Ordinance.

ATTACHMENTS

- Comprehensive Plan Amendment Exhibits (3.29.23)
- Proposed Amendments Map 7 Future Land Use City View
- Public Hearing Notice
- Plan Commission Recommending Resolution 5.9.23
- City Council Adopting Ordinance



COMPREHENSIVE PLAN AMENDMENT REPORT TO THE PLAN COMMISSION AND CITY COUNCIL

DATE: May 9, 2023

PROPERTY ADDRESSES: 426, 500, 550, 650, and 660 McMillen Street, 601 Handyside Lane, and Unaddressed Property (further described below)

PARCEL NUMBER: 226-0614-3434-024, 226-0614-3443-016, 226-0614-3434-038, 226-0614-3443-018, 226-0614-3434-045, 226-0614-3434-042, 226-0614-3434-044, 226-0614-3434-021, 226-0614-3434-046 and 226-0614-3434-041

OWNER: Fort Healthcare, Inc. and Tamike

Investments, LLC

APPLICANTS: Jim Nelson, Fort Healthcare and Mike Forester, Tamike Investments

FILE NUMBER: N/A

EXISTING ZONING: I, Institutional, SR-2 Residential,

and MRL-8 Multi-Family

PROPOSED ZONING: TBD

EXISTING LAND USE: Clinics, Day Care, Parking, and

Vacant

REQUESTED USES: Planned Neighborhood and

Planned Mixed Use

BACKGROUND ON COMPREHENSIVE PLAN AMENDMENT REVIEW:

Wisconsin State Statutes (66.1001) outlines the process for municipal Comprehensive Plan updates or amendments. This requires a 30-day notice, a public hearing before the City Council, and action by both the Plan Commission and City Council.

REQUEST OVERVIEW:

Fort Healthcare and Mike Forester have been working with the City throughout 2022-2023 to develop a new neighborhood plan for the area generally defined as north of Florence Street on the east and west sides of McMillen Street (north of the main hospital campus).

The neighborhood plan aims to relocate existing Fort Healthcare services and parking onto its main campus and foster new mixed-use redevelopment and infill development opportunities on existing or future underutilized sites. The proposed plan will be completed in phases over time. The first phase includes the proposed parking lot expansion on the southeast side of the hospital campus site, the proposed parking lot expansion across the vacated Fourth Street right-of-way on the northeast side of the hospital campus site, and the relocation of four existing homes from Fourth Street to 426 McMillen Street.

Other future phases of the plan include new residential development between N. High Street and McMillen Street and the potential mixed-use redevelopment of the existing clinic buildings on the east side of McMillen Street and existing remote hospital staff parking lot east of McMillen Street.

The following is a list of the proposed 2023 City of Fort Atkinson Comprehensive Plan Map 7 and 8 Amendments. Each are identified to match the Proposed Amendments Map.

- 1. Change the Future Land Use designation for two parcels at 426 McMillen Street (parcel numbers: 226-0614-3434-024 and 226-0614-3443-016) from "Health Facilities" to "Planned Neighborhood."
- 2. Change the Future Land Use designation for five parcels at 500, 550, 650, and 660 McMillen Street (parcel numbers: 226-0614-3434-038, 226-0614-3443-018, 226-0614-3434-045, 226-0614-3434-042, and 226-0614-3434-044) from "Health Facilities" to "Planned Mixed Use."
- 3. Change the Future Land Use designation for one parcel at 601 Handyside Lane (parcel number: 226-0614-3434-021) from "Health Facilities" to "Planned Mixed Use."
- 4. Change the Future Land Use designation for two parcels with no assigned address bounded by High Street and McMillen Street (parcel numbers: 226-0614-3434-046 and 226-0614-3434-041) from "Multi-Family Residential" to "Planned Neighborhood."

A map of the proposed Future Land Use Map Amendments is available in your meeting packet. In this map, parcels proposed to be amended are outlined in red.

COMPREHENSIVE PLAN AMENDMENT REVIEW:

Today, the proposed amendment area is mostly shown on the Future Land Use Map as Health Facilities, outside of the property between McMillen Street and N. High Street which is shown as Multi-Family and Environmental Corridor. These land use categories are defined as:

- **Health Facility:** Intended to include a range of small to large-scale buildings that includes hospitals, specialty medical-care facilities, clinics, campuses, and other related quasi-public uses.
- **Multi-Family:** Intended to accommodate a variety of residential units, including apartment complexes, townhouses, and some single and two-family residences, all served by sanitary sewer.
- Environmental Corridor: Intended for existing continuous open space systems comprised of known sensitive natural resources and/or characterized by limitations for development such as floodplains, wetlands, slopes of 12 percent or greater, wildlife areas, and riparian buffers.

The proposed amendments are a request to change the Future Land Use Map designation to a combination of Planned Neighborhood and Planned Mixed Use. These land use categories are defined as:

• Planned Neighborhood: Intended to provide for a variety of housing choices and a carefully planned mix of non-residential uses consistent with the mainly residential character of the area. Planned Neighborhoods are a collection of different future land use categories, often mixed on the same lots and sometimes in the same buildings. Specifically, the Planned Neighborhood future land use category includes a mix of Single Family Residential—Urban, Two-Family/Townhouse Residential, Multi-Family Residential (including senior housing), Neighborhood Commercial, Community Facilities, and Parks and Environmental Corridor Land Uses.

 Planned Mixed Use: Intended for a mix of commercial and residential uses on public sewer, public water, and other urban services and infrastructure. Planned Mixed Use areas are intended to be vibrant urban places that should function as community focal points and gathering spots. This category is designed to facilitate a blend of land uses in the following categories: Community Commercial, Multi-Family Residential, Community Facilities, and Parks and Environmental Corridor.

Any rezoning must be consistent with the Comprehensive Plan's Future Land Use Map. If the amendments are approved, this would enable the property owners to have greater flexibility in implementation of the neighborhood plan through a combination of mixed residential, mixed-use buildings, office, and clinic uses.

The amendments are just the first step in the process and before anything occurs on any of the sites, property owners will be required to go through the rezoning, land division, and site plan processes. This provides City staff, the Plan Commission and City Council, and the public with multiple additional opportunities to provide feedback on proposed changes to each parcel before any development takes place in the future.

PUBLIC NOTICE:

A public hearing is required for Comprehensive Plan amendment review and action. All required public hearing notices have been properly posted in compliance with state law.

HOUSING STUDIES

The City of Fort Atkinson, Jefferson County, and Fort Healthcare conducted four different Housing Studies in 2017-2021. Each study found that there is existing demand for new housing of various formats (rental, owner, senior, etc.) and a shortage of supply for each of those formats. There was also a consensus among the studies that if communities didn't lead the effort to reverse these trends, that the situation would only get worse. This proposed amendment and the neighborhood plan are in direct response to these studies and are consistent with their findings.

DISCUSSION:

The applicant has worked with City staff over the last two years in developing the neighborhood plan and preparing for the first phase of its implementation. Additionally, the applicant presented the project conceptually before the Plan Commission in April. The City's Management Team has reviewed the application and all comments have been included within this document.

The proposed amendments and neighborhood plan aim to relocate existing Fort Healthcare services and parking onto its main campus and foster new mixed-use redevelopment and infill development opportunities on existing underutilized sites.

Overall, the proposed amendments could provide new tax base, housing units, and local economic benefits in the community.

RECOMMENDATION:

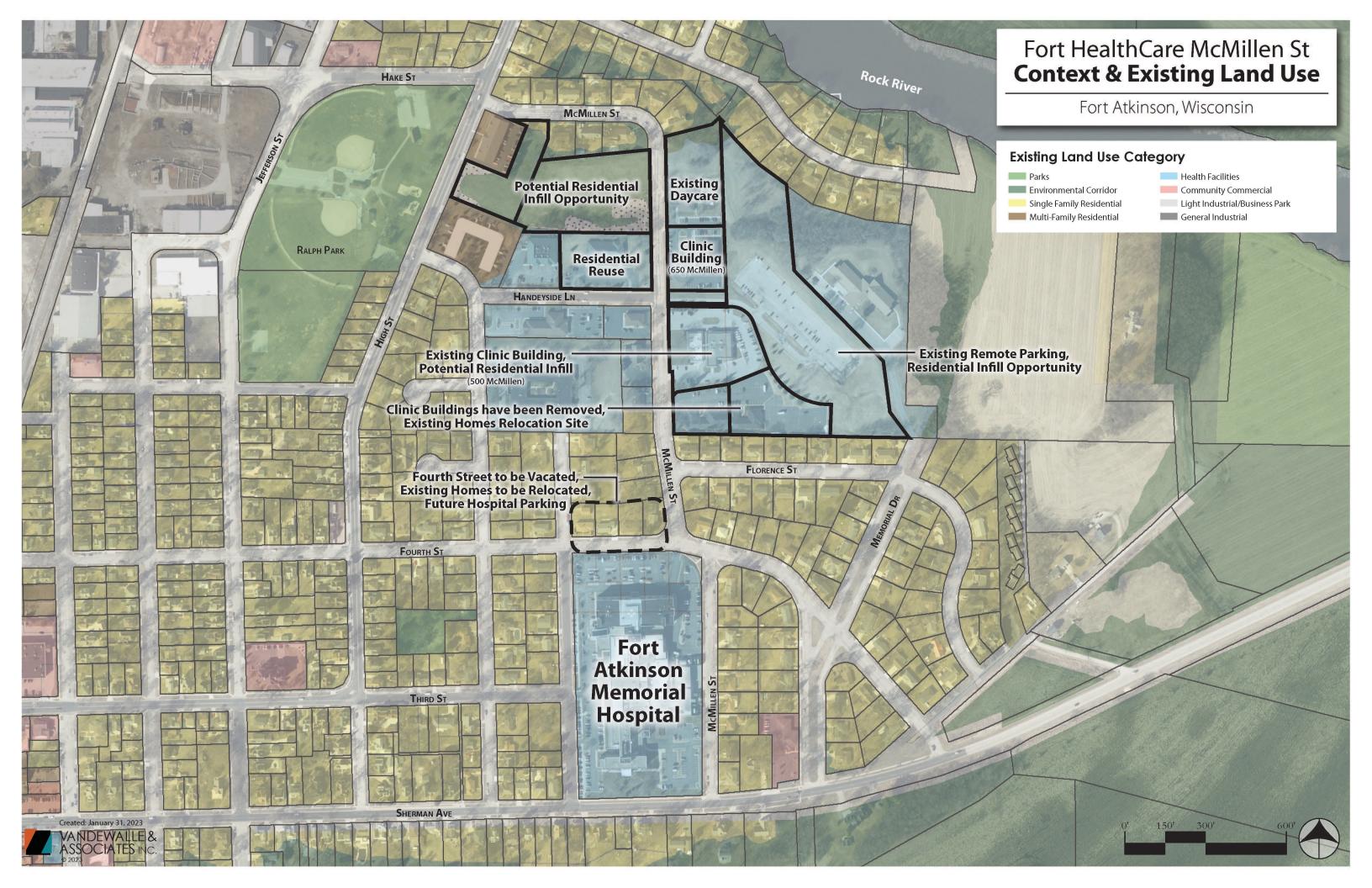
City staff recommends that the Plan Commission adopt the attached resolution recommending that the City Council approve the following:

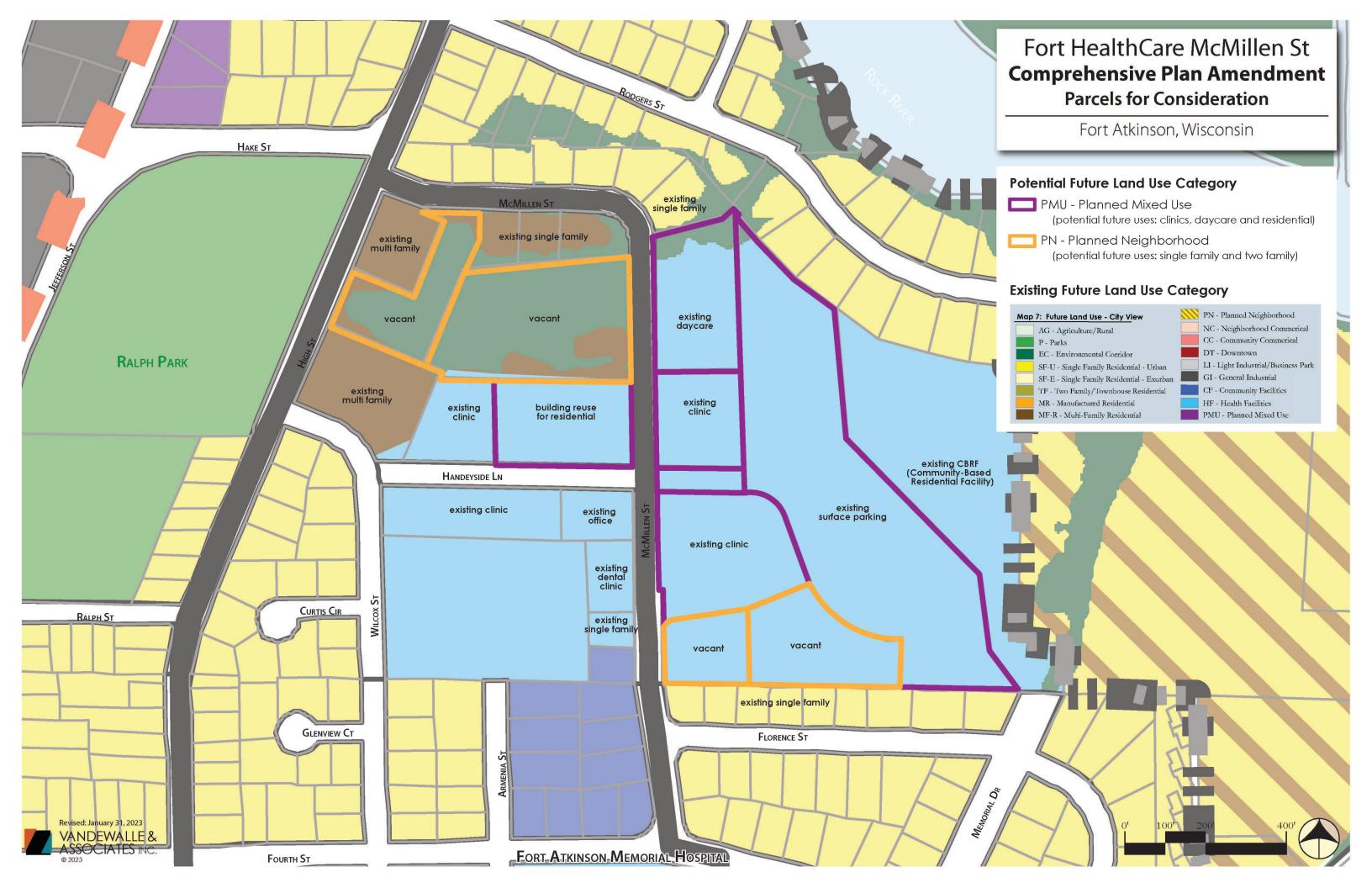
- <u>Comprehensive Plan Amendment for 426 McMillen Street (#1 listed above)</u>, subject to the following conditions:
 - o Any other recommendations of City staff, the Plan Commission, and City Council.
- Comprehensive Plan Amendment for 500, 550, 650, and 660 McMillen Street (#2 listed above), subject to the following conditions:
 - o Any other recommendations of City staff, the Plan Commission, and City Council.
- <u>Comprehensive Plan Amendment for 601 Handyside Lane (#3 listed above)</u>, subject to the following conditions:
 - Any other recommendations of City staff, the Plan Commission, and City Council.
- Comprehensive Plan Amendment for two parcels with no assigned address bounded by High Street and McMillen Street (#4 listed above), subject to the following conditions:
 - o Any other recommendations of City staff, the Plan Commission, and City Council.

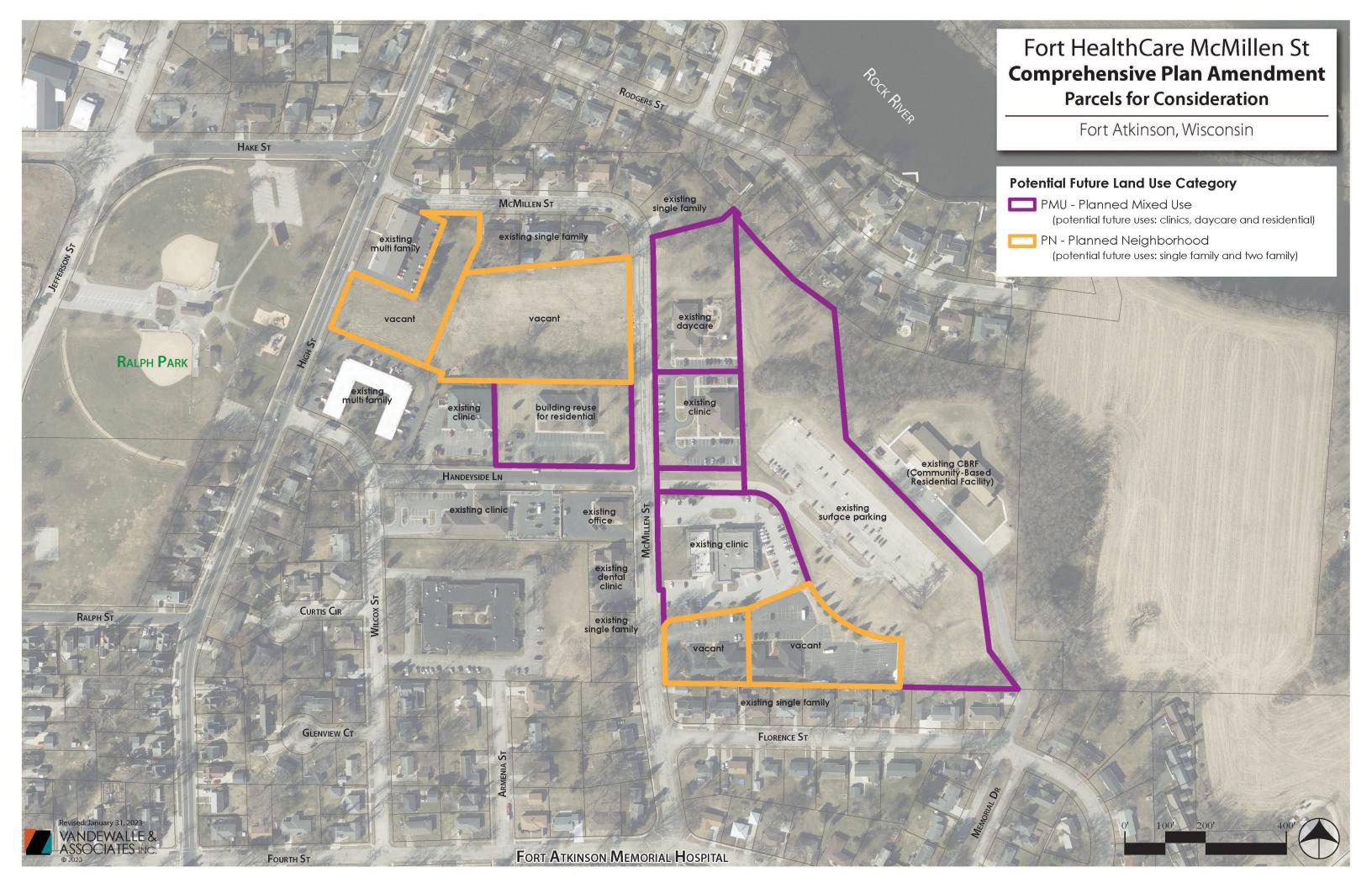
Staff further recommends that; after the public hearing, input from the Plan Commission, and three readings; the City Council adopt the Ordinance amending the Comprehensive Plan as outlined above and in said Ordinance.

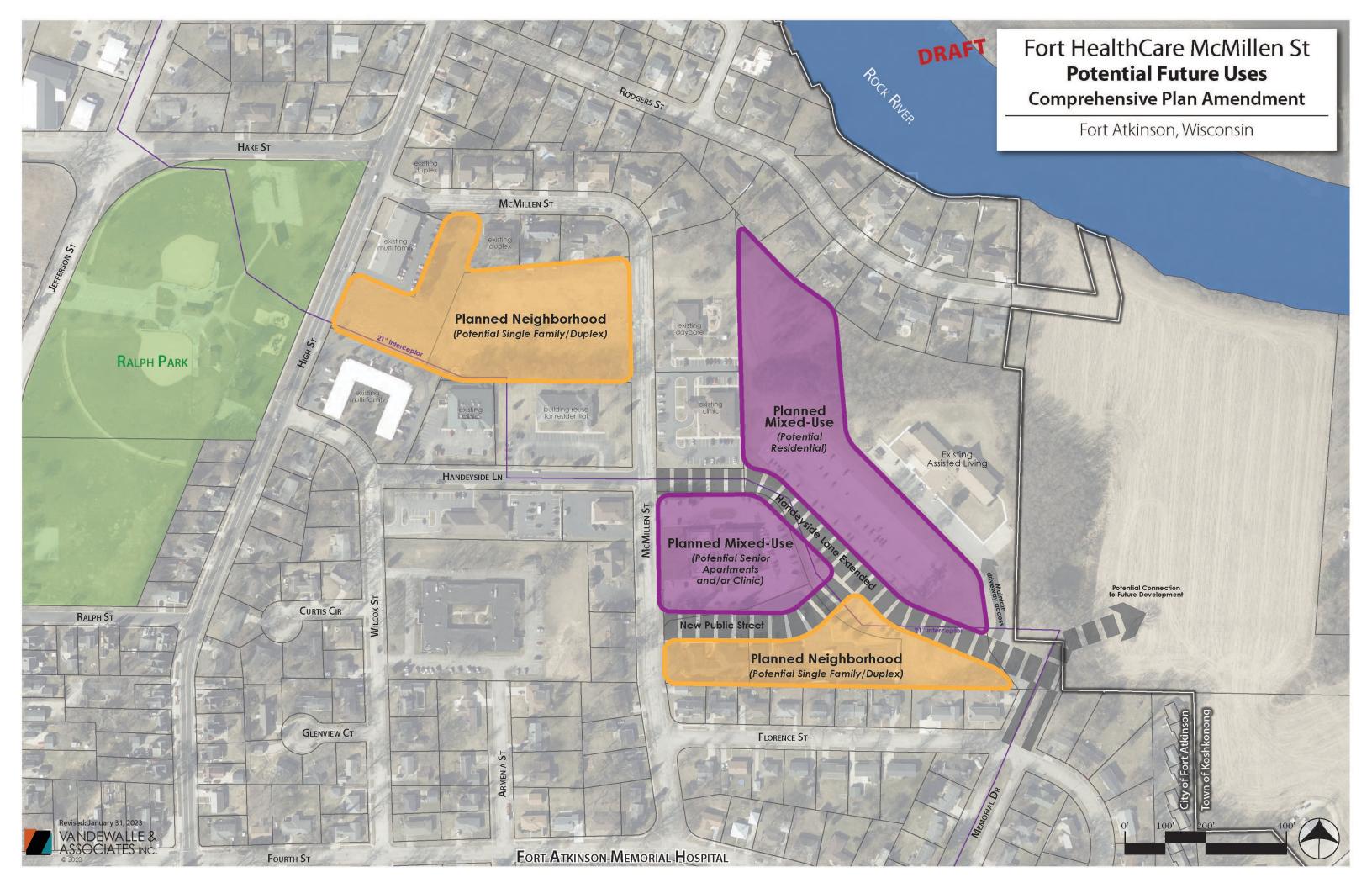
ATTACHMENTS:

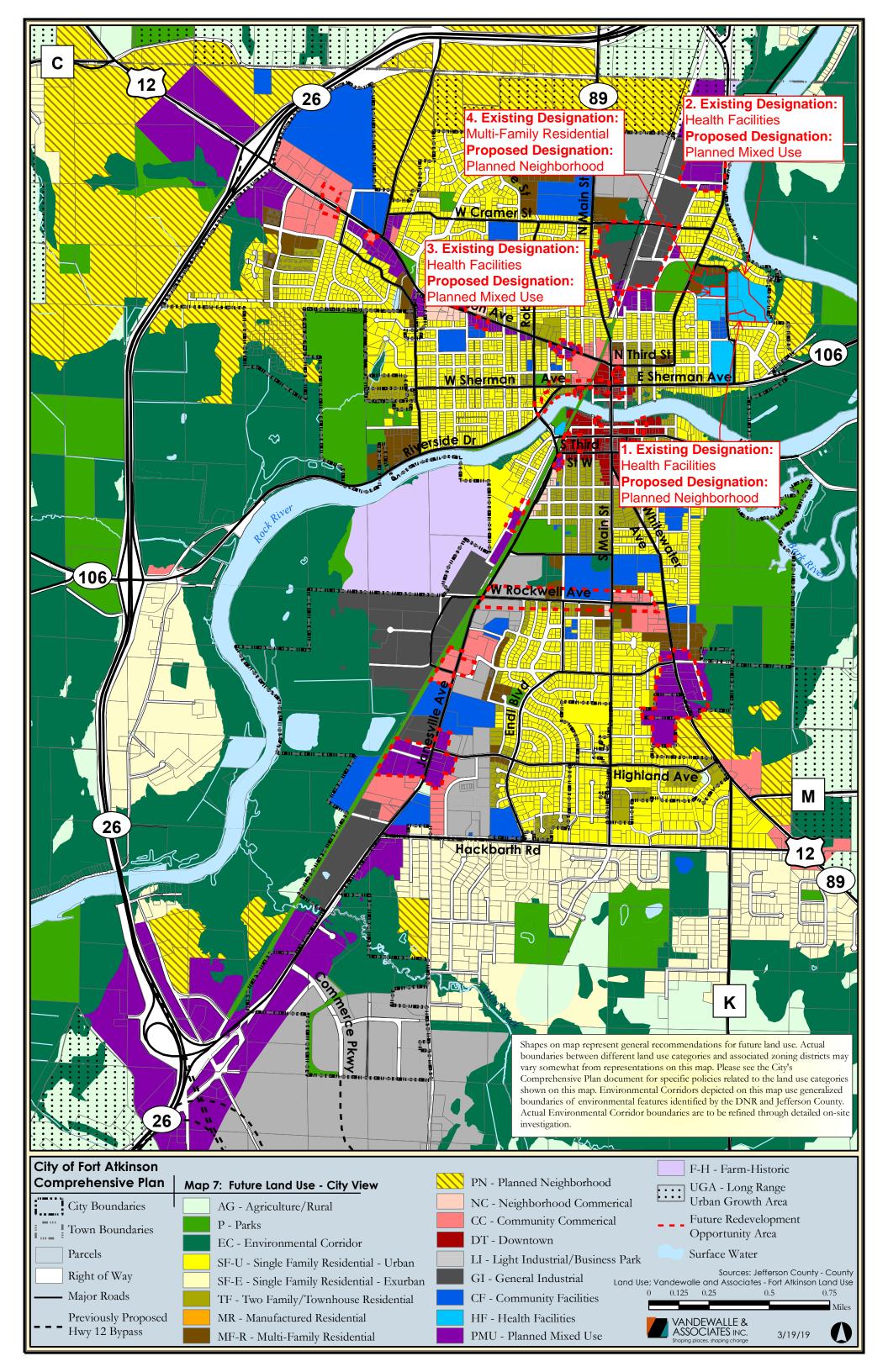
- Comprehensive Plan Amendment Exhibits (3.29.23)
- Proposed Amendments Map 7 Future Land Use City View
- Public Hearing Notice
- Plan Commission Recommending Resolution 5.9.23
- City Council Adopting Ordinance (draft)











Publish in newspaper on or before: 4/9/2023

City of Fort Atkinson Public Hearing on Amendments to Comprehensive Plan

Notice is hereby given that the Fort Atkinson City Council and Plan Commission will hold a public hearing on **Tuesday, May 9, 2023 at 4:00 PM.** The meeting will be held in the Council Chambers of City Hall (101 N. Main Street, Fort Atkinson, WI). It will also be available virtually via Zoom (see information below). The public hearing will take place at a joint meeting of the City Council and Plan Commission.

Meeting link: https://us02web.zoom.us/i/5997866403?pwd=alcreldSbGpNUVI1VnR1RWF5bXovdz09

Meeting ID: 599 786 6403

Passcode: 53538

The public hearing will be held to gather public input on proposed amendments to the "City of Fort Atkinson Comprehensive Plan." The Comprehensive Plan sets the policy for the growth, development, and preservation of the community. The proposed amendments would affect the Future Land Use Map (Maps 7 and 8) and involve the following 10 parcels:

- 1. Change the Future Land Use designation for two parcels at 426 McMillen Street (parcel numbers: 226-0614-3434-024 and 226-0614-3443-016) from "Health Facilities" to "Planned Neighborhood."
- Change the Future Land Use designation for five parcels at 500, 550, 650, and 660
 McMillen Street (parcel numbers: 226-0614-3434-038, 226-0614-3443-018, 226-0614 3434-045, 226-0614-3434-042, and 226-0614-3434-044) from "Health Facilities" to
 "Planned Mixed Use."
- 3. Change the Future Land Use designation for one parcel at 601 Handyside Lane (parcel number: 226-0614-3434-021) from "Health Facilities" to "Planned Mixed Use."
- 4. Change the Future Land Use designation for two parcels with no assigned address bounded by High Street and McMillen Street (parcel numbers: 226-0614-3434-046 and 226-0614-3434-041) from "Multi-Family Residential" to "Planned Neighborhood."

The Comprehensive Plan and the proposed amendments are available for review online at: www.fortatkinsonwi.gov. Written comments on the proposed amendments to the Comprehensive Plan should be submitted before the public hearing date to the City Clerk (melbert@fortatkinsonwi.gov). All written comments will be forwarded to the City Council and Plan Commission.

Dated this 4th day of April, 2023.

Michelle Ebbert, City Clerk

RESOLUTION NO. 1401

RESOLUTION RECOMMENDING AMENDMENTS TO THE CITY OF FORT ATKINSON COMPREHENSIVE PLAN

PLAN COMMISSION OF THE CITY OF FORT ATKINSON, WISCONSIN

WHEREAS, the City of Fort Atkinson on March 19, 2019 adopted the City of Fort Atkinson Comprehensive Plan, and amended said Plan on February 17, 2022 (hereinafter "Plan") as the City's comprehensive plan under Section 66.1001(4), Wisconsin Statutes, with said Plan including procedures for consideration of amendments to it; and

WHEREAS, Section 66.1001(4), Wisconsin Statutes, establishes the required procedure for a local government to amend a comprehensive plan once it has been initially adopted; and

WHEREAS, the City of Fort Atkinson Plan Commission has the authority and responsibility to recommend amendments to the Plan to the City Council, under Section 66.1001(4)(b); and

WHEREAS, on May 9, 2023, the Plan Commission reviewed proposed amendments to the Comprehensive Plan's Future Land Use Maps (Maps 7 and 8) involving the following Parcels:

- 1. Change the Future Land Use designation for two parcels at 426 McMillen Street (parcel numbers: 226-0614-3434-024 and 226-0614-3443-016) from "Health Facilities" to "Planned Neighborhood."
- 2. Change the Future Land Use designation for five parcels at 500, 550, 650, and 660 McMillen Street (parcel numbers: 226-0614-3434-038, 226-0614-3443-018, 226-0614-3434-045, 226-0614-3434-042, and 226-0614-3434-044) from "Health Facilities" to "Planned Mixed Use."
- 3. Change the Future Land Use designation for one parcel at 601 Handyside Lane (parcel number: 226-0614-3434-021) from "Health Facilities" to "Planned Mixed Use."
- 4. Change the Future Land Use designation for two parcels with no assigned address bounded by High Street and McMillen Street (parcel numbers: 226-0614-3434-046 and 226-0614-3434-041) from "Multi-Family Residential" to "Planned Neighborhood."

NOW, THEREFORE, BE IT RESOLVED that the Plan Commission of the City of Fort Atkinson hereby recommends that, following a public hearing, the City Council adopt an ordinance to constitute official City approval of the proposed amendments to the 2019 City of Fort Atkinson Comprehensive Plan that the Plan Commission recommended for approval at its May 9, 2023, Plan Commission Meeting.

This Resolution was adopted at a meeting of the Plan Commission of the City of Fort Atkinson on the 9th day of May, 2023.

PLAN COMMISSION

By: ______

Rebecca Houseman Plan Commission Chair

ATTEST:

Michelle Ebbert

City Clerk/Treasurer/Finance Director

Wah bbert

ORD	INANCE	NO.	

ORDINANCE TO ADOPT AMENDMENTS TO THE CITY OF FORT ATKINSON COMPREHENSIVE PLAN

CITY COUNCIL OF THE CITY OF FORT ATKINSON, WISCONSIN

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

WHEREAS, pursuant to sections 61.35 and 62.23(2) and (3) of Wisconsin Statutes, the City of Fort Atkinson is authorized to prepare and adopt a comprehensive plan as defined in sections 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes; and

WHEREAS, the City Council adopted its comprehensive plan in 2019 entitled "City of Fort Atkinson Comprehensive Plan" and amended such plan on February 17, 2022; and

WHEREAS, as part of the City's original adoption of a comprehensive plan the City Council adopted and has since followed written procedures designed to foster public participation in every stage of the preparation of a comprehensive plan as required by §66.1001(4)(a) of the Wisconsin Statutes; and

WHEREAS, the Plan Commission of the City of Fort Atkinson, by a majority vote of the entire Commission recorded in its official minutes, has adopted a resolution recommending to the City Council the adoption of amendments to the Future Land Use Maps (Maps 7 and 8) involving the following Parcels:

- 1. Change the Future Land Use designation for two parcels at 426 McMillen Street (parcel numbers: 226-0614-3434-024 and 226-0614-3443-016) from "Health Facilities" to "Planned Neighborhood."
- 2. Change the Future Land Use designation for five parcels at 500, 550, 650, and 660 McMillen Street (parcel numbers: 226-0614-3434-038, 226-0614-3443-018, 226-0614-3434-045, 226-0614-3434-042, and 226-0614-3434-044) from "Health Facilities" to "Planned Mixed Use."
- 3. Change the Future Land Use designation for one parcel at 601 Handyside Lane (parcel number: 226-0614-3434-021) from "Health Facilities" to "Planned Mixed Use."
- 4. Change the Future Land Use designation for two parcels with no assigned address bounded by High Street and McMillen Street (parcel numbers: 226-0614-3434-046 and 226-0614-3434-041) from "Multi-Family Residential" to "Planned Neighborhood."

WHEREAS, the City of Fort Atkinson has, in compliance with the requirements of section 66.1001(4)(d) of the Wisconsin Statutes, provided opportunities for public involvement per its adopted public participation plan; and

WHEREAS, the City Council held a public hearing on the proposed amendments on May 9, 2023, considered the public comments made and the recommendations of the Plan Commission and staff, and has determined to approve the recommended amendments.

NOW, THEREFORE, the City Council of Fort Atkinson, Wisconsin, does ordain that the proposed amendments are hereby adopted as amendments to the City's Comprehensive Plan pursuant to section 66.1001(4)(c) of Wisconsin Statutes.

Enacted this day of June	e, 2023.
	CITY OF FORT ATKINSON
ATTEST:	Bruce Johnson, City Council President
Michelle Ebbert, City Clerk/Treasurer/Finance Director	



Agenda City of Fort Atkinson City Manager's Office 101 N. Main Street Fort Atkinson, WI 53538

MEMORANDUM

DATE: June 6, 2023

TO: Fort Atkinson City Council

FROM: Andy Selle, P.E., City Engineer/Director of Public Works

RE: Third and Final reading of an Ordinance to adopt the Official Zoning Map of the

City of Fort Atkinson to change the zoning from Institutional (I) to Single Family Residential (SR-5) and Duplex (DR-8) for the property formerly addressed 426

McMillen St.

BACKGROUND

Fort Healthcare has applied for a Zoning Map Amendment for the property formerly located at 426 McMillen St. The property is currently zoned I Institutional. This zoning district allows for and is oriented to mix of small and large-scale institutional uses like church, schools, clinics, and hospitals. Assuming a successful Comprehensive Plan Amendment for the property, the City of Fort Atkinson's Comprehensive Plan Future Land Use will show the property as Planned Neighborhood. This would be consistent with the proposed rezoning of the new properties to SR-5 and DR-8.

RECOMMENDATION

The City Council held the first reading of the Zoning Map Amendment to rezone the property formerly addressed 426 McMillen Street from Institutional (I) District to Single-family Residential (SR-5) District for Lots 2-5 and from Institutional (I) District to Duplex Residential (DR-8) for Lot 1 at its meeting May 2, 2023.

The Plan Commission recommend City Council approval of the proposed <u>Zoning Map</u>
<u>Amendments</u> to rezone the property at a Joint meeting of the Plan Commission and City Council on May 9, 2023.

The City Council held the second reading of the Zoning Map Amendment at the Joint meeting of the Plan Commission and City Council on May 9, 2023.

Staff recommends passage of the Zoning Map Amendment.

ATTACHMENTS

- Preliminary Plat and Application
- Zoning Map Amendment Application
- Zoning Map Amendment Public Notice



OWNER: Fort Healthcare, Inc.

PRELIMINARY PLAT AND ZONING MAP AMENDMENT REQUEST REPORT TO THE CITY COUNCIL AND PLAN COMMISSION

DATE: May 9, 2023 **FILE NUMBER(S):** ZMA-2023-03, PPR-2023-01

PROPERTY ADDRESSES: 426 McMillen **EXISTING ZONING:** I, Institutional

Street

PROPOSED ZONING: SR-5 Single-Family Residential and DR-8 Duplex Residential

226-0614-3443-016, and a portion of 226-

0614-3443-018 **EXISTING LAND USE:** Vacant land (former clinic

building)

REQUESTED USES: Single-Family and Duplex

APPLICANT: Jim Nelson, Fort Healthcare Residential

BACKGROUND ON PRELIMINARY PLAT AND REZONING REVIEW:

Section 70.05.02 and 70.06.01 of the City of Fort Atkinson Land Division and Development Ordinance outlines the requirements a Preliminary Plat review and approval by the Plan Commission and City Council for conformance with all ordinances, plans, and document requirements.

Section 15.10.31 of the City of Fort Atkinson Zoning Ordinance outlines the requirements for a Zoning Map Amendment process. This requires a public hearing, review, and approval by the Plan Commission and the City Council on the consistency of the proposal with adopted plans.

The proposed schedule for these two requests follows:

April 25, 2023 – Plan Commission – public presentation of the request for information only

May 2, 2023 – City Council – 1st Reading (of 3) for Zoning Map Amendment Ordinance – complete

May 9, 2023 – JOINT City Council and Plan Commission Meeting:

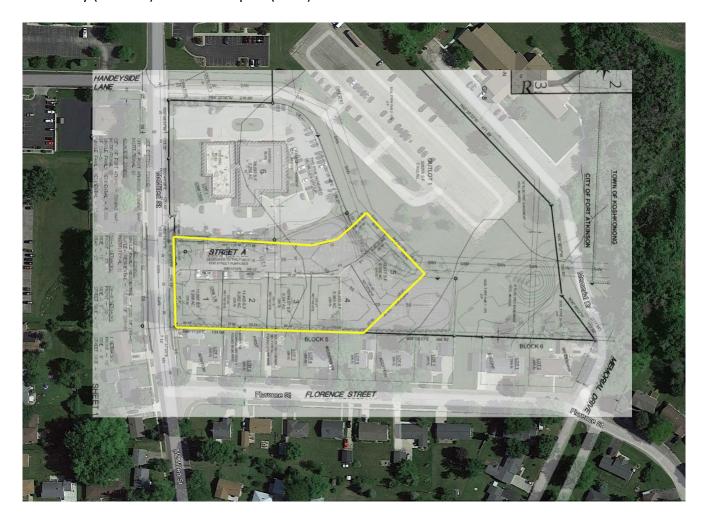
- Public Hearing for Zoning Map Amendment
- Plan Commission reviews Zoning Map Amendment (recommendation to Council) and Preliminary Plat Request (recommendation to Council)
- City Council 2nd Reading of Zoning Map Amendment Ordinance (move to 3rd reading on 5/16)

May 16, 2023 – City Council – 3rd Reading (of 3) for Zoning Map Amendment Ordinance (approve/deny); and review of Preliminary Plat Request (approve/deny)

REQUEST OVERVIEW:

The project will consist of:

- A Preliminary Plat creating 5 new development parcels, public right-of-way, and an outlot.
- A Rezoning of the 5 new development parcels created through the Preliminary Plat to SR-5 Single-Family (Lots 2-5) and DR-8 Duplex (Lot 1).



The proposed project includes the relocation of 4 existing single-family homes from 603, 609, and 615 N. Fourth Street and 403 McMillen Street to Lots 2-5, the new construction of one new duplex on Lot 1, and supporting road, sidewalk, sewer, water, and stormwater infrastructure. The existing home relocation is planned to occur in late 2023 to make way for the planned Fourth Street right-of-way vacation and Fort Healthcare north parking lot project. The new duplex is planned for construction in 2024.

Fort Healthcare has been working with the City throughout 2022-2023 to consolidate its services and necessary parking within the hospital campus site to make way for an ambitious mixed-use

development north of Florence Street on the east side of McMillen Street. This would include a mix of single-family, two-family, and multi-family residential, in addition to some office, clinic, and supporting services.

The planned new road (Street A) would extend from McMillen Street into the property to serve as access for the new duplex and relocated single-family homes. It is approximately in the same location as the driveway entry point located on-site today. The road would accompany new sewer and water infrastructure in the same location and be stubbed at the eastern terminus, near the existing sanitary sewer easement running through outlot 1 (existing Fort Healthcare remote parking lot site). Eventually, the road would connect to the future potential redevelopment of the remote parking lot site.

PRELIMINARY PLAT REVIEW:

The Land Division and Development Ordinance (LDDO) requires that the Preliminary Plat be reviewed by the Plan Commission for consistency with all other ordinances, laws, rules, regulations, and plans. A Preliminary Plat is required to subdivide land into five or more new parcels. Following the review and approval of the Preliminary Plat by the City, it will be reviewed by the State and County. A Final Plat, inclusive of any requested changes of any reviewing party, is then brought before the Plan Commission and City Council for action. This two-step process ensures that all requirements are met prior to the land division being recorded. Prior to the Final Plat approvals, the details of the public improvements (detailed design), development agreement, and financial surety will be in place and approved by Plan Commission and City Council.

Standards for this are provided within the Land Division and Development Ordinance (LDDO). The City Engineer has reviewed the Preliminary Plat in comparison to the applicable requirements of the LDDO and determined the following:

- Section 70.05.02 *Preliminary Plat Review* All items of this section have been met.
- Section 70.08.07 *Preparation, Dedication and Construction of Public Streets and Road* this section requires the dedication of 60' of Right of Way for local streets, which is met.

As noted- details related to cross sections, pedestrian accommodations, utility design etc will come before Plan Commission and City Council for approvals prior to the Final Plat approvals.

ZONING MAP AMENDMENT REVIEW:

426 McMillen Street is currently zoned I Institutional. This zoning district allows for and is oriented to mix of small and large-scale institutional uses like church, schools, clinics, and hospitals. Assuming a successful Comprehensive Plan Amendment for the property, the City of Fort Atkinson's Comprehensive Plan Future Land Use will show the property as Planned Neighborhood. This would be consistent with the proposed rezoning of the new properties to SR-5 and DR-8.

The proposed project's land uses, setbacks, and lot area do not meet the standards of the Institutional zoning district. The SR-5 and DR-8 zoning districts are much better suited to accomplish the proposed project. In terms of land uses, the SR-5 zoning district permits a principal single-family residential land use by-right and the DR-8 zoning district permits a principal two-family duplex residential land use by-right. Neither are permitted in the Institutional zoning district.

If the proposed preliminary and final plat are approved, the minimum lot dimensions will be met by the proposed development, as shown below:

Proposed Lots 2-5

Bulk Regulation	SR-5 Standard	Lots 2-5
Minimum Lot Area	8,000 square feet	All Greater Than 8,000 sf
Minimum Lot Width	65 feet	All Greater Than 65 feet
Minimum Lot Depth	120 feet	All Greater Than 120 feet
Minimum Lot Frontage at ROW	30 feet	All Greater Than 30 feet

Proposed Lot 1

Bulk Regulation	DR-8 Standard	Lot 1
Minimum Lot Area	10,000 square feet	11,740 sf
Minimum Lot Width	75 feet	100 feet
Minimum Lot Depth	120 feet	120 feet
Minimum Lot Frontage at ROW	30 feet	100 feet

ZONING MAP AMENDMENT CRITERIA:

A Zoning Map Amendment must be reviewed per the requirements of Section 15.10.31(4)(b) of the Zoning Ordinance. City Staff is required to provide a written report regarding this review to assist the Plan Commission and Common Council in reviewing the proposed amendment.

- 1. Does the proposed Zoning Map Amendment advance the purposes of the Zoning Ordinance as outlined in Section 15.01.03? Yes. The proposed zoning map amendment protects the health, safety, morals, comfort, convenience, and general welfare of the public. This will be accomplished through consistency with neighboring land use patterns, advancement of community goals within adopted plans, and retaining/generating housing opportunities within Fort Atkinson.
- 2. Is the proposed Zoning Map Amendment in harmony with the Comprehensive Plan? Yes. The proposed zoning map amendment helps accomplish many of the community's goals as identified in the Comprehensive Plan and is consistent with the Planned Neighborhood designation on the Future Land Use for a combination of new single and two-family land uses.
- 3. Does the proposed Zoning Map Amendment maintain the desired consistency of land uses, land use intensities, and land use impacts within the pertinent Zoning District? Yes. The proposed zoning map amendment is consistent with the Comprehensive Plan and the mix of uses in this transitional area from the existing residential neighborhoods to the south into the clinic and related institutional uses to the north.

4. Does the proposed Zoning Map Amendment address any of factors that are not accomplished on the current Zoning Map? Yes. The proposed zoning map amendment addresses factors that have changed in respect to the growth patterns of this area, most notably Fort Healthcare's plan to stay in its existing campus location, the relocation of their services and parking to the main campus, and the community's need for more diverse housing stock. Together, this has created a situation in which the subject property is more appropriate for a different zoning district.

PUBLIC NOTICE:

No public notice is required for Preliminary Plat review and action. A public hearing is required for a Zoning Map Amendment and has been noticed at this May 9, 2023 meeting.

COMPREHENSIVE LAND USE PLAN (2019):

As noted in an earlier memo, the Comprehensive Plan will require amendment to accommodate this proposal. Assuming the proposed Comprehensive Plan amendments are approved, the subject property is shown as Planned Neighborhood on the Future Land Use Map. This designation includes a mix of Single Family, Two-Family, Multi-Family, Neighborhood Commercial, Community Facilities, and Parks and Environmental Corridors in a carefully designed, integrated, and interconnected neighborhood. This designation aligns with the proposed land uses on the subject property. Staff believes the proposal is in concert with the Comprehensive Plan.

DISCUSSION:

The applicant has worked with City staff over the last two years in developing the neighborhood plan and preparing for the first phase of its implementation. Additionally, the applicant presented the project conceptually before the Plan Commission in April. The City's Management Team has reviewed the application and all comments have been included within this document.

The proposed project and neighborhood plan aim to relocate existing Fort Healthcare services and parking onto its main campus and foster new mixed-use redevelopment and infill development opportunities on existing underutilized sites. The proposed project is just one phase of a potentially catalytic transformation of this area. The formal process of review by the City Council and Plan Commission as well as Public Input will provide further details on the broader project.

RECOMMENDATION:

City staff recommends that the Plan Commission recommend City Council approval of the proposed 5-lot <u>Preliminary Plat</u>.

City staff recommends that the Plan Commission recommend City Council approval of the proposed Zoning Map Amendments to rezone the property formerly addressed 426 McMillen Street from Institutional (I) District to Single-family Residential (SR-5) District for Lots 2-5 and from Institutional (I) District to Duplex Residential (DR-8) for Lot 1.

Staff further recommends that the City Council perform the second reading of the ordinance adopting the Zoning Map Amendments outlined in the memo and direct the City Manager to prepare them for a third reading at the City Council meeting on May 16, 2023.

ATTACHMENTS:

- Preliminary Plat and Application
- Zoning Map Amendment Application
- Zoning Map Amendment Public Notice



City of Fort Atkinson Procedural Checklist for Zoning Map Amendments (Rezoning) Requirements per Section 15.10.31

This form is designed to be used by the Applicant as a guide to submitting a complete application to amend the Official Zoning Map and by the City to process the application.

Name,	Name, company, and client (if applicable):				
		r: Email:			
Proper	ty addr	ess of requested zoning change:			
Zoning	g chang	e request fromtoto			
	!	the Best of Box to seed			
		tion Packet Requirements			
The A _l applica		shall submit an electronic or paper copies, as may be required by the City, of the			
	A ma	of the subject property to scale, depicting the following:			
		All lands for which the zoning is proposed to be amended and all other lands within 100 feet of the boundaries of the subject property.			
		All parcel numbers for the subject property.			
		Current zoning of the subject property and its environs, and the jurisdiction(s) which maintains that control.			
		All lot dimensions of the subject property.			
		A graphic scale and north arrow.			
	Legal	description of the property.			
		en justification for the proposed Official Zoning Map amendment, including evidence that the cation is consistent with the Comprehensive Plan.			
	•	urther information needed by the Plan Commission to facilitate the making of a rehensive report to the Plan Commission and City Council.			

II Criteria Used to Evaluate the Proposed Zoning Map Amendment

The Zoning Administrator shall review the complete application and evaluate whether the proposed amendment:

- 1. Advances the purposes of this Chapter as outlined in Section 15.01.03 and the applicable rules of Wisconsin Department of Administration and the Federal Emergency Management Agency.
- 2. Is in harmony with the Comprehensive Plan.
- 3. Maintains the desired overall consistency of land uses, land use intensities, and land use impacts within the pertinent zoning districts.



- 4. Addresses any of the following factors that are not properly addressed on the current Official Zoning Map:
 - a. The designations of the Official Zoning Map are not in conformance with the Comprehensive Plan.
 - b. A mapping mistake was made, including the omission on the Official Zoning Map of an approved zoning map amendment.
 - c. Factors have changed (such as new data, infrastructure, market conditions, development, annexation, or other zoning changes), making the subject property more appropriate for a different zoning district.
 - d. Growth patterns or rates have changed, creating the need for an amendment to the Official Zoning Map.

III Process Checklist

Staff-Applicant meeting (if applicable)	Date:	
Application fee of \$200.00 received by City Clerk	Date:	
Reimbursement of professional consultant costs agreement executed.	Date:	
Receipt of complete application packet by Zoning Administrator	Date:	
City Staff input	Date:	
Class 2 legal notice sent to official newspaper by City Clerk	Date:	
Class 2 legal notice published on and	Date:	
Notification of neighboring property owners within 100 feet of the petition	Date:	
Notification of clerks of municipalities within 1,000 feet of the petition	Date:	
Notification of airports within 1 mile of the petition	Date:	
Plan Commission Public Hearing, review and recommendation	Date:	
City Council review and action	Date:	



To: Andy Selle, City Engineer

From: Bill Pinnow, PE

Subject: Zoning Map Amendment Summary

Date: April 6, 2023

MSA Professional Services has submitted an application for Zoning Map Amendments on behalf of Fort Healthcare. Accompanying this submittal is a Preliminary Plat for the Fort Healthcare Addition. The nearest previous address of the property is 426 McMillen Street. The Preliminary Plat includes parcels 226-0614-3434-024, 226-0614-3443-016 and 226-0614-3443-018 and includes the platting of five parcels, an outlot and dedication of a 60' right-of-way for a future public street. The property is currently zoned as Institutional and the request for zoning amendment is to rezone Lot 1 to DR-8 (Duplex Residential) and Lots 2-5 to SR-5 (Single Family Residential). The rezoning of parcels 1-5 will allow a future duplex to be constructed on Lot 1 and allow the relocation of existing houses located at 603, 609 and 615 N Fourth Street and 403 McMillen Street to lots 2-5. The rezoning of Lots 1-5 is consistent with the Comprehensive Plan amendment concurrently being reviewed by the City of Fort Atkinson.



May 2, 2023

NOTICE TO THE PUBLIC

OFFICIAL NOTICE IS HEREBY GIVEN the Fort Atkinson Plan Commission will hold a public hearing to review and make a recommendation to the City Council on a request for a Zoning Map Amendment for the property formerly located at 426 McMillen (parcel number 226-0614-3434-024 and 226-0614-3443-016), from Institutional (I) to Duplex Residential (DR-8) and Single Family Residential (SR-5). This zoning change has been requested to accommodate future housing development.

Said public hearing will be held in person at the Fort Atkinson Municipal Building, 101 N. Main St. and via Zoom on Tuesday, May 9, 2023 at 4:00 p.m. at the City of Fort Atkinson Plan Commission meeting. Those interested in attending this meeting should follow the below link, or dial in for audio access.

https://us02web.zoom.us/j/82214860406?pwd=TEVyUVdQM05VNFVzb0E2TUNTVnZIZz09

Meeting ID: 822 1486 0406 Passcode: 53538

Dial by your location +1 312 626 6799

Any interested party will be given the opportunity to be heard at that time. The City Council will likely review the rezoning request at the meeting on Tuesday, May 9, 2023 and again on May 16, 2023.

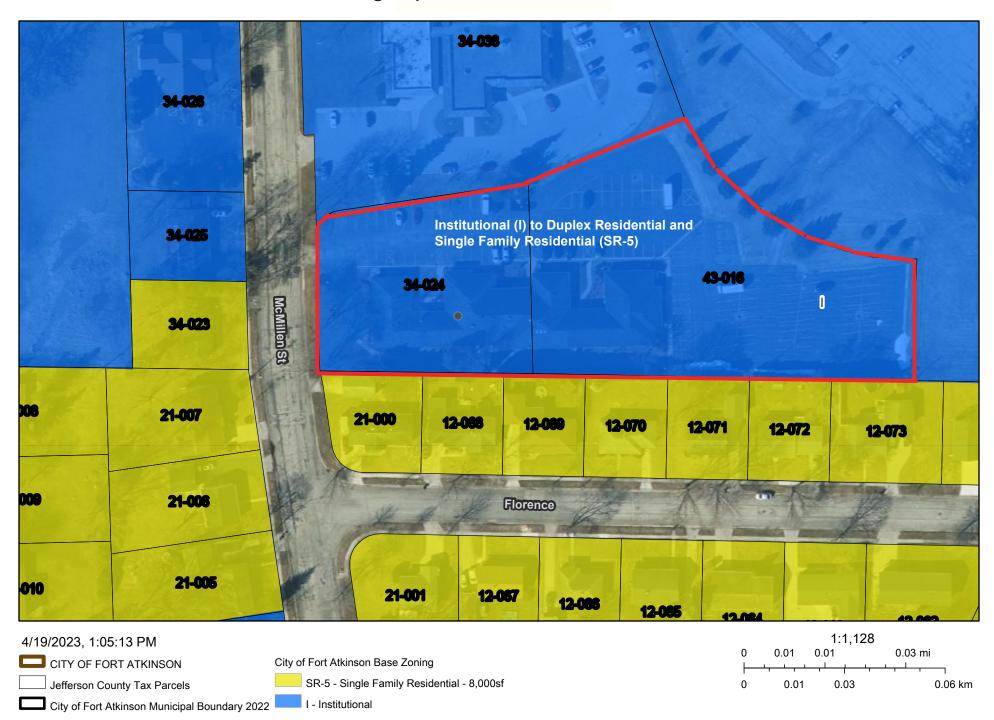
The Plan Commission is seeking input from the public. For more information, please contact City Engineer Andy Selle at aselle@fortatkinsonwi.gov or (920)-397-9901. You may attend the public hearing via Zoom or submit a letter or email expressing your thoughts to City Engineer Selle.

If you have special needs or circumstances which make communication or accessibility difficult at the meeting, please call (920)-397-9901 prior to the meeting date. Accommodations will, to the fullest extent possible, be made available on request to a person with a disability.

Andy Selle, P.E. City Engineer/Dir. of Public Works

AS/sw

Zoning Map Amendment 426 McMillen St.





Agenda City of Fort Atkinson City Manager's Office 101 N. Main Street Fort Atkinson, WI 53538

MEMORANDUM

DATE: June 6, 2023

TO: Fort Atkinson City Council

FROM: Andy Selle, P.E., City Engineer/Director of Public Works

RE: First reading of an ordinance relating to a **Zoning Map Amendment** to change

the zoning from Downtown Periphery Mixed Use (DPMU) to Neighborhood Mixed Use (NMU) for the properties located at 211 Milwaukee Avenue East and

210 South Water Street East

BACKGROUND

Melanie Becker, on behalf of property owner Rock River Assets, LLC, has applied for a Zoning Map Amendment for the vacant properties located at 211 Milwaukee Avenue East and 210 South Water Street East. She has requested to change the zoning from Downtown Periphery Mixed Use (DPMU) to Neighborhood Mixed Use (NMU) to facilitate future development.

RECOMMENDATION

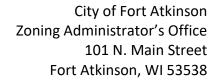
At the meeting on May 23, 2023, the Plan Commission reviewed this matter and recommended that the City Council adopt an Ordinance changing the zoning of the property with the following conditions:

- Combining of the 2-lots by CSM, approved by Plan Commission and City Council
- Site Plan review and approval by the Plan Commission prior to the issuance of any building permits.
- Any other recommendations of City staff and the Plan Commission.

Staff recommends that the City Council perform the first reading of this Ordinance and direct the City Manager to prepare the Ordinance for a second reading at the June 20, 2023 City Council meeting.

ATTACHMENTS

PC Staff Report Packet; Draft Ordinance Amending the Official Zoning Map





ZONING MAP AMENDMENT REPORT TO THE PLAN COMMISSION

DATE: May 23, 2023 **FILE NUMBER:** ZMA-2023-02

PROPERTY ADDRESSES: 211 Milwaukee Avenue East and 210 South Water Street

East

PARCEL NUMBER: 226-0514-0323-026 and

226-0514-0323-027

OWNER: Rock River Assets, LLC

APPLICANT: Melanie Becker, Rock River

Assets, LLC

EXISTING ZONING: DPMU, Downtown Periphery

Mixed Use

PROPOSED ZONING: NMU, Neighborhood Mixed

Use

EXISTING LAND USE: Vacant

REQUESTED USES: TBD

BACKGROUND ON CSM and REZONING REVIEW:

Section 15.10.31 of the City of Fort Atkinson Zoning Ordinance outlines the requirements for a Zoning Map Amendment process. This requires a public hearing, review, and approval by the Plan Commission and the City Council on the consistency of the proposal with adopted plans.

REQUEST OVERVIEW:

The proposed rezoning includes two existing parcels at 211 Milwaukee Avenue East and 210 South Water Street East. Both properties are currently zoned DPMU, and the applicant is seeking to rezone both to NMU to provide additional residential development opportunities. Today, there are no structures on the site and no development plans associated with the rezoning at this time.

The applicant has expressed that in an attempt to sell the properties over the past several years, all interest has been related to a potential residential development. The DPMU zoning district does not permit residential development as a standalone land use. However, the NMU zoning district provides the ability for a range of residential development opportunities (single-family, two-family, and multifamily), in addition to commercial and mixed-use opportunities.

The Re-Zone will be made contingent upon submittal and approval of a CSM, or other legal instrument, that would combine the two lots prior to any development plans.

REZONING REVIEW:

Both properties are currently zoned DPMU. This zoning district allows for and is oriented to a mix of small and large-scale commercial, institutional, and residential land uses in a mixed-use format that acts as a buffer between the historic character of downtown and lower-density residential

Zoning Map Amendment May 23, 2023 ZMA-2023-02

neighborhoods surrounding it. The Comprehensive Plan identifies the properties as Downtown on the <u>Future Land Use Map</u>. Attached is a summary of the consistency between the proposed rezoning and the Comprehensive Plan.

The proposed project's lot requirements must meet the minimum standards of the NMU zoning district to be rezoned. All proposed land uses and structures must also meet the minimum standards of the district, however, those are not identified as this time and are subject to Site Plan review whenever they are applied for.

If the proposed CSM is approved, the minimum lot dimensions will be met by the proposed development, as shown below:

Bulk Regulation	NMU Standard	Proposed New Parcel
Minimum Lot Area	8,000 square feet	8,712 square feet
Minimum Lot Width	65 feet	66 feet
Minimum Lot Depth	120 feet	132 feet
Minimum Lot Frontage at ROW	30 feet	66 feet

ZONING MAP AMENDMENT CRITERIA:

A Zoning Map Amendment must be reviewed per the requirements of Section 15.10.31(4)(b) of the Zoning Ordinance. City Staff is required to provide a written report regarding this review to assist the Plan Commission and Common Council in reviewing the proposed amendment.

- 1. Does the proposed Zoning Map Amendment advance the purposes of the Zoning Ordinance as outlined in Section 15.01.03? Yes. The proposed zoning map amendment protects the health, safety, morals, comfort, convenience, and general welfare of the public. This will be accomplished through consistency with neighboring land use patterns and advancement of community goals within adopted plans.
- 2. Is the proposed Zoning Map Amendment in harmony with the Comprehensive Plan? Yes. The proposed zoning map amendment helps accomplish many of the community's goals as identified in the Comprehensive Plan and is consistent with the Downtown designation on the Future Land Use. See attached Comprehensive Plan consistency document for more information.
- 3. Does the proposed Zoning Map Amendment maintain the desired consistency of land uses, land use intensities, and land use impacts within the pertinent Zoning District? Yes. The proposed zoning map amendment is consistent with the Comprehensive Plan and the intended mix of uses in this transitional area from the historic downtown footprint along Main Street into the residential neighborhoods to the east, west, and south.
- 4. Does the proposed Zoning Map Amendment address any of factors that are not accomplished on the current Zoning Map? Yes. The proposed zoning map amendment addresses factors that have changed in the market making the subject property more appropriate for a different zoning district.

PUBLIC NOTICE:

A public hearing is required for Rezoning review and action. All required public hearing notices have been properly posted in compliance with state law.

COMPREHENSIVE LAND USE PLAN (2019):

The subject properties are located within the Central Neighborhoods Planning Area (see attachments) and are identified on the boundary of the Historic Downtown Planning Area and Neighborhood Planning Area on the plan. The opportunities indicated on the plan include urban living experience, neighborhood character, and historic preservation balanced with modernization.

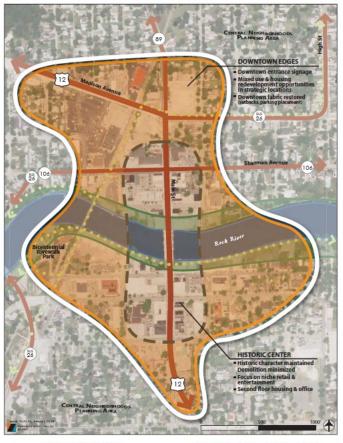
The subject properties are also shown as Downtown on the Future Land Use Map. This designation includes a pedestrian-oriented commercial, office, community facility, and residential land use mix with minimal building setbacks and on-street parking. Through the zoning ordinance rewrite process and development of the new zoning map, the Downtown land use designation was viewed as compatible with multiple zoning districts based on the scale of development and its surrounding environs. This includes the NMU, DPMU, and DHMU zoning district.

Staff believes the proposal is in concert with the Comprehensive Plan.

HISTORIC DOWNTOWN PLANNING AREA

FIGURE: 2.17

CITY OF FORT ATKINSON FUTURES OPEN HOUSE



Opportunities

- River orientation & riverwalk
- Diverse entertainment, arts & dining options
- Growing housing opportunities
 Continued building rehabilitation
- Broad range of specialty shops with regional draw
- Community events & gatherings
 Compatible design & sign control at commercial edges

Note: This map is <u>not</u> a Detailed Future Land Use Map or Future Transportatio Map for zoning and other decision making. The purpose of this map is to sho conceptual future growth options and facilitate public discussion.

Conceptual Land Uses

Community Commercial

Major Institutions
Mixed-Use
Neighborhood

Employment
Environmental Corridors
Agriculture

←→ Existing Major Roads ←→ Potential Future Roads ←→ Main Trails (Existing & Processed

DISCUSSION:

Zoning Map Amendment May 23, 2023 ZMA-2023-02

The applicant has discussed multiple options with City staff over the last year and has come up with the proposed rezoning as the best path forward for marketability of the properties. The City's Management Team has reviewed the application and all comments have been included within this document.

The proposed rezoning aims to provide additional land use opportunities for potential infill development to take place in the future. This location is inherently a transitional area that includes a variety of land uses, but still maintains the character and appropriate scale of the surrounding neighborhood.

Overall, the proposed rezoning meets the requirements of the City's ordinances, is in alignment with adopted City plans, and could potentially provide new tax base through a future infill development.

RECOMMENDATION:

City staff recommends approval of the <u>Rezoning</u> from DPMU to NMU, subject to the following conditions:

- Combining of the 2-lots by CSM, approved by Plan Commission and City Council
- Site Plan review and approval by the Plan Commission prior to the issuance of any building permits.
- Any other recommendations of City staff and the Plan Commission.

ATTACHMENTS:

- Rezoning Application
- City Staff Comprehensive Plan Consistency Memo
- Comprehensive Plan Future Land Use Map
- Public Notice



City of Fort Atkinson Procedural Checklist for Zoning Map Amendments (Rezoning) Requirements per Section 15.10.31

This form is designed to be used by the Applicant as a guide to submitting a complete application to amend the Official Zoning Map and by the City to process the application.

Name,	compa	ny, and client (if applicat	ole): Melanie Becker, Rock River Assets, LLC	
Phone	numbe	_{r:} 920-723-4923	Email: beckerm@firstweber.com	
Proper	ty addr	ess of requested zoning	change: 211 Milwaukee Ave E & 210 S Water St E,	
	Atkins		• 0	
Zoning	chang	e request from DPMU	to NMU	
		•		
I A	plica	tion Packet Requir	ements	
The Ap	10.00	t shall submit an electror	nic or paper copies, as may be required by the City, of the	
	A map of the subject property to scale, depicting the following:			
		All lands for which the steet of the boundaries	zoning is proposed to be amended and all other lands within 100 of the subject property.	
		All parcel numbers for	the subject property.	
		Current zoning of the s maintains that control.	ubject property and its environs, and the jurisdiction(s) which	
		All lot dimensions of the	e subject property.	
		A graphic scale and no	rth arrow. ?	
	Lega	description of the prope	erty.	
			posed Official Zoning Map amendment, including evidence that the the Comprehensive Plan.	
			ed by the Plan Commission to facilitate the making of a Plan Commission and City Council.	

II Criteria Used to Evaluate the Proposed Zoning Map Amendment

The Zoning Administrator shall review the complete application and evaluate whether the proposed amendment:

- Advances the purposes of this Chapter as outlined in Section 15.01.03 and the applicable rules of Wisconsin Department of Administration and the Federal Emergency Management Agency.
- 2. Is in harmony with the Comprehensive Plan.
- 3. Maintains the desired overall consistency of land uses, land use intensities, and land use impacts within the pertinent zoning districts.

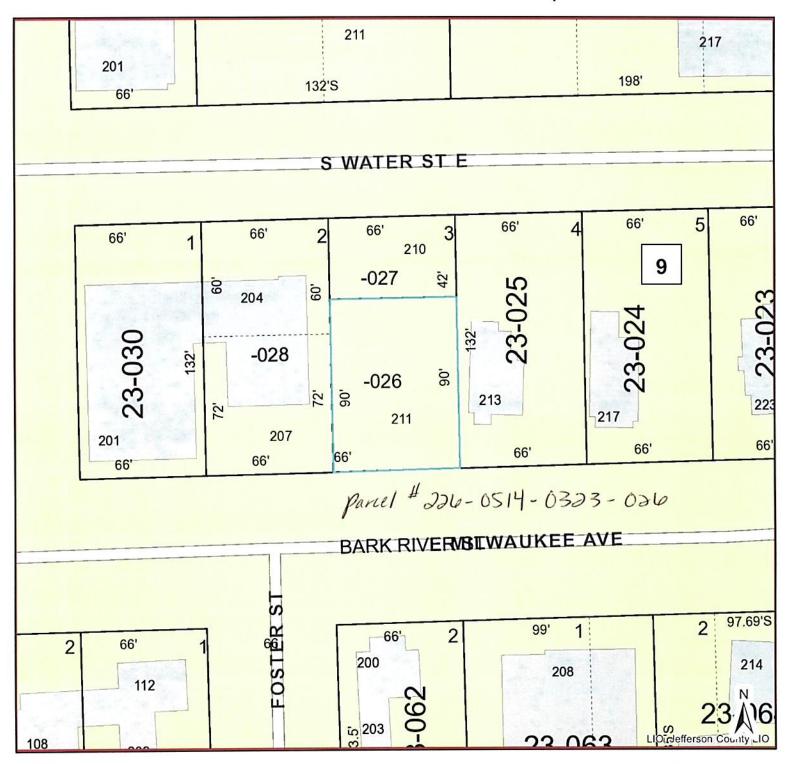


- 4. Addresses any of the following factors that are not properly addressed on the current Official Zoning Map:
 - The designations of the Official Zoning Map are not in conformance with the Comprehensive Plan.
 - b. A mapping mistake was made, including the omission on the Official Zoning Map of an approved zoning map amendment.
 - c. Factors have changed (such as new data, infrastructure, market conditions, development, annexation, or other zoning changes), making the subject property more appropriate for a different zoning district.
 - d. Growth patterns or rates have changed, creating the need for an amendment to the Official Zoning Map.

III Process Checklist

Staff-Applicant meeting (if applicable)	Date:
Application fee of \$200.00 received by City Clerk	Date:
Reimbursement of professional consultant costs agreement executed.	Date:
Receipt of complete application packet by Zoning Administrator	Date:
City Staff input	Date:
Class 2 legal notice sent to official newspaper by City Clerk	Date:
Class 2 legal notice published on and	Date:
Notification of neighboring property owners within 100 feet of the petition	Date:
Notification of clerks of municipalities within 1,000 feet of the petition	Date:
Notification of airports within 1 mile of the petition	Date:
Plan Commission Public Hearing, review and recommendation	Date:
City Council review and action	Date:

211 Milwaukee Ave E Base Map



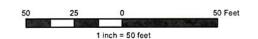


Parcel Lines — Section Lines

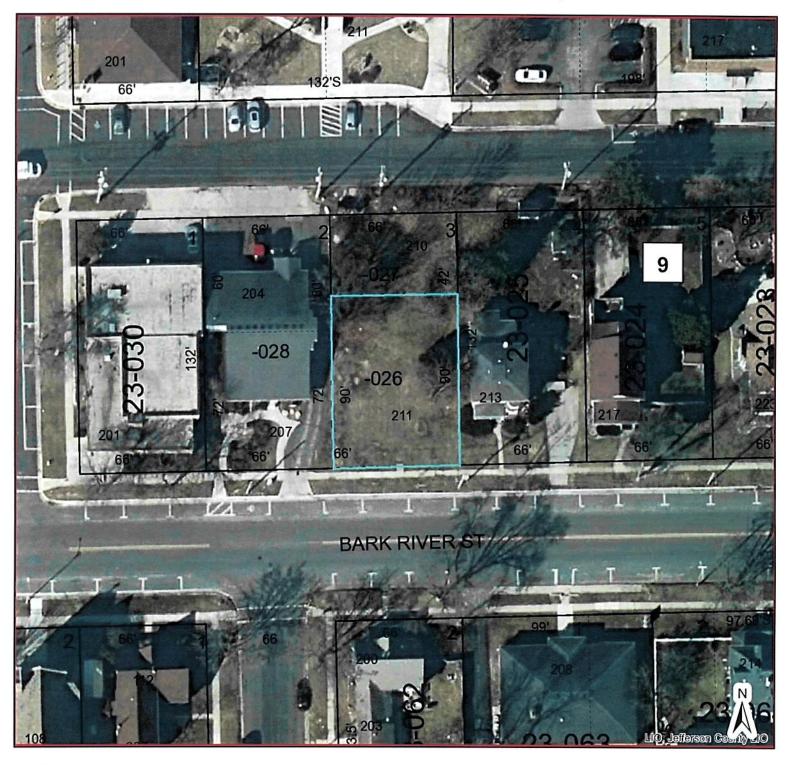
Property Boundary
 Surface Water

--- Old Lot/Meander Lines — Map Hooks

Rail Right of Ways
 Tax Parcels



211 Milwaukee Ave E Aerial Map



Municipal Boundaries

Road Right of Ways

Surface Water

Parcel Lines

Property Boundary

Section Lines

Old Lot/Meander Lines

Map Hooks

Rail Right of Ways

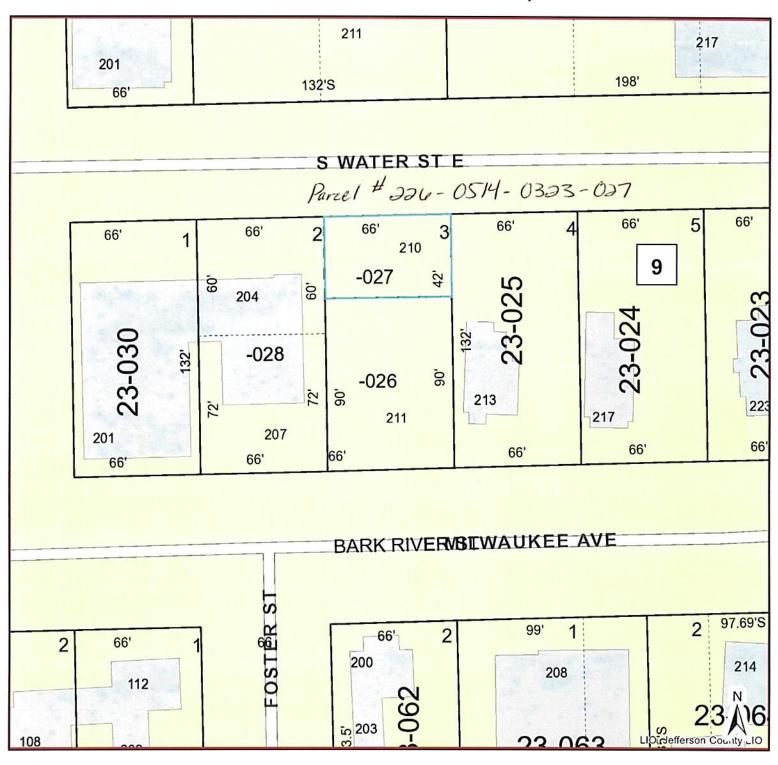
Tax Parcels



50 Feet 1 inch = 50 feet

Printed on: March 29, 2023 Author: Public User

210 S Water St E Base Map



Municipal Boundaries — Road Right of Ways

Parcel Lines

Section Lines

— Property Boundary

Surface Water

--- Old Lot/Meander Lines

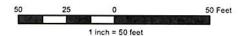
- Map Hooks

Rail Right of Ways

Tax Parcels



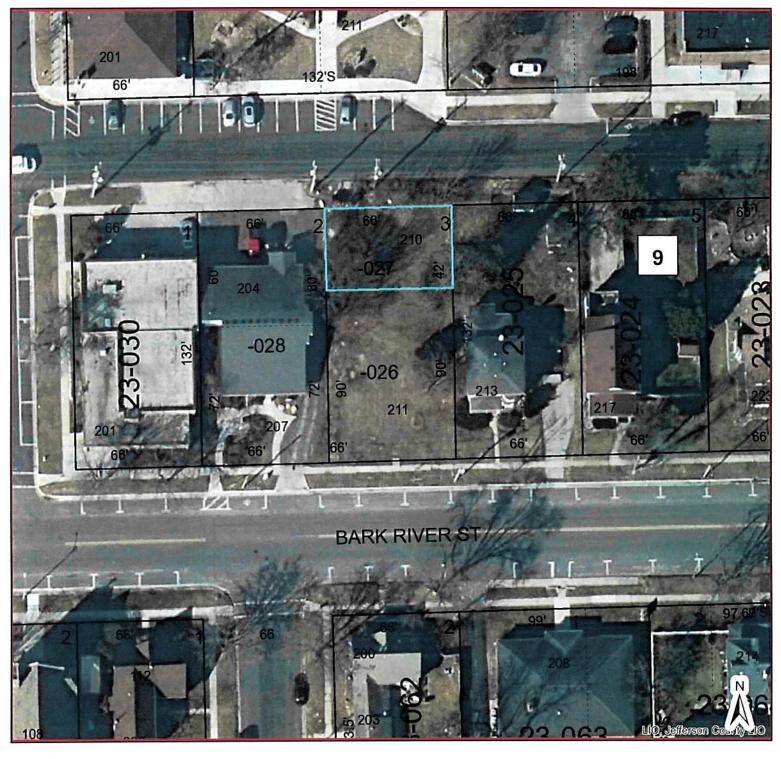
Jefferson County Geographic Information System



Printed on: March 29, 2023

Author: Public User

210 S Water St E Aerial Map



Municipal Boundaries — Road Right of Ways

Parcel Lines

Section Lines

Property Boundary

Surface Water

--- Old Lot/Meander Lines

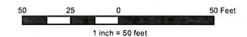
Map Hooks

Rail Right of Ways

Tax Parcels



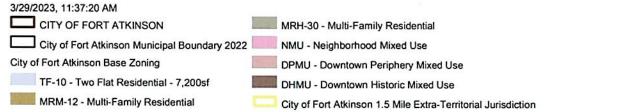
Jefferson County Geographic Information System

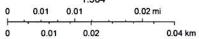


Printed on: March 29, 2023 Author: Public User

ArcGIS Web Map







ArcGIS Web AppBuilder

Public Parcel Search

Parcel Number - 226-0514-0323-026

Parcel Status - ACTIVE

MAP

PARCEL INFORMATION

Municipality	CITY OF FORT ATKINSON
State-Municipality-Code	226
Township	05
Range	14
Section	03
Quarter-Quarter	23 - SW1/4 of NW1/4.
ID	026

PARCEL OWNERS

ROCK RIVER ASSETS LLC

PARCEL ADDRESSES

211 E MILWAUKEE AVE FORT ATKINSON, WI 53538

BILLING ADDRESS

ROCK RIVER ASSETS LLC 415 ROCK RIVER LN FORT ATKINSON, WI 53538

PROPERTY SIZE

Acres	Front	Depth
0.136	66.00	90.00

BRIEF LEGAL DESCRIPTION

(NOT FOR USE ON LEGAL DOCUMENTS)

Description

S90FT OF LOT 3, BLK 9, DWIGHT FOSTER ET AL ADD.

Data Updated - March 29, 2023 11:01am

VALUATION INFORMATION

Assessment Year	2022	2021
Tax District	1	1
Assessment Acres	0.136	0.136
Assessed Land Value	\$29,500	\$29,500
Assessed Improved	\$0	\$0
Value		
Total Value	\$29,500	\$29,500

Current year valuations are subject to change until Board of Review final adjournment

TAX INFORMATION

TAX YEAR 2022			NOT DELINQUENT
General Taxes	841.39		
First Dollar	0.00		
Lottery Credit	0.00	Paid	Balance
General Tax	841.39	841.39	0.00
Specials	0.00	0.00	0.00
MFL			
Tax Totals	841.39	841.39	0.00

Category	Assessed Value	Average	Estimated
Land	29,500	Assessment	Market
Improv.		Ratio	Value
Total	29,500	0.7374	40,000
First Installment	421.39	Second Installment	420.00

DISTRICT INFORMATION

Туре	State Code	Description
School District	281883	FORT ATKINSON SCH
		DT
Technical College	400	MATC

RECORDED TRANSFER DOCUMENTS

Doc Type	Status	Document Date	Sale Amt	Doc. No.
WAR- DEED	P	06/28/2018	75,000	1398742
WAR- DEED	Χ	05/02/2003	137,500	1120018
WAR- DEED	X	10/22/1980		772340

Public Parcel Search

Parcel Number - 226-0514-0323-027

Parcel Status - ACTIVE

MAP

PARCEL INFORMATION

Municipality	CITY OF FORT ATKINSON
State-Municipality-Code	226
Township	05
Range	14
Section	03
Quarter-Quarter	23 - SW1/4 of NW1/4.
ID	027

PARCEL OWNERS

ROCK RIVER ASSETS LLC

PARCEL ADDRESSES

210 S WATER ST E

FORT ATKINSON, WI 53538

BILLING ADDRESS

ROCK RIVER ASSETS LLC 415 ROCK RIVER LN FORT ATKINSON, WI 53538

PROPERTY SIZE

Acres	Front	Depth
0.064	66.00	42.00

BRIEF LEGAL DESCRIPTION

(NOT FOR USE ON LEGAL DOCUMENTS)

Description

N42FT OF LOT 3, BLK 9, DWIGHT FOSTER ET AL ADD.

Data Updated - March 29, 2023 11:01am

VALUATION INFORMATION

Assessment Year	2022	2021
Tax District	1	1
Assessment Acres	0.064	0.064
Assessed Land Value	\$14,000	\$14,000
Assessed Improved	\$0	\$0
Value		
Total Value	\$14,000	\$14,000

Current year valuations are subject to change until Board of Review final adjournment

TAX INFORMATION

TAX YEAR 2022			NOT DELINQUENT
General Taxes	399.30		
First Dollar	0.00		
Lottery Credit	0.00	Paid	Balance
General Tax	399.30	399.30	0.00
Specials	0.00	0.00	0.00
MFL	•		
Tax Totals	399.30	399.30	0.00

Category	Assessed Value	Average	Estimated
Land	14,000	Assessment	Market
Improv.		Ratio	Value
Total	14,000	0.7374	19,000
First Installment	200.30	Second	199.00
		Installment	

DISTRICT INFORMATION

Type	State Code	Description
School District	281883	FORT ATKINSON SCH
		DT
Technical College	400	MATC

RECORDED TRANSFER DOCUMENTS

Doc Type	Status	Document Date	Sale Amt	Doc. No.
WAR-	P	06/28/2018	75,000	1398742
DEED				
WAR-	X	05/01/2002	65,000	1084643
DEED				0.5.5.0.5.0.5.0.50
WAR-	×	09/30/1997	45,000	980402
DEED				555152

I am requesting this Zoning Map amendment because I have tried to sell this property for the past year with no interest, due to the current zoning of Downtown Periphery Mixed-Use. All interest I have had was from parties interested in building a single family home, or other residential living arrangement. An amendment to the Zoning Map, changing this land to Neighborhood Mixed Use, would allow this to happen. The neighboring properties to the east are zoned NMU, so I believe that the change would maintain the overall plan for this neighborhood.

I understand that I will need to merge these two parcels into one, in order to meet the minimum setback requirements for Neighborhood Mixed Use.



MOTE: In accordance with A-E 5.01 (1)(b) this inspection has been exempted in writing from the requirements of A-E 5.01 Minimum Standards for Property surveys. Lot dimensions are shown as recorded on the original plat. These dimensions were not necessarily verified in the field and no lot stakes were set in the course of this inspection.

DESCRIPTION

The south 90 feet of Lot 3, Block 9, DWIGHT POSTER ET AL ADDITION in Section 3, T5N, R14E, City of Fort Atkinson, Jefferson County, Wisconsin

CERTIFICATION

I certify that the property described above has been inspected under my responsible direction and supervision and that the above map is an accurate representation of the size and location of the property and the location and dimensions of all visible structural improvements, if any.

This inspection is made for the exclusive use of the present owners of the property and also those who purchase, mortgage or guarantee the title thereto, and is certified for one year from date hereto.

211 Milwaukee Ave E and 210 S. Water Street E City Staff Comprehensive Plan Consistency Memo

- Parcels are currently zoned: Downtown Periphery Mixed Use
- Parcels are currently shown on the Future Land Use Map as: Downtown
- Requested zoning change to: Neighborhood Mixed Use

During the Zoning Ordinance rewrite process, all parcels throughout the City of Fort Atkinson were rezoned into the newly developed zoning districts. In the downtown area, south of the Rock River, a variety of new zoning districts were applied to best fit existing land use and reflect the adopted Comprehensive Plan Future Land Use Map.

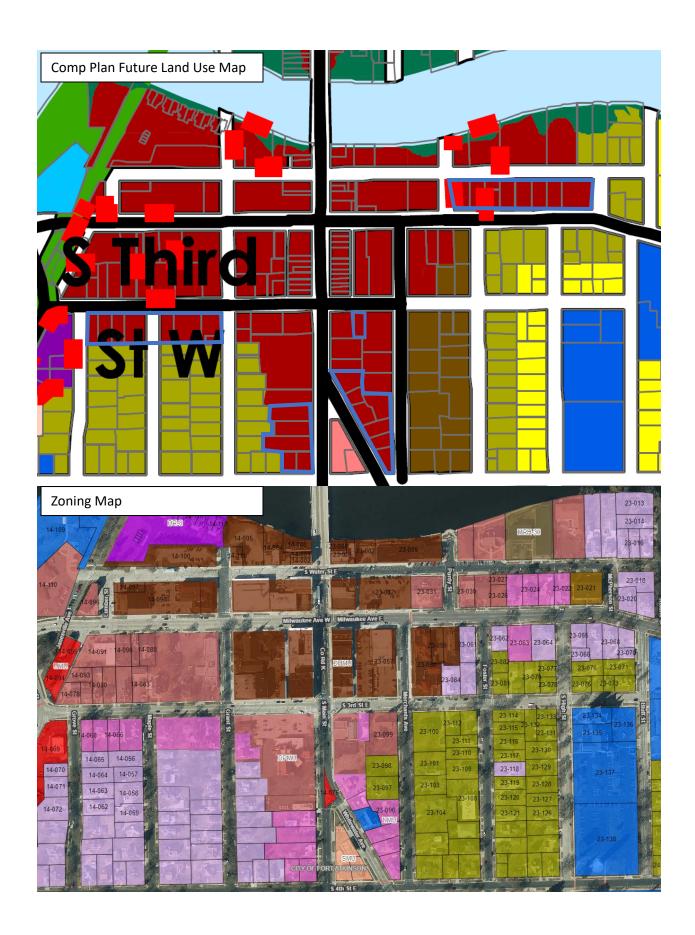
Below are two maps: the existing Zoning Map and Future Land Use Map. There are several examples throughout this area in which it was viewed that the Downtown Future Land Use category was consistent with the Neighborhood Mixed Use zoning district. This includes the block in which the requested zoning change is located. It is clear that the Downtown Future Land Use category was viewed as compatible with multiple zoning districts based on the scale of development and its surrounding environs. These include the NMU, DPMU, and DHMU zoning districts.

The Zoning Code Section 15.02.30 NMU Zoning District, states that the intent of the district is "to permit residential development and small-scale commercial uses that are compatible with adjacent residential uses and established neighborhood-level commercial corridors. Residential uses are intended to occur at an approximate density of 10 dwelling units per acre."

Additionally, the Comprehensive Plan lists the following recommended policies and programs regarding the Downtown Future Land Use Map category:

- Avoid extensive, uninterrupted areas of strip commercial development in future commercial areas by interspersing office, community facilities, and appropriate residential land uses.
- Allow in the new Zoning Ordinance for increased flexibility in the land uses and development density and intensity allowed in the new zoning districts created.
- Encourage retail and service businesses and recreational uses in areas that will conveniently serve existing and new City neighborhoods.
- Make sure that new buildings and redevelopment projects near the edge of the downtown extend the pedestrian character and form of the downtown area. For example, attempt to site new buildings in this area close to public streets with parking on street and to the sides and rear of buildings, and ensure that there are sidewalks serving the site.
- Preserve and enhance the character of the downtown by encouraging compatible new development and redevelopment, where appropriate.

It is in my opinion that the proposed rezoning is consistent with the Comprehensive Plan and the intended mix of uses in this transitional area from the historic downtown footprint along Main Street into the residential neighborhoods to the east, west, and south. To further clarify this situation in the future, it is recommended that a Comprehensive Plan amendment take place to update all Future Land Use Map categories to reflect the consistent new zoning districts, instead of the old ones.



ORDINANCE NO. ____

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF FORT ATKINSON

NOW, THEREFORE, the City Council of the City of Fort Atkinson, Wisconsin, do ordain as follows:

Section 1. Section 15.02.03 of the City of Fort Atkinson Zoning Ordinance, adopting the Map of Standard Zoning Districts, is hereby amended to change the zoning classification of the following described properties from **DPMU**, **Downtown Periphery Mixed Use**, **to NMU**, **Neighborhood Mixed-Use**.

The south 90 feet of Lot 3, Block 9, Dwight Foster Et Al Addition in Section 3, T5N, R14E, City of Fort Atkinson, Jefferson County, Wisconsin (also known as parcel number 226-0514-0323-026, addressed 211 Milwaukee Avenue East), containing approximately 0.136 acres of land; and

The north 42 feet of Lot 3, Block 9, Dwight Foster Et Al Addition in Section 3, T5N, R14E, City of Fort Atkinson, Jefferson County, Wisconsin (also known as parcel number 226-0514-0323-027, addressed 210 South Water Street East), containing approximately 0.064 acres of land.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall take effect upon passage, posting, or publication as provided by law.

this	ed by the City Counci	I of the City of Fort 7	Atkinson, Jefferson County, Wisconsin,
ATTEST:			Bruce Johnson, President
Michelle Ebb	ert, City Clerk/Treasu	rer/Finance Directo	<u></u> r

Committee Assignments

COMMITTEE (CHAIRPERSON)	CURRENT 2022-2023	NEW ASSIGNMENT 2023-2024
Plan Commission (City Manager)	Eric Schultz	Eric Schultz
Airport Committee (City Manager)	Chris Scherer	Davin Lescohier
Ambulance Advisory Committee (Council President)	Chris Scherer Megan Hartwick	Bruce Johnson
Board of Zoning Appeals (Elected by Membership)	Bruce Johnson Megan Hartwick	Bruce Johnson Mason Becker
Cable Television Committee (Council Rep)	Eric Schultz	Eric Schultz
Economic Development Commission (Elected By Membership)	Bruce Johnson	Davin Lescohier
Finance Committee (Council President)	Chris Scherer Megan Hartwick Mason Becker	Bruce Johnson Mason Becker Davin Lescohier
Historical Society Board (Elected By Membership)	Megan Hartwick	Kyle Jaeckel
Library Board (Elected By Membership)	Bruce Johnson	Davin Lescohier
License Committee (Council President)	Chris Scherer Bruce Johnson Eric Schultz	Bruce Johnson Eric Schultz Kyle Jaeckel
Ordinance Committee (Council President)	Chris Scherer Eric Schultz Mason Becker	Bruce Johnson Mason Becker Kyle Jaeckel
Parks & Recreation Board (Elected By Membership)	Bruce Johnson	Kyle Jaeckel

Public Works Committee (Council President)	Chris Scherer Bruce Johnson Mason Becker	Bruce Johnson Mason Becker Kyle Jaeckel
Sex Offender Residence Board (City Manager)	Eric Schultz	Eric Schultz
Tourism Commission (Elected By Membership)	Megan Hartwick	Mason Becker
Transportation & Traffic Review Committee (City Engineer)	Mason Becker	Davin Lescohier



Agenda City of Fort Atkinson Director of Public Works Office 101 N. Main Street Fort Atkinson, WI 53538

MEMORANDUM

DATE: June 6, 2023

TO: Fort Atkinson City Council

FROM: Andy Selle, P.E.

RE: Review and possible action on the 2022 Department of Natural Resources

annual Recycling Report

BACKGROUND

The City is required to submit an Annual Report to the Department of Natural Resources on the City's recycling activities for the year.

DISCUSSION

The Report documents that the City recycled 762.23 tons of materials listed on DNR's Table #1: newspaper, cardboard, magazines, etc. This is compared to 1005.91 in 2021. The City recycled 121.15 pounds per capita, which surpasses the standard of 106.55 pounds. The City has met the collection standard.

FINANCIAL ANALYSIS

The City's net eligible recycling costs excluding yard waste is \$225,262.10 which exceeds our Grant amount. The City will receive the full amount of the grant \$35,132.55

RECOMMENDATION

Staff recommends the Annual Report be approved and authorized for signature.

ATTACHMENTS

2022 Recycling DRAFT Annual Report

2022 Recycling Program Accomplishments and Actual Costs Annual Report

Form 4400-182 Rev. 12-22 State of Wisconsin

Department of Natural Resources

Waste and Materials Management Program https://dnr.wisconsin.gov/topic/Recycling/RU.html

Responsible Unit (RU) City of Fort Atkinson Muni Code: 28226 County: Jefferson Population: 12583 RU Category: Single Last Grant Year: 2022 Return By: May 23, 2023

DNR Contact Information Ariana Mankerian Ariana.Mankerian@wisconsin.gov 608-982-6588

For instructions, please click

NOTICE: Completion of this form fulfills the mandatory annual reporting requirement for continued approval of a responsible unit's recycling program and retention of the DNR recycling grant, for those who received it. This form is authorized by s. NR 544.10 and s. NR 542.09(3), Wis. Adm. Code. Personally identifiable information will be used for program administration and must be made available to requesters as required by Wisconsin Open Records law (s. 19.31-19.39, Wis. Stats).

Section 1: CONTACT INFORMATION

Note: You are not able to add or update contact information on this form. If changes are needed, please contact DNRWAFacilityContactRegistry@wisconsin.gov or by phone at 920-650-4064.

A. Authorized Representative

The DNR central office has the responsible unit's authorizing resolution on file. According to our records, the authorizing resolution names the position of City Manager as the authorized representative.

Rebecca Houseman LeMire 101 N Main St Fort Atkinson WI 53538-1861 City Manager 920-397-9901 rlemire@fortatkinsonwi.gov

B. Primary Contact

Andy Selle 101 N Main St Fort Atkinson WI 53538-1861 920-397-9901 aselle@fortatkinsonwi.gov

SECTION 2: EFFECTIVE PROGRAM INFORMATION & PERFORMANCE DATA

Provide information and data on the accomplishments of the RU's effective recycling program during the previous calendar year.

All questions in this section relate to the collection of s. NR 544 Table 1 recyclables, listed below. Collection of yard waste and waste tires is reported in section 2D.

- Newspaper
- · Corrugated cardboard
- Magazines
- · Residential mixed paper(may include magazines and office paper)
- · Aluminum containers
- · Steel/Bi-metal (tin) containers
- · Plastic containers
- Foam polystyrene packaging
- · Glass containers

A. Collection of Recyclables for Single Family and 2-4 Unit Residential Housing

Review and update information on the collection methods used by the RU or each member in the RU. For multi-member RUs, if any of the information is incorrect or if the join date or join type need to be modified, please contact DNRRecycling@wisconsin.gov. Note that this list includes entities that were members at any point during the previous calendar year.

Does the RU plan to add or remove members (municipalities, counties, Yes or tribes) in 2023?

If a drop-off site is not used, please don't add a drop-off site location.

Was there curbside collection?

Yes

How was curbside service provided?

RU provided service with municipal service and staff	
False	
RU contracted another municipality to provide service equipment and staff	es with their
False	
RU contracted private hauler(s) to provide collection	service
True	
Residents contracted with private hauler for their recithat does this is	yclable pickup and % of population
False	
What was the primary curbside collection method?	How often were recyclables picked up?
Single Stream	Once every other week
Was there a drop-off site(s)?	
No	
RUs in accordance with s. 287.07(4), Wis. Stats. Did the RU collect all of the required NR 544 Table 1 i	vaiver (plastic containers #3-7 and foam PS packaging), are required to be collected by materials?
C. Hauling, Processing and Marketing Data of F	Recyclables for Single Family and 2-4 Unit Residential Housing
recyclable materials from single family and 2-4 unit redirectly and haulers that residents contracted with (sul regional collection locations. Please work with the RU correct listing. For each hauler, indicate whether it was	RU during the previous calendar year. Include any haulers that collected Table 1 sidences. This includes the RU if it collects materials itself, haulers that it contracted with bscription service). Please note that some companies have multiple listings for different 's hauler(s) to identify which facility the RU's recycling is collected through and select the s contracted by the RU or RU member, by residents, or by both. If one of the haulers is not tion for that hauler. Select the first letter ONLY of the hauler name to alphabetically jump
Name	Contracted By
GFL Solid Waste Midwest LLC - Fort Atkinson - 10001	Municipality(RU)
I have looked for the RU's hauler in the above list an	d cannot find it.
False	

MRF Details

Review and update the list of materials recovery facilities (MRFs) that received and processed recyclables from the RU during the previous calendar year. This may include MRFs the RU contracts with directly or MRFs the hauler uses on a regular basis. Be sure to only add MRFs, not haulers that collected the materials. If you cannot find the RU's MRF on the list provided, contact the RU's hauler to ask which MRF they are using. You will not be able to complete this report without a MRF.

MRF-ID

JOHNS DISPOSAL SERVICE INC - WHITEWATER - 128045170	
Contracted to RU	
No	

Other Processors Details

Please list places not reported above that received Table 1 recyclables from the RU during the previous calendar year. Examples include paper mills that directly take paper and scrap metal yards that collect aluminum cans (aluminum cans and/or steel and bi-metal cans are the only metal weights to be reported from scrap metal yards. Do not report the weight of other scrap metal recycled). This does NOT mean listing all of the places the RU's MRF sends materials to.

Summary of Compliance with Table 1 Collection Standard

Each RU must meet a collection standard for the Table 1 recyclable materials each year (explained in ch. NR 544, Wisconsin Administrative Code). Below is a summary of your RU's compliance with this standard for this reporting period based upon the data you provided in this section.

NOTE: Click the SAVE button at the top of the form to update the totals in this summary. Total weight of recyclables collected from residences: (tons) 762.23 Check this box if the RU has and would like to provide the tonnage of Table 1 recyclable materials collected from multi-family 5+ unit residences. Total weight of recyclables: (tons) 762.23 Per capita collection: (lbs/person/year) 121.15 Per capita collection standard: (lbs/person/year)

Based on the data provided, the RU has MET its Table 1 collection standard.

D. Information on Other Materials Collected From Residents

Please provide information on other recyclable materials collected within the RU. This information does not count toward compliance with the collection standard and is not required, but reporting it allows us to recognize RUs additional efforts and helps provide a more accurate and complete picture of recycling in Wisconsin.

106.55

Waste Tires Measurement Number of 0.00 2,500.00 Yard Waste Measurement Cubic Yards

E. Report of Actual Recycling Costs for Grant Purposes

Actual program costs are determined by completing the actual costs worksheet, remember that grant assistance is provided only for certain activities and eligible materials generated by single family and 2-4 unit residences located in the RU If you would like to print a blank worksheet to work from before entering your final amounts into the online form, select the following link. https://dnr.wi.gov/files/PDF/forms/8700/8700-222B.pdf

Enter all actual 2022 recycling and yard waste program expenses by breaking them down by column and row. Costs should be entered in whole dollar amounts only. The expenses listed in the rows correspond to the Uniform Chart of Accounts (UCA) object codes. Scroll down to view entire list.

NOTE: Click the CAVE button at the ten of the form to undete the totals in this summary

Recycling Expenditures UCA #53565 (including yard waste & waste tires)	A. Education	B. Collection (Curbside &/or Drop-off)	C. Processing & Marketing	D. Compliance & Enforcement	E. Estimated Total Costs
1. Salaries/Wages & Employee Benefits	0.00	46,158.10	0.00	0.00	46,158.10
2. Consulting & Professional Services	425.00	0.00	0.00	0.00	425.00
3. Utility Services	0.00	0.00	0.00	0.00	0.00
4. Purchased Repairs & Maintenance	0.00	0.00	0.00	0.00	0.00
5. Purchased Services Printing & Advertising	0.00	0.00	0.00	900.00	900.00

6. Purchased Services Other(contractual svcs)	0.00	175,574.00	0.00	0.00	175,574.00
7. Office Supplies	0.00	0.00	0.00	0.00	0.00
8. Subscriptions & Dues	360.00	0.00	0.00	0.00	360.00
9. Employee Travel & Training	325.00	600.00	0.00	0.00	925.00
10. Operating Supplies & Expenses	320.00	0.00	0.00	0.00	320.00
11. Repair & Maintenance Supplies	0.00	600.00	0.00	0.00	600.00
12. Insurance	0.00	0.00	0.00	0.00	0.00
13. Rents & Leases	0.00	0.00	0.00	0.00	0.00
14. Depreciation(Total depreciation costs in Row 14 Column E)	0.00	0.00	0.00	0.00	0.00
15. Hourly Equipment Use Charges(Total hourly use charges in Row 15 Column E)	0.00	0.00	0.00	0.00	0.00
16. Cost Allocations	0.00	0.00	0.00	0.00	0.00
17. Cost Allocations Other (not #53635)	0.00	0.00	0.00	0.00	0.00
Total	1,430.00	222,932.10	0.00	900.00	225,262.10

16. Total Nooyoming Cooks (total of mice 1 till 17)	223,202.10
19. Ineligible Costs - Recycling of banned items s. 287.07(1m), Wis. Stats. (Batteries, Major Appliances and Oil)	0.00
20. Ineligible Revenue - Sale of Recyclables	0.00
21. Total Ineligible Costs & Revenues (total of lines 19 and 20)	0.00
22. Total Eligible Recycling Costs (line 18 minus line 21)	225,262.10
You have successfully earned your grant. Repayment will not be required.	
Cost (including yard waste & waste tires) per capita:	17.90
Yard Waste & Waste Tires Costs and Summary	
Enter the cost of handling yard waste that is included in line 18 of the Actual Costs worksheet.	0.00
Enter the cost of handling waste tires that is included in line 18 of the Actual Costs worksheet:	0.00
Cost (excluding yard waste & waste tires) per capita:	17.90
Cost (excluding yard waste & waste tires) per ton:	295.53

F: Compliance

Review and update information about how the RU ensures that all residents and businesses are complying with its recycling ordinance. Note that all RUs are required to have a valid ordinance and compliance assurance plan (CAP). For questions, visit https://dnr.wisconsin.gov/topic/Recycling/RU.html

A recycling ordinance is required by all RUs in accordance with s. NR 544.04(2), Wis. Adm. Code.

Did the RU have an ordinance in 2022?

Did the ordinance plan change in 2022?

What is the RU's ordinance number?

Ch 86 Article III

Ordinance effective date:

5/1/1996

A Compliance Assurance Plan (CAP) is required by all RUs in accordance with s. NR 544.04(9g), Wis. Adm. Code.

Did the RU have a compliance assurance plan?

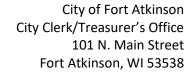
Yes Yes

NoNo

Did the compliance assurance plan change in 2022?

How did the RU ensure compliance	with the recycling	ordinance at resid	ences with 5 or mo	ore units? (Check	all that apply)	
There were no residences with 5 or within the RU	more units physic	ally located				
RU provided direct outreach to landle	ords/building mana	agers				
RU staff regularly conducted inspec	tions/visits					
RU staff responded to recycling-relation	ted complaints		\bowtie			
How did the RU ensure compliance etc.)? (Check all that apply)	with the recycling	ordinance at non-	residential facilities	and properties (e	.g., businesses, st	adiums, events,
There were no non-residential faciliti	es physically locat	ed within the RU				
RU provided direct outreach to busin	ness owners/mana	gers	\bowtie			
RU staff regularly conducted inspect	ions/visits					
RU staff responded to recycling-relation	ted complaints		\bowtie			
G. Enforcement						
Please report the number of recyclin taken (inspections, citations, written			ed during the repor	t year, along with	the number of enf	orcement actions
If the RU did not receive complaints verify these numbers. If the previous that row should be disabled.						
	Complaints Received	Warning Tags	Verbal Warnings	Written Warnings	Inspections	Citations
1 - 4 units residential	0	0	0	0	0	0
5+ units residential	0	0	0	0	0	0
Non-residential (Business)	0	0	0	0	0	0
H. Outreach and Other P	rogram Feat	ures				
Public information and education is kundertake in the report year? (Check		l recycling prograi	m and is required b	by the recycling law	v. What outreach	efforts did the RU
Community yard sale						
Printed publications (flyers, handouts	s, etc.)		\bowtie			
Conduct waste audits						
Radio ads or public service announce	ements					
Direct mail or email (flyers in the tax	bill, newsletter, et	c.)				
Recycling focused event (collections		,				
Display booths at fairs, etc.	, , ,					
School education program (Green &	Healthy Schools	etc.)				
News releases		,				
Social media (Facebook, Twitter, etc.	•)		\boxtimes			
Print ads (newspaper, magazines, et	•					
		oro, and how)	\boxtimes			
Web site has recycling info (what to		ere, and now)				
Section 3: CERTIFICA	ATION					
A: Summary of 2022 Rec	ycling Perfo	rmance				
Weight Summary						
NOTE: Click the SAVE button at the	top of the form to	update the totals	in this summary.			
Total weight of residential Table 1 re	cyclable materials	collected: (tons)		762.23		
Per capita collection:(lbs/person/yea	r)			121.15		

Per capita collecti	ion standard:(lbs/person/year)			106.55		
Based on the data Cost Summary	a provided, the RU has MET its Table 1	1 collection stand	lard.			
2022 Grant Award	d:			35,132.55		
Net eligible recycl	ling costs:			225,262.10		
Cost per capita in	cluding yard waste & waste tires:			17.90		
Yard waste handl	ing costs:			0.00		
Waste tire handling	ng costs:			0.00		
Cost (excluding ya	ard waste & waste tires) per capita:			17.90		
B: Assuran	ices					
approval or, if the	e unit certifies the program is operating re have been changes, the responsible m Accomplishments and Actual Costs A	unit has describ			×	
B. The responsibl 544 and NR 542,	e unit agrees to comply with all applica Wis. Adm. Code.	able provisions of	ch. 287, Wis. Sta	its., and chs. NR	\bowtie	
Stats., chs. NR 54 approval, the follo	le unit understands that if it fails to com 44 Wis. Adm. Code, and NR 542 Wis. A wing may happen: unit's effective recycling program appr	Adm. Code, or its	effective recyclin		×	
	unit may not be allowed to dispose of i acilities located in the state of Wiscons		solid waste dispo	sal and solid		
· the responsible	unit may lose its eligibility for a state re	ecycling grant				
practical, followed solid waste; 3) the	le unit certifies that in the management If these priorities: 1) the reduction of the Pe recycling of solid waste; 4) the compose I and disposal of solid waste; and 7) the	e amount of solid osting of solid wa	waste generated ste; 5) the recove	; 2) the reuse of ry of energy from	×	
	ame below and clicking submit, I certify ed in this Recycling Program Accomplis				×	
	ary 1, 2022, this online certification sublicemember to save or print your report.					
C: Certificat	tion					
Authorized Representative:	Rebecca, Houseman LeMire		Submit Date:	5/18/2023		
Submitted By:	Andy Selle					
Confirmation #:	202723-S-20230518:094343					





MEMORANDUM

DATE: June 6, 2023

TO: Fort Atkinson City Council

FROM: Michelle Ebbert, City Clerk/Treasurer/Finance Director

RE: Review and possible action relating to Alcohol Beverage License applications for

the licensing period of July 1, 2023 to June 30, 2024

BACKGROUND

The State of Wisconsin regulates alcohol licensing for local governments through Chapter 125. There are three classes of Licenses; Class A, Class B and Class C. "Class C" pertains strictly to wine with consumption on-site in a restaurant. The difference between Class A and B is where alcohol is authorized for sale and for consumption. Class A generally offers sale of alcohol on-site with consumption off-site (e.g. grocery or liquor store, gas station or convenience store). Class B allows for on-site sale and on-site consumption (e.g. Restaurant, Bar, Bowling Alley, Tavern). Class A can easily be remembered because alcohol is consumed *Away* from the premises. Likewise, Class B you consume on-site, for example *Bar*.

Table 1: Type of license, beverage and where consumption is permitted.

Type of License	Type of Beverage	Consumption Location
"Class A"	Intoxicating Liquor	Off-site
Class "A"	Fermented Malt	Off-site
"Class A" Liquor: Cider Only*	Cider Only	Off-site
"Class B"	Intoxicating Liquor	On-site
Class "B"	Fermented Malt	On-site
"Class C"	Wine only	On-site
Reserve "Class B"	Intoxicating Liquor	On-site
Temporary Class "B" **	Fermented Malt	On-site
Temporary "Class B" **	Wine	On-site

^{*}The 2015-17 Wisconsin State Budget (2015 Act 55) provides that municipalities shall issue a "Class A" liquor license if both of the following apply:

- The "Class A" liquor license application is for sales limited to cider products only.
- The application for a "Class A" liquor license holds a Class "A" beer license for the same premises.

2015 Act 55 provision also defines 'cider' to mean any alcohol beverage that is obtained from the fermentation of the juice of apples or pears and that contains not less than 0.5 percent alcohol by volume and not more than 7.0 percent alcohol by volume. "Cider" includes flavored, sparkling, and carbonated cider.

** Temporary Class "B" Fermented Malt and Temporary "Class B" Wine – these licenses are issued throughout the year to lodges, societies, bona fide clubs, chambers, non-profit, etc.

Table 2: Combination of Licenses

License Combinations	Type of Beverage(s)	Consumption
		<u>Location</u>
"Class A" and Class "A"	Intoxicating Liquor and Fermented	Off-site
	Malt	
Class "A" and "Class A" Liquor: Cider Only	Fermented Malt and Cider	Off-site
"Class B" and Class "B"	Intoxicating Liquor and Fermented	On-site
	Malt	
Class "B" and "Class C" Wine	Fermented Malt and Wine	On-site
Reserve "Class B" and Class "B"	Intoxicating Liquor and Fermented	On-site
	Malt	
Temporary Class "B" and Temporary	Fermented Malt and Wine	On-site
"Class B"		

Table 3: License fees

Type of License	<u>License Fee</u>
"Class A" Intoxicating Liquor	\$500.00
Class "A" Fermented Malt	\$100.00
"Class A" Liquor: Cider Only	No fee.
"Class B" Intoxicating Liquor	\$500.00
Class "B" Fermented Malt	\$100.00
"Class C" Wine Only	\$100.00
Reserve "Class B" Intoxicating Liquor	\$10,000 (one-time)
Temporary Class "B" Fermented Malt	\$10.00
Temporary "Class B" Wine	\$10.00

A combination Class A license (intoxicating liquor and fermented malt) would total \$600.00. A combination Class B license (intoxicating liquor and fermented malt) would total \$600.00

Table 4: Existing Quotas

<u>License</u>	<u>Quota</u>	<u>Licenses</u> <u>Issued</u>	<u>Licenses</u> <u>Available</u>
"Class A" Intoxicating Liquor	16 - 1 per 750 residents	16	0
Class "A" Fermented Malt	17 - 1 per 750 residents	15	2
"Class B" Intoxicating Liquor	25 - 1 per 500 residents	25	0
RESERVE	4 - \$10,000 one-time	4	0
"Class B" Intoxicating Liquor	fee		

licenses.

DISCUSSION

We have 46 applications for renewal. The Police Department is finalizing compliance checks at each location allowing a positive interaction while confirming appropriate posting of licenses.

City of Fort Atkinson Code of Ordinances Sec. 6 addresses the following stipulations on issuing licenses.

Sec. 6.33. Licenses

- (a) No alcohol beverage licenses shall be granted to any applicant for premises on which the applicant is responsible for any delinquent and unpaid personal property taxes, assessments, utility bills or other financial claims of the City.
- (b) No license shall be granted for any premises unless the applicant for the license shall provide to the city evidence of ownership or leasehold interest in the premises for the term of the licenses.
- (c) Any license duly granted not used for 90 consecutive days shall be subject to review and possible suspension or revocation by the Council. These licenses may not be regranted during this 90-day period

FINANCIAL ANALYSIS

Alcohol license fees for the upcoming licensing period of July 1, 2023 to June 30, 2024 is \$25,700. Applicants are also invoiced for a publication fee of \$30.00 which covers the cost of the annual publication.

RECOMMENDATION

Staff recommends that the City Council approve of the Renewal Alcohol License Applications for the licensing period of July 1, 2023 to June 30, 2024 contingent upon all monies owed to the City are paid prior to license issuance by the City Clerk.

ATTACHMENTS

Alcohol License Listing

<u>License Type</u>	<u>Fee</u>	<u>Trade Name</u>	D/B/A Business Name	Business Address 1	Business City State ZIP
Class A Beer Class A Liquor Cider Only	\$ 100.00	La Morenita LLC	La Morenita	303 S 3rd Street West	Fort Atkinson, WI 53538
Class A Beer Class A Liquor Cider Only	\$ 100.00	Ameer Investments	I Mart WI 0108 Fort Atkinson	303 S Main St	Fort Atkinson, WI 53538
Class A Liquor	\$ 500.00	Blodgett Milling Co Inc	Blodgett Garden Center	1222 Janesville Ave	Fort Atkinson, WI 53538
Class A Liquor	\$ 500.00	The Fireside, Inc	The Cheese Loft	1009 Janesville Ave	Fort Atkinson, WI 53538
Class A Liquor	\$ 500.00	Sarahndipity Salon LLC	Sarahndipity Salon	121 N. Main Street	Fort Atkinson, WI 53538
Class A Liquor Class A Beer	\$ 600.00	Casey's Marketing Company	Casey's General Store #3712	342 Whitewater Ave	Fort Atkinson, WI 53538
Class A Liquor Class A Beer	\$ 600.00	Green Way Holdings, Inc	FA Gas	1285 Madison Ave	Fort Atkinson, WI 53538
Class A Liquor Class A Beer	\$ 600.00	J & R Petro LLC	K P Mart	415 Janesville Ave	Fort Atkinson, WI 53538
Class A Liquor Class A Beer	\$ 600.00	Kwik Trip Inc	Kwik Trip #439	1565 Madison Ave	Fort Atkinson, WI 53538
Class A Liquor Class A Beer	\$ 600.00	Kwik Trip Inc	Stop-N-Go #1502	313 Madison Ave	Fort Atkinson, WI 53538
Class A Liquor Class A Beer	\$ 600.00	Kwik Trip Inc	Kwik Trip #1506	1680 Janesville Ave	Fort Atkinson, WI 53538
Class A Liquor Class A Beer	\$ 600.00	La Tienda Mexicana, Inc	La Tienda Mexicana	809 S Main St.	Fort Atkinson, WI 53538
Class A Liquor Class A Beer	\$ 600.00	Skogen's Foodliner, Inc	Festival Foods	328 Washington St	Fort Atkinson, WI 53538
Class A Liquor Class A Beer	\$ 600.00	Ultra Mart Foods LLC	Pick 'N Save #396	1505 Madison Ave	Fort Atkinson, WI 53538
Class A Liquor Class A Beer	\$ 600.00	Walgreen Co.	Walgreens #01976	300 N. Main St	Fort Atkinson, WI 53538
Class A Liquor Class A Beer	\$ 600.00	Guanajuato Produces LLC	Guanajuato Produces	1109 Whitewater Ave	Fort Atkinson, WI 53538
Class A Liquor Class A Beer	\$ 600.00	Ruhani Gas & Food Inc	Shell Food & Liquor	1012 Whitewater Ave	Fort Atkinson, WI 53538
Class A Liquor Class A Beer	\$ 600.00	AARSAN Fort Plaza, LLC	Sunny's Quick Mart	1220 Janesville Ave	Fort Atkinson, WI 53538
Class B Beer Class C Wine	\$ 200.00	Carla J Robinson Stewart	Carla's Catering	1525 Janesville Ave	Fort Atkinson, WI 53538
Class B Beer Class C Wine	\$ 200.00	CS Ventures LLC	Beauty and the Bean	207 Milwaukee Ave E	Fort Atkinson, WI 53538
Class B Beer Class C Wine	\$ 200.00	Mr. Brews Taphouse VIII, LLC	Mr Brews Taphouse	201 N Main Street Ste 220	Fort Atkinson, WI 53538
Class B Liquor Class B Beer	\$ 600.00	10-62 Saloon, LLC	10-62 Saloon	12 S Water St E	Fort Atkinson, WI 53538
Class B Liquor Class B Beer	\$ 600.00	29 Sherman Ave W LLC	Tavern on Rock	29 W Sherman Ave	Fort Atkinson, WI 53538
Class B Liquor Class B Beer	\$ 600.00	99 Sushi, Inc	99 Sushi	99 N Main Street	Fort Atkinson, WI 53538
Class B Liquor Class B Beer	\$ 600.00	Bienfang's Bar Inc.	Bienfang's Bar	28 N. Water St. E.	Fort Atkinson, WI 53538
Class B Liquor Class B Beer	\$ 600.00	Big Bluestem Market Collective, LLC	Market Collective on Main	225 and 227 S. Main Street	Fort Atkinson, WI 53538
Class B Liquor Class B Beer	\$ 600.00	Bridge at River & Main LLC	Bridge	88 S Main St	Fort Atkinson, WI 53538
Class B Liquor Class B Beer	\$ 600.00	William Welch & Alison Camplin	Cafe Carpe	18 S Water St W	Fort Atkinson, WI 53538
Class B Liquor Class B Beer	\$ 600.00	Creamery 201, LLC	Creamery 201	201 N. Main Street	Fort Atkinson, WI 53538
Class B Liquor Class B Beer	\$ 600.00	Fat Boyz Inc	Fat Boyz	219 S Main St	Fort Atkinson, WI 53538
Class B Liquor Class B Beer	\$ 600.00	Fort Investments, LLC	Fort 88 Smokehouse & Bar	855 Lexington Blvd	Fort Atkinson, WI 53538
Class B Liquor Class B Beer	\$ 600.00	Ft Atkinson Hotel Group 2 LLC	Country Inn & Suites	1650 Doris Drive	Fort Atkinson, WI 53538
Class B Liquor Class B Beer	\$ 600.00	J&J Wisconsin Ventures, LLC	Brock's Riverwalk Tavern & Grill	99 S. Main Street	Fort Atkinson, WI 53538
Class B Liquor Class B Beer	\$ 600.00	El Patron Mexican Restaurant LLC	El Patron Mexican Restaurant	100 Madison Ave	Fort Atkinson, WI 53538
Class B Liquor Class B Beer	\$ 600.00	Mangiami Italiano LLC	Mangiami Italiano	226 S Main St	Fort Atkinson, WI 53538
Class B Liquor Class B Beer	\$ 600.00	NAP Enterprises, LLC	Rock River Lanes	1010 Larsen Rd	Fort Atkinson, WI 53538
Class B Liquor Class B Beer	\$ 600.00	Patrick Beach	Soup's On	1125 Whitewater Ave	Fort Atkinson, WI 53538
Class B Liquor Class B Beer	\$ 600.00	Paul Frank Florine Post No. 166 of the American Legion	American Legion Dugout	201 S Water St E	Fort Atkinson, WI 53538
Class B Liquor Class B Beer	\$ 600.00	McGrath Catering LLC	McGrath Catering	1245 Whitewater Avenue	Fort Atkinson, WI 53538

Class B Liquor Class B Beer	\$ 600	.00 Riverfront Café LLC	Riverfront Café	1317 N High St	Fort Atkinson, WI 53538
Class B Liquor Class B Beer	\$ 600	.00 Salamone Pizza Inc	Salamones Italian Pizzeria	1245 Madison Ave.	Fort Atkinson, WI 53538
Class B Liquor Class B Beer	\$ 600	.00 Scuzzi's Pizza Bar LLC	Brickhouse Pizza	1501 Janesville Ave	Fort Atkinson, WI 53538
Class B Liquor Class B Beer	\$ 600	.00 The Fireside, Inc	The Fireside	1131 Janesville Ave	Fort Atkinson, WI 53538
Class B Liquor Class B Beer RESERVE	\$ 600	.00 Didley's LLC	Paddy Coughlin's	14 E Sherman Ave	Fort Atkinson, WI 53538
Class B Liquor Class B Beer RESERVE	\$ 600	.00 LTree Cuisine, LLC	Riverstone Event Center	1905 Central Coast Lane	Fort Atkinson, WI 53538
Class B Liquor Class B Beer RESERVE	\$ 600	.00 La Cabana 2, LLC	La Cabana 2, LLC	213 Washington Street	Fort Atkinson, WI 53538
Class B Liquor Class B Beer RESERVE	\$ 600	.00 Paddyshack LLC	Paddyshack Golf and Gaming	Lot 201 S. Main Street	Fort Atkinson, WI 53538



FORT ATKINSON POLICE DEPARTMENT

Alcohol Beverage License Inspection Report

Trado/Dusinoss Namo: «DPA Businoss Namo»	
Trade/Business Name: «DBA_Business_Name»	Police Officer:
Location/Address: «Business_Address_1»	Date:
Type of License: «License Type»	Date.

[Yes] [No] [N/A] 1. Is the current alcohol license properly posted, framed as required? [N/A] 2. Does the operator (on site employee serving) have a valid operator or [Yes] [No] bartender license? **We strongly encourage all employees to be licensed** [Yes] [No] 3. Cigarettes being sold over the counter? Confirm the license is posted. [N/A] [Yes] [No] [N/A]5. Is a current Jefferson County restaurant license posted, if applicable?

NO gambling machines allowed in Class A establishments (gas stations, grocery stores-places where alcohol is consumed AWAY from where they purchased the products)

Class A - Intoxicating Liquor sales can take place between 6:00 am to 9:00 pm

Class A - Fermented Malt Beverage sales can take place between 6:00 am to midnight.

If the establishment is open later than 9:00 pm, all liquor must be contained as follows:

Class A Intoxicating Liquor - Sec. 6-87. Standards for premises. (Gas stations, grocery stores)

No retail Class A license for the sale of intoxicating liquor shall be granted for any convenience store (as defined in the City of Fort Atkinson Zoning code) unless such premises provides for a separate area where the liquor will be kept for sale and which meets the following criteria:

- 1) The area must be at least 250 square feet.
- 2) The area must be fully enclosed with permanent walls a minimum of eight feet in height.
- 3) The area must have only one exit and entrance.
- 4) The entrance and exit of the separated area must be directly visible from the store's register area to provide constant monitoring.
- 5) The area shall be clearly labeled as restricted to those of legal drinking age.
- 6) Variances from these standards must be requested of the license committee and the City of Fort Atkinson Planning Commission.

Additional Comments or Observations:



FORT ATKINSON POLICE DEPARTMENT

Alcohol Beverage License Inspection Report

Trade/Busi	ness Name: «DB	A_B	usiness_Name»	Police Officer:
Location/A	ddress: «Busines	s_A	ddress_1»	Date:
Type of Lic	ense: <u>«License T</u>	ype	<u>»</u>	
[Yes] [No] [N/A]	1.	Is the current alcohol license	properly posted, framed as required?
[Yes] [No] [N/A]	ba	Does the operator (on site en rtender license? We strongly encourage all em	nployee serving) have a valid operator or ployees to be licensed**
[Yes] [No] [N/A]	3.	Cigarettes being sold over the	e counter? Confirm the license is posted.
[Yes] [No] [N/A]		Number of video gambling m more than 5 at a bar/tavern, c	
[Yes] [No] [N/A]	5.	Is a current Jefferson County	restaurant license posted, if applicable?
Additional	Comments or Ob	serv	rations:	

It is a felony for a Class B (bar) establishment to have more than five video gambling machines on premises. The operation of video gambling machines is a violation of Wisconsin law. In 2003, the department was given the sole authority by the Wisconsin Legislature to investigate video gambling violations on the premises of persons holding "Class B" liquor and wine licenses and/or Class "B" fermented malt beverage licenses (Class B premises) with five or fewer video gambling machines. The presence of five or fewer video gambling machines on Class B premises is a violation subject to civil forfeiture. The penalties include seizure of the machines, seizure of money in the machines, and a \$500 fine per machine. District attorneys retain the authority to prosecute the violation, even though local law enforcement may not investigate the violation.



Agenda City of Fort Atkinson City Clerk/Treasurer's Office 101 N. Main Street Fort Atkinson, WI 53538

MEMORANDUM

DATE: June 6, 2023

TO: Fort Atkinson City Council

FROM: Michelle Ebbert, City Clerk/Treasurer/Finance Director

RE: Review and possible action relating to Cigarette and Tobacco Products Retail

License applications for the licensing period of July 1, 2023 to June 30, 2024.

BACKGROUND

The State of Wisconsin regulates cigarette and tobacco product licensing for local governments through Chapter 139.

139.34 Permits required.

(1)(a) No person may manufacture cigarettes in this state or sell cigarettes in this state as a distributor, jobber, vending machine operator or multiple retailer and no person may operate a warehouse in this state for the storage of cigarettes for another person without first filing an application for and obtaining the proper permit to perform such operations from the municipality.

- The local governing body has the authority to issue licenses to those selling cigarette and tobacco related products over the counter.
- Licensed premises may be inspected by law enforcement officers during all reasonable hours, including all business hours.
- No retailer may sell or give away cigarettes or tobacco products to minors; no retailer may sell individual cigarettes.

DISCUSSION

The Police Department conducts compliance checks at each location allowing a positive interaction while confirming appropriate posting of licenses.

The licensing period of all alcohol licenses is July 1st to June 30th.

City of Fort Atkinson Code of Ordinances Sec. 6 addresses the following stipulations on issuing licenses.

Sec. 6.33. Licenses

(b) No license shall be granted for any premises unless the applicant for the license shall provide to the city evidence of ownership or leasehold interest in the premises for the term of the licenses.

Table 1: Submitted Cigarette and Tobacco Product applications

<u>Legal Name</u>	<u>Trade Name</u>	<u>Trade Address 1</u>
BLADCO, LLC	X-Treme Smoke & Vapor 6	1642 Madison Avenue
Casey's Marketing Company	Casey's General Store #3712	342 Whitewater Avenue
Creamery 201, LLC	Creamery 201	201 N Main Street
Family Dollar Stores of Wisconsin LLC	Family Dollar Store #26250	1517 Madison Avenue #A
Green Way Holdings, Inc	FA GAS	1285 Madison Avenue
J&R Petro, LLC	K P Mart	415 Janesville Avenue
Kwik Trip, Inc	Kwik Trip #1506	1680 Janesville Avenue
Kwik Trip, Inc	Kwik Trip #439	1565 Madison Avenue
Kwik Trip, Inc	Stop-N-Go #1502	313 Madison Avenue
Skogen's Foodliner, Inc	Festival Foods	328 Washington Street
Tobacco Land, Inc	Tobacco Land	211 Washington Street
Ultra Mart Foods, LLC	Pick 'N Save #6396	1505 Madison Avenue
Walgreen Co.	Walgreen's #01976	300 N. Main Street
Ruhani Gas & Food Inc	Shell Food & Liquor	1012 Whitewater Avenue
AARSAN Fort Plaza LLC	Sunny's Quick Mart	1220 Janesville Avenue
Ameer Investments Inc	I Mart WI0108 Fort Atkinson	303 S Main Street

FINANCIAL ANALYSIS

Cigarette and Tobacco Products license fee for the licensing period of July 1, 2023 to June 30, 2024 is \$100.00, a total revenue of \$1,600.00. Publication of the applications is not required.

RECOMMENDATION

Staff recommends that the City Council approve the Cigarette and Tobacco Products Retail License Applications for the licensing period of July 1, 2023 to June 30, 2024 contingent upon all monies owed to the City are paid prior to license issuance by the City Clerk.

ATTACHMENTS

None



Agenda City of Fort Atkinson City Clerk/Treasurer's Office 101 N. Main Street Fort Atkinson, WI 53538

MEMORANDUM

DATE: June 6, 2023

TO: Fort Atkinson City Council

FROM: Michelle Ebbert, City Clerk/Treasurer/Finance Director

RE: Review and possible action relating to Alcohol Beverage License application for

the licensing period of July 1, 2023 to June 30, 2024

BACKGROUND

The State of Wisconsin regulates alcohol licensing for local governments through Chapter 125. There are three classes of Licenses; Class A, Class B and Class C. "Class C" pertains strictly to wine with consumption on-site in a restaurant. The difference between Class A and B is where alcohol is authorized for sale and for consumption. Class A generally offers sale of alcohol on-site with consumption off-site (e.g. grocery or liquor store, gas station or convenience store). Class B allows for on-site sale and on-site consumption (e.g. Restaurant, Bar, Bowling Alley, Tavern). Class A can easily be remembered because alcohol is consumed *Away* from the premises. Likewise, Class B you consume on-site, for example *Bar*.

DISCUSSION

Jansen's Banquet Hall at 1245 Whitewater Avenue has been sold to McGrath Catering. Jansens and McGraths have been operating jointly utilizing the Jansen's license during the interim of the annual renewal period.

Jansen's has confirmed the surrendering of their license to McGrath Catering upon License Committee and Council approval.

FINANCIAL ANALYSIS

The license fee will be the full amount as the license is valid beginning July 1st.

RECOMMENDATION

Staff recommends that the City Council approve of the Alcohol License Application for the licensing period of July 1, 2023 to June 30, 2024 for McGrath Catering contingent upon all monies owed are paid prior to license issuance by the City Clerk.

ATTACHMENTS Alcohol License Application materials

Date:

4
I, Convice JANSEN hereby state that I,
owner of Remning Ton's WE JANSEN HALL will surrender my "Class B"
Intoxicating Liquor and Class "B" Fermented Malt Beverage License to
McGraty Caterina, UC contingent upon
McGrath Catening, LLC
being approved for said "Class B" Intoxicating Liquor and Class "B" Fermented Malt Beverage License for use by
at the premise of 1245 WHITE WATE AVE.
at the premise of 1877 while was a street of the street of

Signed:

Date: <u>3/30/23</u>

Original Alcohol Be	verage Retail		oplication	Applicant's Wisconsin Seller's Perr	mit Number	
(Submit to municipal clerk.)		were of	10/2024	FEIN Number	0700 04	
For the license period beginning	, ,,,,,	3 ending:	(mm dd yyyy)	TYPE OF LICENSE REQUESTED	FEE	
To the Governing Body of the:	☐ Town of)	A i	1	Class A beer	\$	
To the Governing Body of the:	☐ Village of }	ort At	KINSON	Class B beer	\$	
	☑ City of			Class C wine	\$	
County of) effers	101			☐ Class A liquor	\$	
County of JETICIS	DVC	Aldermanic	by ordinance)	Class A liquor (cider only)	\$ N/A	
		(11.104411.04	by cramanos,	Class B liquor	\$	
Charles Individual	M Limited Liebility	Company		Reserve Class B liquor Class B (wine only) winery	\$	and the same
Check one: Individual	Limited Liability (Corporation/Non		an an	Publication fee	\$ 100.00 ((1)
☐ Partnership	Corporation/Non	pront Organizatio	JII	TOTAL FEE	\$	jy
					<u> </u>	ļ
Name (individual / partners give last r	name, first, middle; corpora	tions / limited liability	companies give registere	d name)		Í
McGrath	Caterino		, ,	,		
MCCAMIN	Coccerine	1	***************************************			
An "Auxiliary Questionnaire by each member of a partne each member/manager and	rship, and by each	officer, director	and agent of a co	rporation or nonprofit orga	nization, and by	
President / Member Last Name	(First)	(Middle Name)	Home Address (Street, C	city or Post Office, & Zip Code)		
McGratu	Coreu	Robert	W6367 (CtuRd.A. Joh	MSDM Cr	eek,
Vice President / Member Last Name	(First)	(Middle Name)	0 0 1 00 100 1	City or Post Office, & Zip Code)		wi
McGrath	Maren	Drake	W103107 Ct	Rd A Johnson	Cheek	53038
Secretary / Member Last Name	(First)	(Middle Name)		City or Post Office, & Zip Code)	CI CCE	33030
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, C	city or Post Office, & Zip Code)		
Agent Last Name	(First)	(Middle Name)	Home Address (Street, C	City or Post Office, & Zip Code)		
McGrath	Maren	Drake	N6367 Ct	1 Rd A Nohusa	1 Creek	WI
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, C	City or Post Office, & Zip Code)		53638
1. Trade Name Mc Gro		11		ne Number (920) 565		
2. Address of Premises 10	145 White	water Av	Post Office & Z	Zip Code <u>53538</u>	, Fort Ak	1 USOn
	rooms including livir	ng quarters, if us	ed, for the sales, se	to be sold and stored. The ervice, consumption, and/or tored only on the premises		
One build	dina, two	o separ	ate banc	just rooms,		
Kitchon Y	oar rost	COOMS.	Storage.	dance hall		
putdoox f	PINCENTIL	1 court	(2010)		.)	
Du Cool (Court IV	1 COOL 1	9000		•	
					•	
					,	
					-	
4. Legal description (omit if	street address is give	n above):				
5. (a) Was this premises lice	ensed for the sale of I	iquor or beer dur	ing the past license	year?	Ŭ Yes □ No)
(b) If yes, under what nan	ne was license issued	1? Remi	mington's	SUC		

beverage serve	r training c	gent of corporation/limited ourse for this license perion ↑ COUTS-t -	od? If yes	, explain			Yes	□ No
7. Is the applicant If yes, explain.	an employ	e or agent of, or acting on	behalf of	anyone except the n	amed applicar	nt?	☐ Yes	No No
		everage retail licensee or					☐ Yes	Д No
9. (a) Corporate // of registration	limited lia	bility company applican	ts only: li	nsert state <u>W</u> (and d	ate <u> </u>	3	
		on/limited liability compan olain					☐ Yes	∏ No
	nager or a	or any officer, director, st agent hold any interest in					☐ Yes	₩ио
government, Ale	cohol and	tand they must register as Tobacco Tax and Trade Bu 382-3277]	ıreau (TTB	b) by filing (TTB form	5630.5d) befo	re beginning	Yes	□ No
. Does the applic	ant unders	tand they must hold a Wis	sconsin Se	ller's Permit? [phon	e (608) 266-27	776]	Yes Yes	☐ No
		tand that they must purch					Yes	□ No
e best of the knowled an \$1,000. Signer ag ssigned to another. (In ompanies must sign.)	ge of the sig ees to opera dividual appl Any lack of a	IING: Under penalty provided I ner. Any person who knowingly ate this business according to licants, or one member of a pa access to any portion of a licen ocation of this license.	y provides m law and that rtnership app	naterially false information the rights and responsile clicant must sign; one co	on on this applica bilities conferred orporate officer, o	tion may be require by the license(s), it ne member/manage	ed to forfeit f granted, v er of Limite	not more will not be d Liability
ontact Person's Name (Las	t, First, M.I.)			Title/Member		Date /30	/_~	
WCGRUUM Deen	, 10101 Des	zalli		Phone Number (920) 747	-9421	Email Address Marena Mcgra	thca	tening.
O BE COMPLETED B	/ CLERK							
Date received and filed with		Date reported to council / board	Date provi	isional license issued	Signature of Clerk	Deputy Clerk		
Date license granted	, , , , ,	Date license issued	License n	umber issued	_			