



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

**CITY COUNCIL MEETING
IN PERSON AND VIA ZOOM
TUESDAY, JANUARY 3, 2023 – 7:00 PM
CITY HALL – SECOND FLOOR**

1. CALL MEETING TO ORDER

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

2. ROLL CALL

Present: Cm. Becker, Cm. Hartwick, Cm. Johnson, Cm. Schultz and President Scherer. Also present: City Manager, City Attorney, City Clerk/Treasurer, City Engineer, Park & Recreation Supervisor, Public Works Superintendent and Public Works Supervisor.

3. PUBLIC HEARING – NONE

4. PUBLIC COMMENT:

Kyle Scheffler, 104 Lumber St #2 – he is the manager of Mr. Brews Taphouse.

Gregg Day, owner of Mr. Brews Taphouse, spoke in support of the application submitted for the available liquor license. He added they will hire more employees. He added their license is crucial to their business and they remained open through covid.

Mark Leach, member of Mr. Brews Taphouse, stated they have been waiting for several years for a license. They bought the location from a prior franchisee. They stated the liquor license is vital to their business succession.

Adel, spoke in support of Mr. Brews Taphouse being used a liquor license.

Mike Herl, owner of Creamery building for 7 years. He added the building recently lost a tenant and is downsizing another tenant. He spoke in support of Mr. Brews Taphouse.

Erin and Mitch Patterson, Stacy Lane spoke in support of the liquor license for their new business PaddyShack. They spoke of the properties they purchased and improved value of within the City. They will employ 15-20 employees.

5. CONSENT AGENDA:

a) Review and possible action relating to the amended minutes of the December 14, 2022 License Committee meeting (Ebbert, Clerk/Treasurer/Finance Director)

b) Review and possible action relating to the minutes of the December 20, 2022 regular Fort Atkinson City Council meeting (Ebbert, Clerk/Treasurer/Finance Director)

Cm. Becker moved, seconded by Cm. Schultz to approve the Consent Agenda as listed, items 5.a. and 5.b. Motion carried.

6. PETITIONS, REQUESTS, AND COMMUNICATIONS – NONE

7. RESOLUTIONS AND ORDINANCES – NONE

8. REPORTS OF OFFICERS, BOARDS, AND COMMITTEES:

a) City Manager's Report (LeMire, City Manager)

No action required.

9. UNFINISHED BUSINESS – NONE

10. NEW BUSINESS:

a) Review and possible action relating to authorization for City staff to issue a Request for Proposals (RFP) for the design of a new Public Works Operations Facility (Williamson, Public Works Superintendent)
Engineer Selle discussed, that at the November 15th City Council meeting, they reviewed the Engberg Anderson Architects preparation of two Public Works Facility Concept Plans on two different locations: the existing Public Works Facility Campus at 700 James Place and the Loeb Lorman site at 115 Lorman Street. Council Members raised several questions and requested additional data relating to the improvements needed at the existing facility to allow its use for the next several years to accommodate the time constraints of the Lorman site. Other discussion items included short-term facility needs to maintain use during on-site redevelopment, possible street vacation, and adjacent lands acquisition. At this meeting, staff recommended that the Council move forward with the new facility on the existing site because the Lorman location does not meet the needs and timeline for the design and construction of a new facility. Selle continued that in an attempt to provide the Council with a thorough review and assessment of the existing facility HVAC and environmental controls systems, staff reached out to a mechanical contractor and consulting firm of Total Mechanical, Inc. Enlisting their help with the evaluation, review and assessment of the existing conditions within the current facility campus. Attached with this memo the Council will find a detailed evaluation and repair cost estimate pertaining to the existing facility environmental controls and HVAC system

Cm. Hartwick moved, seconded by Cm. Johnson to authorize staff to issue a Request for Proposals for architectural design plans and specifications for a new Public Works Operations Facility at the existing 700 James Place location to be completed in 2023. Motion carried.

b) Review and possible action relating to the purchase of properties east of the existing Public Works Operations Facility to accommodate the design and future construction of a new facility (Williamson, Public Works Superintendent)

Engineer Selle shared that at the December 6, 2022 City Council meeting, the Council met in closed session to discuss the possible purchase of the above-described parcels adjacent to the existing Public Works Facility at 700 James Place to accommodate future construction of a new facility. These lands, currently owned by 901 Janesville, LLC. Were depicted as part of Public Works Facility Concept Plan for the redevelopment of the existing facility. This offer to purchase, as detailed and included with this memo, includes three parcels of land and part of a fourth for the amount of \$500,000.00. Staff intends to use General Fund fund balance to purchase the property with the intent to reimburse the General Fund through proceeds from future borrowing in 2024. Staff will recommend that the City Council adopt a resolution solidifying that intent within 18 months of the borrowing.

Cm. Becker moved, seconded by Cm. Hartwick to approve the Offer to Purchase the properties included in the staff report and recommendation subject to the agreed upon conditions for \$500,000 to be paid for through the City's General Fund fund balance and reimbursed through proceeds from future general obligation borrowing. Motion carried.

a) Review and possible action relating to the issuance of a Reserve "Class B" Intoxicating Liquor License for the license year January 3, 2023 through June 30, 2023 (Ebbert, Clerk/Treasurer/Finance Director)
Clerk Ebbert discussed the number of Reserve "Class B" Intoxicating Liquor licenses available to a municipality was determined by the Department of Administration in 1997. An increase in the quota of licenses available is determined by the increase in population of 500 persons. Since 1997, population increases have allowed two additional licenses to be issued as Reserve licenses. Following the 2022 preliminary population estimate, it is confirmed the City of Fort Atkinson has an additional Reserve License that can be applied for and issued. Ebbert continued discussing the process, on November 1st, emails and informational letters were mailed to 5 businesses/individuals who have expressed interest in a liquor license with a deadline of November 17th noting the application review and approval will be a competitive process with a goal of issuing a license for the highest and best use. Staff also published a notice of the available license in the local newspaper and posted on the city's website. November 17th brought 3 submissions and applications for the available license. The application process included submission of the following forms: Original Alcohol Beverage License Retail Application, Auxiliary Questionnaire, Schedule for Appointment of Agent by Corporation or Limited Liability Company, Federal Identification Number, Wisconsin Seller's Permit Number) and Reserve License Questionnaire.

The questionnaire was separated by existing businesses or potential new businesses. Applicants were requested to provide a narrative that explained the anticipated economic impact of the business, business hours, seating, parking and recommended additional submissions with menu, business plans, and any other pertinent information they wanted to provide. I proceeded to summarize information from the questionnaire to a table for ease of reading.

The following entities applied for the available license and were given an opportunity to present their submission to the License Committee: PaddyShack LLC d/b/a PaddyShack Golf and Gaming Lounge, Mr. Brews Taphouse VIII, LLC d/b/a Mr. Brews Taphouse, Rock River Heritage, Inc d/b/a The Fort Atkinson Club Community Center.

The License committee met on December 14th to review the three submission and allow attendees to speak in support of the application. Following in depth discussion and review, the committee recommended the City Council approve the application submitted from Mr. Brews Taphouse with a vote of 2-1 (Schultz and Scherer in support, Johnson opposed)

The Council was provided the with same materials presented to the License Committee with letters of support for PaddyShack that were submitted prior to packet completion. Letters of support for Mr. Brews were provided after packet completion and were emailed to City Council.

Cm. Hartwick agrees the license should be issued based on biggest economic impact and she does not agree with the recommendation from the License Committee.

Cm. Schultz suggested the Council put aside quantitative information and consider what type of message they are sending to business owners should the Council make a decision against the recommendation.

Cm. Hartwick asked what guidance is provided from the State in regarding to approving and issuing alcohol licenses, is there criteria. Ebbert confirmed there is no information provided from the State and each governing body can determine their own criteria for approving.

Cm. Johnson stated he wants to issue a license to a business that will enhance the city, not necessarily a business that has been on a waiting list.

Cm. Becker read comments he had prepared stating he does not agree with the recommendation from the License Committee and provides support for the submission from Paddyshack.

Cm. Becker moved, seconded by Cm. Johnson to issue a Reserve "Class B" Intoxicating Liquor License for the licensing year January 3, 2023 through June30, 2023. to PaddyShack LLC d/b/a PaddyShack Golf and Gaming Lounge. Motion carried on a roll call vote 3-2 (Schultz and Scherer opposed).

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. Hartwick to approve the list of Verified Claims as presented and authorize payment. Motion carried.

13. ADJOURNMENT

Cm. Hartwick moved, seconded by Cm. Becker to adjourn the meeting. Meeting adjourned at 8:04 pm.

Respectfully submitted

Michelle Ebbert

City Clerk/Treasurer/Finance Director