



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, MARCH 21, 2023 – 7:00 PM  
CITY HALL – SECOND FLOOR**

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**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 Engineer, City Attorney, City Clerk/Treasurer/Finance Director, Public Works Superintendent, Building Inspector, Chief of Police, Park & Recreation Director,

**3. PUBLIC HEARING: DISCONTINUANCE AND VACATION OF N. FOURTH STREET BETWEEN ARMENIA STREET AND MCMILLEN STREET**

Jeff Newbold, 411 McMillen Street – spoke against the discontinuance and vacation of N. Fourth Street. He commented to the City Council and challenged them that if they believe the vacation is a benefit to the hospital, he would like to trade houses with them (Council).

Elliot Larson, 415 McMillen Street – Mr. Larson has lived at his residence for over 40 years. He is grateful for the Hospital. He does not personally understand why the hospital has to block off 4<sup>th</sup> street. He is encouraging the neighboring streets be repaired before vacating the street.

Jim Nelson, Senior VP of Fort Health Care, 418 Hickory Street – Mr. Nelson confirmed they are planning for the future of the facilities. The petition to close the street was after discussions with the City to meet needs and growth. Prior City Management worked with Hospital staff and confirmed growth to the north would be the most beneficial. They purchased adjacent houses knowing they would need to be ready for next expansion. Granting closure would allow growth and allowance of parking. Their goal is to move clinical operations back to the main campus.

Jodi Raddatz, 1245 Janette Street – Ms. Raddatz asked why the council is not responding to comments from the public and if the Council had received the documentation noted from residents. It was confirmed that the City Council received documentation that was referred to.

**4. PUBLIC COMMENT - NONE**

**5. CONSENT AGENDA:**

*a) Review and possible action relating to the minutes of the March 7, 2023 regular City Council meeting (Ebbert, Clerk/Treasurer/Finance Director)*

- b) Review and possible action relating to the minutes of the March 7, 2023 License Committee meeting (Ebbert, Clerk/Treasurer/Finance Director)*
- c) Review and possible action relating to the minutes of the March 14, 2023 regular Plan Commission meeting (Ebbert, Clerk/Treasurer/Finance Director)*
- d) Review and possible action relating to building, plumbing, and electrical permit report for February 2023 (Draeger, Building Inspector/Zoning Administrator)*
- e) Review and possible action relating to the City Clerk-issued License and Permit Report for February 2023 (Ebbert, Clerk/Treasurer/Finance Director)*
- f) City Sewer, Water, and Stormwater Utility Financial Statements as of February 28, 2023 (Ebbert, Clerk/Treasurer/Finance Director)*

Cm. Becker moved, seconded by Cm. Johnson to approve the Consent Agenda as listed, items 5.a. through 5.f. Motion carried.

## **6. PETITIONS, REQUESTS, AND COMMUNICATIONS:**

- a) Presentation of Police Department Life Saving Awards to Officer Amelia Adsit, Officer Brett Dunkleberger and Telecommunicator Hannah Kleven (Bump, Police Chief)*

No action required.

- b) Review and possible action relating to proclamation recognizing Fort Atkinson as the Intersectional Peony City of Wisconsin (Lee, Museum Director)*

Cm. Hartwick moved, seconded by Cm. Johnson to approve the proclamation recognizing Fort Atkinson as the Intersectional Peony City of Wisconsin. Motion carried.

## **7. RESOLUTIONS AND ORDINANCES:**

- a) Review and possible action relating to a Resolution discontinuing a portion of N. Fourth Street between Armenia Street and McMillen Street, City of Fort Atkinson, Jefferson County, Wisconsin (RWD-2023-01) (Selle, City Engineer/Director of Public Works)*

Engineer Selle reviewed the process for discontinuance of a right of way as it is covered in state statute 66.1003. The statute indicates that proceedings to consider the discontinuance may be initiated by the City Council and the introduction of a resolution declaring that *it is in the public interest to consider the discontinuance*. This meeting was held on February 7, 2023 where the *draft* resolution was read and the process for consideration initiated. The City of Fort Atkinson is thus the applicant in the process. The Planning Commission heard this request at their meeting on February 28. The Plan Commission recommended the City Council approve the request by a 5-2 vote. Those dissenting asked to explore additional options that would not require the discontinuance of the right of way. Fort Healthcare has purchased single family homes in the area to allow for expansion, including the four residential lots abutting N 4<sup>th</sup> St. Rezoning of these four lots to *Institutional*, was approved by the Plan Commission and City Council in June and July of 2022, the first step in planning the parking lot expansion. These homes are planned to be relocated to accommodate the expansion. The concepts of the parking lots are noted below. A significant buffer is allowed to the north under the vacated Street, along with an additional 31 spaces. Without the vacation, this buffer is minimized as are the number of spaces.

Selle continued on the efforts made by Fort Healthcare and how they engaged affected landowners by issuing several letters, inviting each to meetings held on January 18 and February 1. City staff attended each meeting. Questions from residents were varied and included concerns related to property values, noise, water runoff, traffic patterns, light pollution, and aesthetics. The statute defines affected, abutting, parcel owners as those within 2,650 feet of the ends of the right of way to be considered for discontinuance. The map below outlines this area in blue. This represents 63 parcels, of which 7 are owned by Fort Healthcare. Should one third (21) of those parcel owners file a written objection to the discontinuance, the Council must pass the resolution with a 4/5 majority. If such objections are not received, the resolution may pass Council by a simple 3/5 majority. Letters will be accepted up until 7PM on March 21, 2023. The Council had received 19 letters from property owners that objected the vacation.

Cm. Hartwick asked Engineer Selle if McMillen Street is intending to be repaired. The area requires water main replacement and is anticipated to be repaired within the next five years.

Cm. Hartwick asked if the vacation is approved, when would the street be closed. Selle confirmed the goal of Fort Health Care is to have parking in the said area available by late November 2023.

Cm. Schultz asked if the vacation does not pass, would that limit the Fort Health Care in reapplying for the vacation. Selle confirmed they could reapply and there are no time restrictions or limitations as to when they could do so.

Cm. Becker moved, seconded by Cm. Hartwick to approve Resolution discontinuing a portion of N. Fourth Street between Armenia Street and McMillen Street, City of Fort Atkinson, Jefferson, County, Wisconsin. Motion carried 4-1 Schultz against.

*b) Review and possible action relating to a one-lot Certified Survey Map for the property located at 1310 and 1320 Campus Drive (Selle, City Engineer/Director of Public Works)*

Engineer Selle discussed agenda items b, c and d simultaneously. He began with the proposed Certified Survey Map that is planned to combine the two existing parcels into one to facilitate the proposed development. The Land Division and Development Code requires that the CSM be reviewed by the Plan Commission for consistency with all other ordinances, laws, rules, regulations, and plans. The CSM is needed because the City does not permit construction of new structures which cross property lines. The Zoning Ordinance has minimum and maximum density, intensity, and bulk regulations for all properties in the City. As further described below, the proposed CSM combines the two lots into one so that these standards can be met through the rezoning to MRH-30. Additionally, the proposed CSM includes dedication of public right-of-way along Banker Road.

Cm. Hartwick moved, seconded by Cm. Schultz to approve the Certified Survey Map for the property located at 1310 and 1320 Campus Drive. Motion carried.

*c) Review and possible action relating to a Planned Unit Development – General Development Plan (GDP) for the Tip of the Spear, LLC multi-family residential development proposed at 1310 and 1320 Campus Drive (Selle, City Engineer/Director of Public Works)*

Engineer Selle continued discussion on the Tip of the Spear GDP. At 1310-1320 Campus Drive which is currently zoned SR-2 Single-Family Residential. This zoning district allows for and is oriented to large-lot single-family homes and neighborhoods. However, both properties are shown on the City of Fort Atkinson's 2019 Comprehensive Plan Future Land Use Map as Planned Neighborhood because it was envisioned that this area would transition overtime to become an extension of residential neighborhoods served by public sewer and water.

Selle noted the proposed project's land uses, setbacks, and lot area will largely fit the MRH-30 zoning district and this is recommended for the Base Zoning (the template for the PUD). PUD zoning will allow the project several flexibilities to this Base Zoning, which are formally outlined below in the GDP.

Cm. Becker moved, seconded by Cm. Schultz to approve the Planned Unit Development – General Development Plan for the Tip of the Spear, LLC multi-family residential development proposed at 1310 and 1320 Campus Drive. Motion carried.

*d) First Reading of a proposed Ordinance to amend the Official Zoning Map of the City of Fort Atkinson, Wisconsin, for the property located at 1310 and 1320 Campus Drive from RS-2, Single-family Residential District, to PUD, Planned Unit Development District (Selle, City Engineer/Director of Public Works)*

Cm. Hartwick moved, seconded by Cm. Johnson to direct the City Manager to prepare this Ordinance for a second reading at the City Council meeting on April 6, 2023. Motion carried.

## **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 2022 Year-End Financial Information (LeMire, City Manager)*

Manager LeMire provided a summary of the year end 2022 financials and referenced property tax collection, general fund revenues and expenses that were 15% over or under the budgeted amount, summary of the City's General Fund balance and the requested carry overs from 2022 to 2023.

Cm. Hartwick moved, seconded by Cm. Johnson to approve the 2022 funds requested to be carried over to 2023 as listed in Table 5, for a total of \$308,152.06. Motion carried.

*b) Review and possible action relating to the purchase of a set of three doors and two exit bars for the Municipal Building (Franseen, Parks and Recreation Director)*

Director Franseen reviewed the building assessment performed in 2022 by Plunkett Raysich Architects (PRA). The facility assessment identified recommendations for maintenance and improvements necessary to continue operations. The assessment prioritized items to repair and/or replace at the Municipal Building. PRA recommended removal and replacement of the deteriorated hollow metal doors and door frames in the northwest corner of the gymnasium and the exit bars on the Main Street and Water Street entrances be replaced. The two entrances and exits requested are the main access points for all traffic at City Hall and are heavily used. The costs of \$13,200 will be covered through the Municipal Building CIP (levy-funded), and the remaining balance of \$900 will be covered through the Municipal Building Repairs budget.

Cm. Hartwick moved, seconded by Cm. Schultz to approve the proposal from Baker Glass for the purchase and installation of three doors and two exit bars for the Municipal Building for a total of \$14,100. Motion carried.

*c) Review and possible action relating to the purchase of a 2023 Ford F150 truck and Tommy Liftgate for the Parks and Recreation Department at a cost not to exceed \$41,518 (Franseen, Parks and Recreation Director)*

Director Franseen discussed that in 2022, a F-350 flatbed was approved for purchase with the 2022 borrowing in 2023. However, due to dealerships unable to get flatbeds for several years, staff is requesting to purchase a F-150 truck instead. The F-350 flatbed has been pushed to the 2026 Capital Improvements Program per the attached vehicle list. Griffin Ford also proposed a guaranteed trade in value of \$1,200 for the 2002 F-150 with the option for the City to attempt to sell it outright for more through the State of Wisconsin Surplus Auction Site. The net expense would be guaranteed at \$37,536. In addition to the truck, staff proposes to purchase a Tommy Gate Liftgate at a cost of \$3,982.00 from Northland Equipment. The Tommy Gate is an accessory that is on all trucks for safety. The Department budgeted \$50,000 through the 2022 borrowing for the F-350 flatbed replacement. Due to the inability to find a flatbed, staff is requesting to purchase the 2023 F-150 with the 2022 borrowed funds. The total cost for the truck and liftgate is \$41,518, which is \$7,282 less than the 2022 borrowed funds.

Cm. Becker moved, seconded by Cm. Johnson to approve the purchase of a 2023 Ford F150 truck and Tommy Liftgate for the Parks and Recreation Department at a cost not to exceed \$41,518. Motion carried.

*d) Review and possible action relating to Alcohol Beverage License application for Ameer Investment Inc. for the licensing period of March 22, 2023 to June 30, 2023 (Ebbert, Clerk/Treasurer/Finance Director)*

Clerk Ebbert presented the application submitted by Ameer Investment Inc for a "Class A" Liquor-Cider Only and Class "A" Fermented Malt Beverage license for use at 303 S. Main Street. This location is currently operated as Imart Store owned by Iys Ventures. Iys Ventures will remain as the owner of the property with it being managed by Ameer Investment Inc. A letter

of surrender contingency upon approval was submitted by Iys Ventures. The agent/on-site Manager will remain the same.

Cm. Becker moved, seconded by Cm. Schultz to approve the Alcohol Beverage License application for Ameer Investment Inc. for the licensing period of March 22, 2023 to June 30, 2023 subject to the conditions included in the staff recommendation. 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. Johnson to approve the Verified Claims as presented. Motion carried.

**13. ADJOURNMENT**

Cm. Hartwick moved, seconded by Cm. Johnson to adjourn. Meeting adjourned at 8:44 pm.

Respectfully submitted,

Michelle Ebbert  
City Clerk/Treasurer/Finance Director