



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, APRIL 18, 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 Clerk/Treasurer, City Engineer, City Attorney, Park & Recreation Director, Library Director, Wastewater Utility Superintendent, Building Inspector, Public Works Superintendent and Park & Recreation Maintenance Supervisor.

**3. PUBLIC HEARINGS – NONE**

**4. PUBLIC COMMENT:**

Courtney Majeres, 414 East Street – Spoke on the condition of the street on S. 3<sup>rd</sup> Street West between Maple Street and Grant Street.

Jodie Raddatz, 1245 Janette Street – She commented on the poor condition of some roads. She also spoke on the condition of a flag outside of the Municipal Building.

**5. CONSENT AGENDA:**

- a) Review and possible action relating to the minutes of the April 11, 2023 regular Plan Commission meeting (Ebbert, Clerk/Treasurer/Finance Director)*
- b) Review and possible action relating to building, plumbing, and electrical permit report for March 2023 (Draeger, Building Inspector)*
- c) Review and possible action relating to the City Clerk-issued License and Permit Report for March 2023 (Ebbert, Clerk/Treasurer/Finance Director)*
- d) City Sewer, Water, and Stormwater Utility Financial Statements as of March 31, 2023 (Ebbert, Clerk/Treasurer/Finance Director)*
- e) Review and possible action relating to Temporary “Class B” Retailer’s Licenses for the Rotary Club of Fort Atkinson event An Evening in the Garden June 29 (beer) and August 2 (wine) (Ebbert, Clerk/Treasurer/Finance Director)*
- f) Review and possible action relating to a Special Event: BSA Troop 333 Battle of Wisconsin Heights Overnight Outing at Fort Koshkonong at Rock River Park April 28, 2023 at 6 p.m. to April 29, 2023 at 10 a.m. (Ebbert, Clerk/Treasurer/Finance Director)*
- g) Review and possible action relating to a Special Event: Badgerland After School Enrichment Program Wings and Wheels Fly-in Breakfast, Fort Atkinson Municipal Airport, June 11, 2023, 8 a.m. to 12 p.m. (Ebbert, Clerk/Treasurer/Finance Director)*

- h) Review and possible action relating to a Special Event: Tour da Goose rest stop located at Mechanic St. parking lot and Glacial River Trail, Saturday, June 24, 2023, 8 a.m. to 2:30 p.m. (Ebbert, Clerk/Treasurer/Finance Director)*
- i) Review and possible action relating to a Special Event: Special Event: Badgerland After School Enrichment Program Duck Race & Day for Kids located at Lorman Bicentennial Park and Milwaukee Ave. W., Saturday, August 26, 2023, 11 a.m. to 2 p.m. (Ebbert, Clerk/Treasurer/Finance Director)*

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

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

- a) Review and possible action relating to proclamation recognizing National Library Week April 23-29, 2023 (Houseman, City Manager)*

Cm. Hartwick moved, seconded by Cm. Johnson to approve the proclamation recognizing National Library Week April 23-29, 2023. Motion carried.

- b) Review and possible action relating to proclamation recognizing the 54<sup>th</sup> Annual Professional Municipal Clerks Week (Houseman, City Manager)*

Cm. Becker moved, seconded by Cm. Johnson to approve the proclamation recognizing the 54<sup>th</sup> Annual Professional Municipal Clerks Week. Motion carried.

- c) Review and possible action relating to proclamation recognizing April as Fair Housing Month in the City of Fort Atkinson (Houseman, City Manager)*

Cm. Hartwick moved, seconded by Cm. Becker to approve the proclamation recognizing April as Fair Housing Month in the City of Fort Atkinson. Motion carried.

- d) Review and possible action relating to proclamation recognizing April 28, 2023 as Arbor Day in the City of Fort Atkinson (Williamson, Public Works Superintendent)*

Cm. Becker moved, seconded by Cm. Johnson to approve the proclamation recognizing April 28, 2023 as Arbor Day in the City of Fort Atkinson. Motion carried.

- e) Review and possible action relating to a proclamation recognizing Council President Christopher Scherer (Houseman, City Manager)*

Cm. Hartwick moved, seconded by Cm. Schultz to approve the proclamation recognizing Council President Christopher Scherer's service to the City of Fort Atkinson. Motion carried.

- f) Review and possible action relating to a proclamation recognizing Council Member Megan Hartwick (Houseman, City Manager)*

Cm. Schultz moved, seconded by Cm. Becker to approve the proclamation recognizing Council Member Megan Hartwick's service to the City of Fort Atkinson. Motion carried.

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

*a) Review and possible action relating to a Resolution authorizing the execution of a cost share grant from the Department of Natural Resources for the purpose of funding a multi-purpose shelter building at the Bark River Nature Park (Franseen, Parks and Recreation Director)*

Park & Recreation Director Franseen stated the City is eligible to apply for a grant from the Wisconsin Department of Natural Resources (DNR) through the Land and Water Conservation Fund (LWCF) for a project supported by the 2023-2028 Comprehensive Outdoor Recreation Plan (CORP), adopted by the City Council on February 7, 2023. The eligible grants require a 50% match. The DNR requires the City to pass a resolution authorizing the submission of the grant application to move forward with the grant application process. The resolution provides the DNR with an official approval of the project and the governing board's commitment of funding to complete the project. The proposed project, a storage/concession building at Haumerson's Pond (Bark River Nature Park), is supported by the CORP and the City's Comprehensive Plan. The building would measure approximately 26'x44', provide essential storage space for park operations, and offer a shelter overhang of approximately 16'x20' with a concessions window for skate rentals, event donations, and a proposed wood fire pizza oven.

Cm. Becker moved, seconded by Cm. Johnson to approve the resolution authorizing the execution of a cost share grant from the Department of Natural Resources for the purpose of funding a multi-purpose shelter building at the Bark River Nature Park. Motion carried.

## **8. REPORTS OF OFFICERS, BOARDS, AND COMMITTEES:**

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

No action required.

## **9. UNFINISHED BUSINESS**

*a) Review and possible action relating to proposals from consultants for the development of a Park Impact Fee Analysis (Franseen, Parks and Recreation Director)*

Park & Recreation Director Franseen referenced the City's first Comprehensive Outdoor Recreation Plan (CORP) in 2023, and SEH and Vandewalle & Associates (V&A) rewrote the Land Division and Development Ordinance (Chapter 70) in 2022. The CORP and Chapter 70 overlap in relation to the City's Park Development fees that are applied to new housing development. The CORP recommends revisions to section 70.04.04 in the Land Division and Development Ordinance to create Park Development impact fees. However, State Statutes require any municipality that imposes impact fees to have a sound basis of analysis to support the imposed fee. Thus, any modification to the City's existing Park Development fees requires supporting analysis. The City currently has a 'Park Development in Lieu of Land Dedication' fee for the purpose of purchasing parkland when developers are permitted to build new housing without dedicating land for parks. However, most municipalities have a "Fee in Lieu of Parkland Dedication" and a "Park Impact Fee." The park impact fees are used to fund the capital costs of parkland improvements (park amenities such as playgrounds, benches, etc.) in proportion to the increased demand on park facilities created by new households. In order to establish justification for the fees, as required by Wisconsin Statutes, staff sought proposals from consultants to perform the analysis. Staff received proposals from three consultants including Vandewalle & Associates, MSA, and Baker Tilly for the necessary work related to updating the

fees. Staff proposed to use \$5,800 from Contingency funds, along with the \$2,600 budgeted in the CIP, to complete the project.

Cm. Becker, moved, seconded by Cm. Johnson to approve the proposal from Vandewalle & Associates to serve as the Park Impact Fee Analysis consultant for a cost not to exceed \$8,400. Motion carried.

*b) Review and possible action relating to a three-lot Certified Survey Map for CBF Investments, LLC, for the property located at 1504 and 1530 Madison Avenue (Selle, Director of Public Works)* Engineer Selle presented the CSM provided by the property owner. The owner would like to redraw the current parcel boundaries creating a 3-Lot CSM, consisting of the current Goodwill Building, Fort Healthcare Building, and a vacant parking area to the west of the Goodwill parcel. The City required dedication of additional land on the end of Doris Dr and an easement for a private storm sewer line running immediately in front of the east side of the Goodwill building.

The Plan Commission recommended City Council approve this preliminary Certified Survey Map with the following conditions: A signed acknowledgement by the property owners affected by the closure of the Lexington Ave access; review of the final cross access agreement by the City Attorney and removal of the building setback lines on the CSM.

Cm. Hartwick moved, seconded by Cm. Johnson to approve the three-lot Certified Survey Map for CBF Investments, LLC, for the property located at 1504 and 1530 Madison Avenue subject to the conditions outlined in the staff report. Motion carried.

#### **10. 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 Verified Claims presented by the Director of Finance and authorize payment. Motion carried.

Cm. Hartwick submitted a formal letter of resignation from the City Council for the term that would begin April 18, 2023 following being elected on April 4, 2023.

#### **11. THE 2022-2023 CITY COUNCIL WILL ADJOURN – SINE DIE**

Cm. Becker moved, seconded by Cm. Johnson to adjourn sine die (pronounced “sin die” and simply means to adjourn without setting a date to reconvene). Motion carried.

NOTE: Chris Scherer and Megan Hartwick will step down from the dais and Kyle Jaeckel will sit down (taking Megan’s spot). The Council President’s seat will remain vacant.

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## **FIRST MEETING OF 2023-2024 COUNCIL**

### **12. THE CITY CLERK WILL ADMINISTER THE OATH OF OFFICE TO NEWLY ELECTED COUNCIL MEMBERS (EBBERT, CLERK/TREASURER/FINANCE DIRECTOR)**

Council Members Mason Becker and Kyle Jaeckel will take the ceremonial oath of office at this time.

No action required.

### **13. CALL TO ORDER THE FIRST MEETING OF THE 2023-2024 CITY COUNCIL (HOUSEMAN, CITY MANAGER)**

Manager Houseman called the first meeting of the 2023-2024 Fort Atkinson City Council to order.

### **14. ACKNOWLEDGEMENT OF RECEIPT OF RESIGNATION LETTER FROM COUNCIL MEMBER MEGAN HARTWICK (HOUSEMAN, CITY MANAGER)**

No action required.

### **15. ROLL CALL**

Present: Cm. Becker, Cm. Jaeckel, Cm. Johnson and Cm. Schultz. Also present: City Manager, City Clerk/Treasurer, City Engineer, City Attorney, Park & Recreation Director, Library Director, Wastewater Utility Superintendent, Building Inspector, Public Works Superintendent and Park & Recreation Maintenance Supervisor.

### **16. ELECTION OF THE PRESIDENT OF THE CITY COUNCIL FOR THE TERM OF APRIL 18, 2023 – APRIL 16, 2024 (HOUSEMAN, CITY MANAGER)**

City Manager will call for nominations from the Council for the President.

Cm. Becker nominated Cm. Johnson to the position of City Council President for the 2023-2024 year. Seconded by Cm. Schultz. Cm. Johnson accepted the nomination.

No other nominations were made.

### **17. REVIEW AND POSSIBLE CONFIRMATION OF THE CITY MANAGER'S APPOINTMENT OF ERIC SCHULTZ TO SERVE AS THE COUNCIL REPRESENTATIVE ON THE PLAN COMMISSION (HOUSEMAN, CITY MANAGER)**

Cm. Becker moved, seconded by Cm. Jaeckel to approve Eric Schultz to serve as the Council Representative on the Plan Commission for the 2023-2024 term. Motion carried.

### **18. REVIEW AND POSSIBLE ACTION TO DESIGNATE THE DAILY JEFFERSON COUNTY UNION AS THE OFFICIAL CITY NEWSPAPER FOR PURPOSES OF PUBLISHING REQUIRED LEGAL NOTICES (EBBERT, CLERK/TREASURER/FINANCE DIRECTOR)**

Cm. Schultz moved, seconded by Cm. Becker to designate the Daily Jefferson County Union as the Official City Newspaper for purposes of publishing required legal notices. Motion carried.

**19. REVIEW AND POSSIBLE ACTION RELATING TO A RESOLUTION AUTHORIZING THE VACANT CITY COUNCIL POSITION TO BE FILLED (HOUSEMAN, CITY MANAGER)**

Manager Houseman reviewed the resolution that establishes several options. Houseman continued with the options for filling the seat per Wis. Stats. §17.23(1) and (2):

- 1) Appoint a successor for the remainder of the term;
- 2) Appoint a successor for one-year (appointment through April 16, 2024) and add a one-year term for a City Council member for the April 2, 2024 Election;
- 3) Order a Special Election; or
- 4) Leave vacant for one year and add a one-year term for a City Council member for the April 2, 2024 Election.

Cm. Becker supported the resolution that appoints a successor for one-year and add a one-year term for a City Council member for the April 2, 2024 election. Cm. Jaeckel and President Johnson supported the resolution.

Cm. Jaeckel moved, seconded by Cm. Schultz to adopt the resolution authorizing the vacant City Council position to be filled by appointment then special election. Motion carried.

**20. NEW BUSINESS:**

*a) Review and possible action relating to the purchase of a lawn mower for the Wastewater Treatment Facility at a cost not to exceed \$13,883 (Christensen, Wastewater Superintendent)*  
Wastewater Utility Superintendent Christianson shared the 2023 Wastewater Utility Budget that contains \$17,000 for the purchase of a Zero-Turn lawn mower for use at the Wastewater Utility. This unit will replace the current 2013 Kubota. The existing 2013 Kubota front mower tractor will be retained and continue to be used for snow blowing and sweeping operations. Utility staff contacted several dealers in the area to solicit pricing for the 2023 Scag Turf Tiger 2 Model 842D and received three quotes.

Cm. Becker moved, seconded by Cm. Jaeckel to approve the purchase of a lawn mower for the Wastewater Treatment Facility from Mid-State Equipment at a cost not to exceed \$13,883. Motion carried.

*b) Review and possible action on the purchase of an ABI Force Laser Grading Machine and attachments for the Parks and Recreation Department at a cost not to exceed \$48,160 (Franseen, Parks and Recreation Director)*

Park & Recreation Director Franseen discussed the three parks with a total of six ballfields that are used over 130 days of the season by user groups and Parks and Recreation programming. The ball diamonds are currently maintained with the help of infield groomers, which are stationed at each park. Staff had budgeted to replace one infield groomer this year, but after evaluating the needs of the parks, staff is proposing to invest in an ABI Force instead. This machine will allow staff to perform the necessary tasks such as laser grading work; leveling, smoothing, and finishing ball diamonds; and maintain the safety of the playing field through the use of a dual slope laser transmitter.

Director Franseen addressed the increased use of the fields by various ages and grades of players where base distances are altered regularly. The use of this machine would allow Staff to level the fields regularly to meet league regulations.

Cm. Becker moved, seconded by Cm. Jaeckel to approve the purchase of an ABI Force Laser Grading Machine and attachments for the Parks and Recreation Department at a cost not to exceed \$48,160. Motion carried.

## **21. MISCELLANEOUS – NONE**

President Johnson thanked the Council for nominating him as President to serve the City.

## **22. ADJOURNMENT**

Cm. Becker moved, seconded by Cm. Schultz to adjourn. Meeting adjourned at 8:30 pm.

Respectfully submitted,  
Michelle Ebbert  
City Clerk/Treasurer/Finance Director