



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 17, 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 Engineer, City Attorney, City Clerk/Treasurer, Building Inspector, Chief Bump, Park & Recreation Director and Wastewater Superintendent.

3. PUBLIC HEARINGS - NONE

4. PUBLIC COMMENT - NONE

5. CONSENT AGENDA:

- a. *Review and possible action relating to the minutes of the January 3, 2023 regular City Council meeting (Ebbert, Clerk/Treasurer/Finance Director)*
- b. *Review and possible action relating to the minutes of the January 10, 2023 Finance Committee meeting (Ebbert, Clerk/Treasurer/Finance Director)*
- c. *Review and possible action relating to building, plumbing, and electrical permit report for December 2022 (Draeger, Building Inspector/Zoning Administrator)*
- d. *Review and possible action relating to the City Clerk-issued License and Permit Report for December 2022 (Ebbert, Clerk/Treasurer/Finance Director)*
- e. *City, Sewer, Water, and Stormwater Utility Financial Statements as of December 31, 2022 (Ebbert, Clerk/Treasurer/Finance Director)* This item was removed from the Consent Agenda.
- f. *Review and Possible action on a Special Event: Fort Atkinson Parks and Recreation's Adult Recess, Friday May 12 and Friday Sept. 8, 2023, 6-9 p.m. at Jones Park (Ebbert, Clerk/Treasurer/Finance Director)*
- g. *Review and Possible action on a Special Event: Candlelight Ski and Hike, Saturday, Feb. 4, 2023, 2-8 p.m. at Haumerson's Pond (Ebbert, Clerk/Treasurer/Finance Director)*

Cm. Schultz made a correction to the City Council minutes to revise a comment he made to state the following: 'Cm. Schultz suggested the Council put aside subjective or quantitative estimates from the applicants and focus on what message is being sent to business owners.'

Cm. Becker moved, seconded by Cm. Hartwick to remove Consent Agenda item *e. City, Sewer, Water, and Stormwater Utility Financial Statements as of December 31, 2022 (Ebbert, Clerk/Treasurer/Finance Director) upon staff request*. This item was removed from the Consent Agenda.

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

6. PETITIONS, REQUESTS, AND COMMUNICATIONS:

a. Presentation from Associated Appraisal relating to the proposed 2023 Interim Market Update

Justin Wiersma, Project Manager for Associated Appraisal presented the Interim Market Update (IMU) to the Council. An IMU will be done to bring property values up to 100% of market value as the City is currently at 70% of residential market value. The Assessors will be adjusting the model of assessments, performing maintenance work, following up on property splits and new construction. Associated will be hosting Open Book and the Board of Review during the summer with dates yet to be scheduled. Every attempt will be made to allow property owners an opportunity to discuss their assessment with a Project Manager. Every parcel that has a change in value will receive a notice that includes the open book and board of review schedules.

No action required.

b. Review and possible action relating to an Interim Market Update by Associated Appraisal (Ebbert, Clerk/Treasurer/Finance Director)

Clerk Ebbert discussed that the City of Fort Atkinson has not been in compliance with State Statutes relating to assessment ration since 2019. If a municipality is out of compliance for five years in a row, the State will perform a revaluation at the municipality's expense. In order to avoid that, City staff has requested that the contracted assessor, Associated Appraisal Consultants, provide the City with options to return to compliance. Because the City last performed a full revaluation in 2017, Associated Appraisal recommended the option for an Interim Market Update (IMU). The IMU meets the State requirements for compliance without the intensity and expense of a full revaluation. This update will be performed with an end goal of recalibrating the assessed values of the properties within the City and being compliant with State Statutes. This process is critically important in maintaining equity between and among all taxpayers.

Cm. Becker moved, seconded by Cm. Schultz to approve the Interim Market Update by Associated Appraisal for a budgeted cost of \$35,000. Motion carried.

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 moving the date of the City Council meeting on February 21 to February 23 and on April 4 to April 6 due to elections (Ebbert, Clerk/Treasurer/Finance Director)*

Cm. Hartwick moved, seconded by Cm. Becker to approve moving the date of the City Council meeting on February 21 to February 23 and the meeting on April 4 to April 6 due to elections. Motion carried.

- b. Review and possible action relating to the purchase of Portable Radios from the 2023 CIP at a cost of not more than \$11,925.76 (Bump, Chief of Police)*

Chief Bump discussed how the Police Department is set to replace six (6) portable radios in 2023. Funds were established in the 2023 Budget in the levy-supported Capital Improvements Project budget in the amount of \$13,000.00. The six handheld/portable radios will supply officers with portable radios that comply with communication platform upgrades at the County level. These are the final 6 radios needed to equip the agency.

Cm. Hartwick moved, seconded by Cm. Johnson I move to authorize the purchase of Portable Radios from General Communications through the 2023 CIP at a cost of not to exceed \$11,925.76 for the Police Department. Motion carried.

- c. Review and possible action relating to the State/Municipal Agreement for the resurface and repair of South Main Street (Selle, City Engineer/Public Works Director)*

Engineer Selle began that staff had applied for and received WisDOT grants, through the Bipartisan Infrastructure Law (BIL) for roadway improvements in the City. Grants to resurface South Main Street from Rockwell Avenue to Whitewater Avenue, and Commonwealth Drive from Lexington Blvd to Montclair Blvd were awarded. City Staff proposed complete resurfacing of the roadway and spot repair to the curb and gutter for each of these sections of roadway.

Cm. Becker moved, seconded by Cm. Schultz to approve the State/Municipal Agreement for the resurface and repair of S. Main St. and authorize staff to execute the agreement. Motion carried.

- d. Review and possible action relating to the State/Municipal Agreement for the resurface and repair of Commonwealth Dr. (Selle, City Engineer/Public Works Director)*

Cm. Hartwick moved, seconded by Cm. Johnson to approve the State/Municipal Agreement for the resurface and repair of Commonwealth Dr. and authorize staff to execute the agreement. Motion carried.

- e. Review and possible action related to the purchase of replacement Front End Loader at the Wastewater Utility at a cost of \$160,455 (Christensen, Wastewater Superintendent)*

Superintendent Christensen presented the 2023 Utility Budget that includes \$175,000 in the CIP for the purchase of a Front End Loader to replace the current Michigan/Volvo L70 that was purchased in 1992. Many parts are no longer available for the 30+ year old loader making repairs difficult. The Front End Loader is used year-round for biosolids handling including loading of the field application truck, moving and stacking biosolids in the storage building, and for snow removal in and around the plant grounds. The current loader will be traded in with a credit towards the purchase of it's replacement.

Cm. Becker moved, seconded by Cm. Johnson to authorize the purchase of a replacement Font End Loader from Aring Equipment for the Wastewater Utility at a cost not to exceed \$160,455, including the trade-in of the current 1992 Michigan L70 loader. Motion carried.

f. Review and possible action related to the purchase of emergency replacement of Digester Blower #3 Variable Frequency Drive for the Wastewater Utility (Christensen, Wastewater Superintendent)

Superintendent Christensen reviewed the failure of the electric motor for aerobic digester blower #3 in December. The aerobic digesters use compressed air as an oxygen source to support biological activity in the process. Air is supplied by a positive displacement blower. Each of the three blowers is powered by a 150 HP, 3600 RPM, 2 pole, 460V electric motor. A replacement motor was needed immediately and investigated upon failure. Because of the specialty nature of this motor staff found that the manufacturer of the blower had the only in-stock availability. A purchase order was issued to Aerzen USA at a cost of \$16,072.81. Although no other motors were found in-stock with other suppliers, the cost to order would have been only slightly less, with a six month delivery.

Cm. Hartwick moved, seconded by Cm. Johnson to authorize the purchase of the Digester Blower #3 Variable Frequency Drive for the Wastewater Utility from L.W. Allen/Altronex for \$24,380 to be paid for using the Wastewater Utility Replacement Expense account. Motion carried.

g. Review and possible action related to the emergency purchase of Aerobic Digester Blower #3 Motor Replacement (Christensen, Wastewater Superintendent)

Cm. Becker moved, seconded by Cm. Schultz to authorize the purchase of the Aerobic Digester Blower #3 Motor Replacement from Aerzen USA for #16,072.81 to be paid for using the Wastewater Utility Replacement Expense account. 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. Schultz to approve the Verified Claims as presented. Motion carried on a roll call vote.

13. THE CITY COUNCIL MAY CONSIDER A MOTION TO CONVENE IN CLOSED SESSION PURSUANT TO STATE STAT. §19.85(1)(E) TO CONDUCT OTHER SPECIFIED PUBLIC BUSINESS WHERE COMPETITIVE REASONS REQUIRE A CLOSED SESSION [TO NEGOTIATE AN AMENDMENT TO THE PURCHASE AND SALE AGREEMENT WITH 2L LOEB LLC]

Cm. Becker moved, seconded by Cm. Hartwick to adjourn into closed session pursuant to State Stat. §19.85(1)(e) to conduct other specified public business where competitive reasons require a closed session for the following reasons: to negotiate an amendment to the Purchase and Sale Agreement with 2L Loeb LLC; to review elements of a Development Agreement with Tip of the Spear LLC; to review elements of a Development Agreement with Hoffman Development Group/Cedarprise; and review elements of a Development Agreement with Fort HealthCare. Motion carried.

14. THE CITY COUNCIL MAY CONTINUE IN CLOSED SESSION PURSUANT TO STATE STAT. §19.85(1)(E) TO CONDUCT OTHER SPECIFIED PUBLIC BUSINESS WHERE COMPETITIVE REASONS REQUIRE A CLOSED SESSION [TO REVIEW ELEMENTS OF A DEVELOPMENT AGREEMENT WITH TIP OF THE SPEAR LLC]

15. THE CITY COUNCIL MAY CONTINUE IN CLOSED SESSION PURSUANT TO STATE STAT. §19.85(1)(E) TO CONDUCT OTHER SPECIFIED PUBLIC BUSINESS WHERE COMPETITIVE REASONS REQUIRE A CLOSED SESSION [TO REVIEW ELEMENTS OF A DEVELOPMENT AGREEMENT WITH HOFFMAN DEVELOPMENT GROUP/CEDARPRISE]

16. THE CITY COUNCIL MAY CONTINUE IN CLOSED SESSION PURSUANT TO STATE STAT. §19.85(1)(E) TO CONDUCT OTHER SPECIFIED PUBLIC BUSINESS WHERE COMPETITIVE REASONS REQUIRE A CLOSED SESSION [TO REVIEW ELEMENTS OF A DEVELOPMENT AGREEMENT WITH FORT HEALTHCARE]

17. ADJOURNMENT

Cm. Hartwick moved, seconded by Cm. Becker to adjourn. Meeting adjourned at 9:42 pm.

Respectfully submitted,
Michelle Ebbert
City Clerk/Treasurer