



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

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**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. Lescohier, Cm. Schultz and President Johnson. Also present: City Manager, City Clerk/Treasurer, City Engineer, City Attorney, Public Works Superintendent, Museum Director, Park & Recreation Director and Police Chief.

**3. PUBLIC HEARINGS:**

- a) *Public Hearing relating to the City of Fort Atkinson 2024 Operating Budget, 2024 Capital Improvements Budget; and the 2024-2029 Capital Improvements Plan (Houseman, City Manager)*

Manager Houseman presented the 2024 Operating Budget, 2024 Capital Improvements Budget and CIP plan.

Council President opened the public hearing at 7:23 pm.

Ron Martin, 409 Nadig Drive, questioned additional shared revenue, he asked if there is a policy for how the funds will be allocated. He referenced the proposed borrowing for 2024 and asked about potential high interest rates, is borrowing feasible at this time. He commented the budget is set to increase again next year, was inflation and higher taxes taking into consideration.

Cm. Jaeckel appreciated the repair of the municipal building roof to be placed in the 2024 budget as a priority.

Cm. Lescohier inquired on the City's assessment ratio at 97% versus 100% after the Interim Market Update. Manager Houseman discussed the process and properties assessed by the State.

Cm. Becker referenced the debt policy and how the borrowing for 2024 aligns with our borrowing capacity. Manager Houseman discussed our percentages and that our financial advisors, Baird will be present in December to discuss our borrowing for 2024 and beyond.

President Johnson confirmed data provided in regard to the Interim Market Update displays a modest tax increase of starting at \$80 per year. Manager Houseman did provide three examples of properties assessment prior and post the IMU with the tax impact based on the City's budget.

Cm. Schultz confirmed that any borrowing done by the City has the ability to refinance when interest rates decrease or a savings can be found.

Council President closed the public hearing at 7:38 pm.

No action required.

**4. PUBLIC COMMENT:**

Elliott Larson, 415 McMillan Street – he spoke on the street construction on Florence and McMillan Street. He stated there is traffic driving on streets under construction that are posted as closed. He is seeking police patrol. He also asked about the stormwater drainage near 430 Wilcox Street which will be addressed later on the Council Agenda.

**5. CONSENT AGENDA:**

- a) *Review and possible action relating to the minutes of the October 16, 2023 Police and Fire Commission meeting (Ebbert, Clerk/Treasurer/Finance Director)*
- b) *Review and possible action relating to the minutes of the October 17, 2023 License Committee meeting (Ebbert, Clerk/Treasurer/Finance Director)*
- c) *Review and possible action relating to the minutes of the October 17, 2023 regular Fort Atkinson City Council meeting (Ebbert, Clerk/Treasurer/Finance Director)*
- d) *Review and possible action relating to the minutes of the October 24, 2023 regular Plan Commission meeting (Ebbert, Clerk/Treasurer/Finance Director)*
- e) *Review and possible action relating to Special Event: Fort Atkinson Drift Skippers Snowmobile Club request to use snowmobile trails through the Klement Business Park for the 2023-2024 season (Ebbert, Clerk/Treasurer/Finance Director)*
- f) *Review and possible action relating to Special Event: Frosty Rock Challenge 5K on Saturday, Nov. 11, 2023 at the Fort Atkinson High School with a 5K route through neighboring streets and 12K route on Banker Road to Dorothy Carnes from 7 a.m. to 11 a.m. (Ebbert, Clerk/Treasurer/Finance Director)*

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

**6. PETITIONS, REQUESTS, AND COMMUNICATIONS: – NONE**

**7. RESOLUTIONS AND ORDINANCES:**

- a) *Third Reading of Substitute Amendment #1, an Ordinance amending Section 94-151 of the City of Fort Atkinson Municipal Code relating to the use of All-Terrain Vehicles (ATVs) on City Streets (Houseman, City Manager)*

Manager Houseman discussed the history of the ordinance to date. The Ordinance Committee discussed amending the City's ordinances relating to ATV/UTV use on City streets on July 6<sup>th</sup>. The full City Council held workshops on August 15<sup>th</sup> and September 18<sup>th</sup> where the matter was discussed further. The Council performed the first reading of the draft ordinance allowing ATVs and UTVs to drive on City streets on October 3, 2023, and voted to amend the ordinance to include a windshield as a permitted form of eye protection. The second reading was performed at October 17, 2023. Staff does not support changing the City's ordinances to allow for ATV use in the City due to the safety and enforcement concerns, as well as the lack of consistent regulatory direction from the State of Wisconsin. Staff recommends that the City Council delay any decisions relating to ATV use within the City until such time that the State provides additional direction relating to the applicability of state motor vehicle laws to ATVs.

Cm. Schultz moved, seconded by Cm. Jaeckel to adopt the Ordinance to amend Section 94-151 of the City of Fort Atkinson Municipal Code relating to the use of All Terrain Vehicles (ATVs) on City Streets with an effective date of April 8, 2024. Motion carried, Lescohier opposed.

*b) Third reading of an Ordinance to amend Sections 70.04.03 and 70.04.04 of the City of Fort Atkinson Land Division and Development Ordinance relating to Updating and Enacting New Park Impact Fees (Franseen, Director of Parks and Recreation)*

Director Franseen discussed the action taken by Council that included a public hearing and first reading of the proposed amendments to Sections 70.04.03 and 70.04.04 of the City of Fort Atkinson Land Division and Development Ordinance relating to updating and enacting new park impact fees on October 3, 2023. A second reading of the ordinance was completed October 17, 2023.

Cm. Becker moved, seconded by Cm. Lescohier to adopt the Ordinance to amend Sections 70.04.03 and 70.04.04 of the City of Fort Atkinson Land Division and Development Ordinance relating to Updating and Enacting New Park Impact Fees with an effective date of January 1, 2024. Motion carried unanimously.

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

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

No action required.

**9. UNFINISHED BUSINESS – NONE**

**10. NEW BUSINESS:**

*a) Review and possible action relating to an Extra-Territorial Certified Survey Map for the property located at W6770 Pond Road (Selle, Director of Public Works)*

Engineer Selle introduced the request from the property owner, who would like to break off a parcel from the parent parcel. This is within the 3-mile extra-territorial area of the City of Fort Atkinson, about 1.4 miles from the City boundary.

Cm. Jaeckel moved, seconded by Cm. Becker to approve the Extra-Territorial Certified Survey Map for the property located at W6770 Pond Road. Motion carried unanimously.

*b) Review and possible action relating to Original Alcohol Beverage License application for the licensing period of November 8, 2023 to June 30, 2024 for Family Dollar located at 1517 Madison Avenue Ste. A (Ebbert, Clerk/Treasurer/Finance Director)*

Clerk/Treasurer Ebbert presented the submission from Family Dollar Stores of Wisconsin, LLC as they operate Family Dollar #26250 at 1517 Madison Avenue Ste A. They have applied for a Class "A" Fermented Malt Beverage license to sell products at their location. A copy of the current lease was submitted and a successful background was completed on the Agent. Properly submitted was the Original License application, Scheduled for Appointment of Agent, Supplemental Questionnaires, proof of Wisconsin Seller's Identification and Federal Identification Number. This location also holds a Cigarette and Tobacco Products License.

Cm. Becker moved, seconded by Cm. Schultz to approve the Class "A" Fermented Malt Beverage Alcohol Beverage License application for the licensing period of November 8, 2023 to June 30, 2024

for Family Dollar #26250 located at 1517 Madison Avenue Ste. A contingent upon all monies owed are paid prior to license issuance by the City Clerk. Motion carried unanimously.

- c) *Review and possible action relating to Original Alcohol Beverage License and Cigarette and Tobacco License application for the licensing period of November 8, 2023 to June 30, 2024 for The Langholf located at 225 Main St. (Ebbert, Clerk/Treasurer/Finance Director)*

Clerk/Treasurer Ebbert reviewed the prior license held by Big Bluestem Properties, LLC whom owned and operated Big Bluestem Market Collective on Main at 225-227 S. Main Street. September 2023, they sold the property to The Sweet Spot Coffee Shop LLC. The Sweet Spot Coffee Shop is looking to operate at 225 S Main Street as The Langholf. Big Bluestem submitted a letter confirming they would surrender their license upon License Committee and Council approval. A successful background check was performed with all required documentation submitted.

Cm. Schultz moved, seconded by Cm. Lescohier to approve the "Class B" Intoxicating Liquor and Class "B" Fermented Malt Beverage Alcohol License application for the licensing period of November 8, 2023 to June 30, 2024 for The Sweet Spot Coffee Shop, LLC dba The Langholf located at 225 S. Main Street contingent upon all monies owed are paid prior to license issuance by the City Clerk. Motion carried unanimously.

- d) *Review and possible action relating to the 2024 Small Animal Collection Contract with the Humane Society of Jefferson County (Ebbert, Clerk/Treasurer/Finance Director)*

Clerk/Treasurer Ebbert presented the annual contract with HSJC. The Humane Society has served our community by furnishing and maintaining facilities and equipment adequate for the housing, shelter and care of all dogs and cats unlawfully at large or surrendered to the shelter. The shelter will continue to provide current pickup and drop-off service for stray animals to residents and law enforcement during regular business hours and will be able to pickup animals collected overnight after the shelter opens for regular business hours as well.

Cm. Lescohier moved, seconded by Cm. Becker to approve the 2024 Small Animal Collection Contract with the Humane Society of Jefferson County. Motion carried unanimously.

- e) *Review and possible action to authorize the City Manager to enter into a contract for Stormwater Improvements at 430 Wilcox and Armenia Street (Selle, Director of Public Works)*

Engineer Selle provided that the City has been in communication with the management entity at 430 Wilcox St. This parcel includes a stormwater infiltration area in the rear yard that has been the source of complaints in the past over lack of maintenance. The parcel owner has addressed the inspection efforts required and will be moving ahead with some maintenance issues. The City has agreed to replace the section of pipe that accepts our drainage from the end of Armenia St. The project needs to move forward at this time, although unbudgeted, because the storm infrastructure on Wilcox has been improved with this year's project anticipating this new connection. The healthcare organization that operates the facility has agreed to provide a permanent easement for the work and further have completed their investigation into their side of the ownership of the drainage network. All of this has been borne out of a commitment to adjacent residents seeking a solution to this problem which came to the forefront during the public process of vacating N 4<sup>th</sup> St to the south.

Cm. Becker moved, seconded by Cm. Schultz to authorize the City Manager to enter into a contract with Walton Excavating in an amount not to exceed \$20,000 for Stormwater Improvements at 430 Wilcox and Armenia Street. Motion carried unanimously.

*f) Review and possible action relating to emergency water main replacement on Nelson Street  
(Selle, Director of Public Works)*

Engineer Selle discussed the 2" water main in Nelson Street and how it has experienced 3 breaks within the past several months. Breaks that are this close together in time are concerning and taken as an indication that the deterioration of the pipe has reached a point that replacement cannot wait. A similar situation occurred several years ago on Elsie St where the City declared an emergency and replaced the main in late fall. The project will extend around to Frederick St and Messmer St for a tie in. It is hopeful that balance of the 2" main in Nelson continuing south can be replaced next year. Under the emergency declaration traditional public bidding rules are suspended. In addition, the WDNR offers an expedited review process to permit the installation. The current contractor working on the main replacement at Florence and Wilcox will honor the same public bid prices from that project on this one. Staff authorized them to begin work Monday ahead of the official Council approval given the season and potential for significant weather and temperature changes. The new water main will need to be laid in nearly the same location as the existing main on Nelson St in order to avoid conflicts with gas and sewer in the narrow right of way. This will require the water department to provide temporary water to homes along the route for the duration of the project. This temporary water is placed above ground and highly susceptible to freezing temperatures.

Cm. Lescohier moved, seconded by Cm. Jaeckel to approve the emergency water main replacement work on Nelson Street for \$237,680 with Forest Construction. Motion carried unanimously.

**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 unanimously.

**13. ADJOURNMENT**

Cm. Jaeckel moved, seconded by Cm. Becker to adjourn. Meeting adjourned at 8:17 pm.

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