



**AGENDA  
CITY COUNCIL MEETING  
MUNICIPAL BUILDING COUNCIL CHAMBERS  
101 N. MAIN STREET, FORT ATKINSON, WISCONSIN  
APRIL 16, 2019 ~ 7:00 P.M.**

1. Call meeting to order.
2. Roll call.
3. Approval of minutes of April 4, 2019 regular Council meeting.
4. Public Hearings  
  
None.
5. Public Comment
6. Petitions, Requests and Communications
  - a. Notification from Arbor Day Foundation of Tree City USA Award for 2018.  
  
Action – Accept.
  - b. Request to proclaim April 26, 2019 as Arbor Day in the City of Fort Atkinson.  
  
Action – Reject—Approve.
  - c. Request by Fort Atkinson Generals to hold Baseball Fest at Jones Park on June 13-16, 2019.  
  
Action – Reject—Approve.
  - d. Request by Brock’s Riverwalk to use public space on South Water Street East on May 11, 2019 for outdoor event and for change to alcohol license premise description.  
  
Action – Reject—Approve.

7. Resolutions and Ordinances

- a. Ordinance amending parking restriction on the north side of West Sherman Avenue west of North Main Street to two-hour parking from 9:00 a.m. to 8:00 p.m. Sunday through Saturday.

Action – Reject—Approve; A—Move to third reading; or B—Move through third reading and adopt Ordinance.

- b. Ordinance designating one parking stall in front of Municipal Building for taxi cab stand.

Action – Reject—Approve; A—Move to third reading; or B—Move through third reading and adopt Ordinance.

8. Reports of Officers, Boards and Committees

- a. Building, Plumbing and Electrical Permit Report for March, 2019.

Action – Accept and file.

- b. Minutes of Plan Commission meeting held April 9, 2019.

Action – Accept and file.

- c. Minutes of Ordinance Committee meeting held April 10, 2019.

Action – Accept and file.

9. Unfinished Business

- a. Recommendation from Plan Commission to approve Preliminary Certified Survey Map creating a 2.8 acre parcel at W5273 Highway 106 (extra-territorial).

Action – Reject—Approve.

9. Unfinished Business (Continued)

- b. Recommendation from Ordinance Committee to approve Ordinance pertaining to curbside pick-up of alcohol beverages.

Action – Reject—Approve; A—Move to second reading; or B—Move through second and third readings and move to adopt Ordinance.

12. Claims, Appropriations and Contract Payments

- a. Verified claims.

Action – Motion to approve list of verified claims presented by the Director of Finance and to authorize payment.

Motion to Adjourn – Sine Die

The City Clerk will administer the oath of office to newly elected Council members.

Roll call.

Ballot for President of the Council – new President takes chair.

Ballot for President Pro Tem.

Selection of Council member on Plan Commission.

Designation of official City newspaper.

10. New Business

- a. Review and approve 2018 Annual Report on Recycling Program and authorize signature by proper officials.

Action – Reject—Approve.

- b. Request by Beautification Council to place murals on Water Utility building on North Water Street West and on top of reservoir at Jones Park.

Action – Reject—Approve designs and placement on Water Utility facilities.

10. New Business (Continued)

- c. Review and approve contract for design services for upgrades at Wastewater Treatment Plant as budgeted.

Action – Reject—Approve.

- d. Review and approve quote for replacement of biological phosphorus zone mixers at Wastewater Treatment Plant as budgeted.

Action – Reject—Approve.

11. Miscellaneous

- a. Granting operator licenses.

Action – Reject—Approve licenses.

- b. Move into closed session after Council meeting pursuant to Section 19.85(1)(e), Wisconsin Statutes, to consider purchase of public property.

Action – Move into closed session - Council will not reconvene into open session.

13. Adjournment

If you have special needs or circumstances which may make communication or accessibility difficult at the meeting, please call (920) 563-7760. Accommodations will, to the fullest extent possible, be made available on request by a person with a disability.

**CITY OF FORT ATKINSON**  
**City Council Minutes ~ April 4, 2019**

CALL MEETING TO ORDER.

Pres. Becker called the meeting to order at 7:00 pm.

ROLL CALL.

Present: Cm. Kotz, Cm. Johnson, Cm. Lescohier, Cm. Hartwick and Pres. Becker. Also present: City Manager, City Attorney, City Clerk/Treasurer and City Engineer.

APPROVAL OF MINUTES OF MARCH 19, 2019 REGULAR COUNCIL MEETING.

Cm Hartwick moved, seconded by Cm Johnson to approve the minutes of the March 19, 2019 regular council meeting. Motion carried.

PUBLIC HEARINGS

None.

PUBLIC COMMENT

None.

PETITIONS, REQUESTS AND COMMUNICATIONS

a. *Request by Chamber of Commerce to hold Farmers Market in parking lot across from Post Office on Saturdays from May to October, and to close South Water Street East on six occasions for special events.*

Representatives from the Chamber of Commerce were present to discuss their annual requests. No concerns were provided by Departments.

Cm. Lescohier moved, seconded by Cm. Johnson to approve the request by Chamber of Commerce to hold the Farmers Market in the parking lot across from the Post Office on Saturdays from May to October, and to close South Water Street East on six occasions for special events. Motion carried.

b. *Request to close a portion of Purdy Street on Saturday, June 1, 2019 for American Legion Fishing Derby.*

Manager Trebatoski presented the annual request. The event will be held similar to past years with no changes. No concerns were presented by Departments.

Cm. Hartwick moved, seconded by Cm. Johnson to approve the request to close a portion of Purdy Street on Saturday, June 1, 2019 for American Legion Fishing Derby. Motion carried.

RESOLUTIONS AND ORDINANCES

a. *Ordinance amending zoning of 124 West Milwaukee Avenue (Fire Department) and 101 South Water Street West (Police Department) from C-3 to C-5.*

Manager Trebatoski stated this is the third and final reading. No comments or concerns were presented.

Cm. Kotz moved, seconded by Cm. Johnson to approve and adopt the Ordinance amending zoning of 124 West Milwaukee Avenue (Fire Department) and 101 South Water Street West (Police Department) from C-3 to C-5. Motion carried on a roll call vote.

b. *Resolution proclaiming May 4, 2019 as World Migratory Bird Day in the City of Fort Atkinson.*

Dan Schneider, N1055 Cold Spring Road, and Yoyi Steele, 82 Lucile Street, spoke in support of the Resolution and thanked the City for its efforts.

Cm. Hartwick moved, seconded by Cm. Johnson to approve the Resolution proclaiming May 4, 2019 as World Migratory Bird Day in the City of Fort Atkinson. Motion carried on a roll call vote.

c. *Resolution to update Wisconsin Public Employer's Group Health Insurance Program.*

Clerk Ebbert discussed the necessary Resolution following updates at the Department of Employee Trust Funds. This does not change anything with health insurance as this is improving manuals, bulletins and guide sheets.

Cm. Lescohier moved, seconded by Cm. Hartwick to approve the Resolution to update Wisconsin Public Employer's Group Health Insurance Program. Motion carried on a roll call vote.

#### REPORTS OF OFFICERS, BOARDS AND COMMITTEES

a. *Minutes of Historic Preservation Commission meeting held January 14, 2019.*

b. *Minutes of Transportation and Traffic Review Committee meeting held March 14, 2019.*

c. *Minutes of Joint City Council / Plan Commission meeting held March 19, 2019.*

d. *Minutes of Historical Society Board meeting held February 21, 2019.*

e. *Minutes of Finance Committee meeting held March 27, 2019.*

Cm. Kotz moved, seconded by Cm. Hartwick to accept and file the Reports of Officers, Boards and Committees. Motion carried.

#### UNFINISHED BUSINESS

a. *Recommendation from Transportation and Traffic Review Committee to amend parking restrictions on the north side of West Sherman Avenue west of North Main Street to two-hour parking from 9:00 a.m. to 8:00 p.m. Sundays through Saturdays, and Ordinance.*

Engineer Selle introduced the recommendation and addressed concerns. Discussion on parking stalls in the downtown area and hour restrictions.

Cm. Hartwick moved, seconded by Cm. Lescohier to approve the recommendation from Transportation and Traffic Review Committee to amend parking restrictions on the north side of West Sherman Avenue west of North Main Street to two-hour parking from 9:00 a.m. to 8:00 p.m. Sundays through Saturdays, and Ordinance. Motion carried.

b. *Recommendation from Transportation and Traffic Review Committee to designate one parking stall in front of the Municipal Building for taxi cab stand, and Ordinance.*

Engineer Selle reviewed the discussion that brought the recommendation for the designated stall.

Cm. Hartwick moved, seconded by Cm. Johnson to approve the recommendation from Transportation and Traffic Review Committee to designate one parking stall in front of the Municipal Building for taxi cab stand, and Ordinance. Motion carried.

c. *Recommendation from Transportation and Traffic Review Committee to approve five locations for pedestrian activated crosswalks.*

Engineer Selle reviewed the locations for additional crosswalks.

Cm. Lescohier moved, seconded by Cm. Johnson to approve the recommendation from Transportation and Traffic Review Committee to approve five locations for pedestrian activated crosswalks. Motion carried.

d. *Recommendation from Finance Committee to return Revolving Loan Fund (RLF) cash on hand to Department of Administration (DOA) and buyout the receivables to establish a new City loan program to comply with DOA RLF closeout program.*

Manager Trebatoski discussed the closeout of the RLF program and the recommendation from the Finance Committee to buyout receivables.

Cm. Lescohier moved, seconded by Cm. Johnson to approve the recommendation from Finance Committee to return Revolving Loan Fund (RLF) cash on hand to Department of Administration (DOA) and buyout the receivables to establish a new City loan program to comply with DOA RLF closeout program. Motion carried on a roll call vote.

e. *Recommendation from Finance Committee to focus on blight properties and then low to moderate income benefit in determining projects to apply for grant under RLF closeout program.*

Manager Trebatoski continued discussion on the loan program closeout that will allow application to the DOA for grant funding available as a result of the closeout. Trebatoski discussed the criteria that is to be of focus when applying for the funds. Council discussed areas to research for potential projects.

Cm. Kotz moved, seconded by Cm. Johnson to approve the recommendation from Finance Committee to focus on blight properties and then low to moderate income benefit in determining projects to apply for grant under RLF closeout program. Motion carried.

#### NEW BUSINESS

None.

#### MISCELLANEOUS

a. *Granting operator licenses.*

Cm. Hartwick moved, seconded by Cm. Johnson to approve the granting of operator licenses. Motion carried.

#### CLAIMS, APPROPRIATIONS AND CONTRACT PAYMENTS

a. *Verified claims.*

Cm. Lescohier moved, seconded by Cm. Johnson to approve the list of verified claims submitted by the Director of Finance and authorize payment. Motion carried on a roll call vote.

ADJOURNMENT

Cm. Kotz moved, seconded by Cm. Hartwick to adjourn the meeting. Meeting adjourned at 7:49 pm.

Respectfully submitted,  
Michelle Ebbert  
City Clerk/Treasurer





6-a

**CITY OF FORT ATKINSON, Fort Atkinson, WI, 53538**

**Date:** April 5, 2019

**TO:** City Council  
**FROM:** Kent Smith, Supt. of Public Works  
**SUBJECT:** Tree City USA

**Background:**

The Arbor Day Foundation has for the past 27 years, awarded the City of Fort Atkinson the designation of a Tree City USA.

**Discussion:**

The City achieved Tree City USA recognition by meeting the program's four requirements: a tree board or department, a tree-care ordinance, an annual community forestry budget of at least \$2 per capita and an Arbor Day observance and proclamation.

Trees provide multiple benefits to a community when properly planted and maintained. They help to improve the visual appeal of a neighborhood, increase property values, reduce home cooling costs, remove air pollutants and provide wildlife habitat, among many other benefits.

Olivia Witthun, the City's DNR Urban Forester will be presenting the Tree City USA award at the Council meeting.

**Financial Analysis:**

None.

**Staff Recommendation:**

Staff recommends the Tree City USA awarded be accepted.

1 of 1



6-b

**CITY OF FORT ATKINSON, Fort Atkinson, WI, 53538**

**Date:** April 5, 2019

**TO:** City Council  
**FROM:** Kent Smith, Supt. of Public Works  
**SUBJECT:** Arbor Day Proclamation

**Background:**

A condition for the City to be named as a Tree City USA is that each year we must proclaim and observe Arbor Day in the City of Fort Atkinson.

**Discussion:**

The City approves this proclamation and observance annually. Trees are found to be a source of beauty, enhance the economic vitality of business areas and increase property values.

The City has a tree-planting program in place and plans to continue with that program.

**Financial Analysis:**

None.

**Staff Recommendation:**

Staff recommends the Arbor Day Proclamation be approved.

1 of 2

## ARBOR DAY PROCLAMATION

Whereas, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for planting trees, and

Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and Arbor Day is now observed throughout the nation and the world, and

Whereas, trees reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

Whereas, trees in our City increase property values, enhance the economic vitality of business areas, and beautify our community, and

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal, and

Whereas, the City of Fort Atkinson has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its tree-planting practices.

NOW, THEREFORE, I Matt Trebatoski, City Manager of the City of Fort Atkinson, do hereby proclaim Friday, April 26, 2019

## ARBOR DAY

in the City of Fort Atkinson, and urge all citizens to celebrate Arbor Day.

Further, I urge all citizens to plant trees to gladden the heart and promote the wellbeing of this and future generations.

Dated this 16<sup>th</sup> day of April, 2019.

Matt Trebatoski, City Manager

2 of 2

6-c



**To: City Manager & City Council**  
**From: Scott Lastusky, Parks & Rec.**  
**Date: April 1, 2019**  
**RE: BASEBALL FEST AT JONES PARK**

I am submitting to you and the Council the itinerary for the 2019 Baseball Fest at Jones Park. This event is sponsored by the Fort Atkinson Generals Baseball team. The event will run June 13-16, involve the same carnival ride company, lots of baseball, potentially two nights of music (until 11 pm on Saturday night, possibly on Friday night) and more involvement by community groups and business (Subway is the lead corporate sponsor, Sheriff's K9 demonstration, Battle of the Civil Servants softball game). The food vendors are licensed by the Watertown Health Dept. for Jefferson County. All proceeds go to community programs and to improvements at Jones Park.

For several years they have implemented an ID check for a wristband that allows the purchase of alcohol from the concession stand. All persons with an alcoholic beverage or wish to purchase alcohol must have this ID band.

The Electric Department should be aware of the special needs of a few food tents, band, etc. With assistance from the Water Department we've now made long term solutions to get water from the North side of the park to the carnival-related RVs. Our department will deal with extra garbage and restroom needs. No streets are blocked off and parking lots are accessible for the Jones Park portion of the event.

The Fort Generals have donated over \$111,000 toward Jones Park improvements during the 16 years of their Baseball Fest event.

If you need a representative of the Generals to address City Council please use the contacts below

Contacts for the Fort Generals Baseball Fest:

Jim Roethel	(262) 617-6251	jroethel2011@gmail.com
Tim Garant	(920) 222-2184	tgarant74@gmail.com
Josh Smith	(262) 949-4596	jsmithxc@gmail.com

1 of 2

# JONES PARK SPECIAL EVENTS

**Jones Park**  
(615 Janesville Avenue)

## 18th Annual Baseball Festival June 13-June 16

### Thursday, June 13

- \* Carnival & Rides from 5:00 - 10:00 p.m.  
(\$20.00 Wristband Deal from 6:00-10:00 p.m.)
- \* Baseball: Fort Atkinson Generals vs. Jefferson Blue Devils  
(Home Talent Night League game) & Consolation Game  
of Generals Tournament (6:15 & 8:30)



### Friday, June 14

- \* Carnival & Rides from 5:00 - 10:00 p.m.  
(\$20.00 Wristband Deal from 6:00-10:00 p.m.)
- \* Baseball: Championship and 3rd Place Game of  
Fort Generals Tournament (6:15 & 8:30 p.m.)

### Saturday, June 15

- \* Fort K-9 Unit Demonstration at 11:00 a.m. & 1:00 p.m.
- \* Baseball: Fort Youth Baseball Games @ 11:00 & 1:00
- \* Softball: Battle of the Civil Servants - Fort FD/PD vs. Jefferson FD/PD 3:30
- \* Baseball: Home Talent Home Run Derby 5:30 p.m.
- \* Carnival & Rides from Noon - 10:00 p.m.  
(\$20.00 Wristband Deal from 12:00-4:00 p.m. & 6:00-10:00 p.m.)
- \* Music: FLASHBACK WITH WADE ROOT 7:00-11:00 p.m.

### Sunday, June 16

- \* Baseball: Fort Atkinson Generals vs. Utica Association at 12:00 p.m.  
Cambridge Blues vs. McFarland Muskies at 3:30 p.m.  
(Home Talent Sunday League games)
- \* Carnival & Rides from Noon - 5:00 p.m.  
(\$20.00 Wristband Deal from 12:00-4:00 p.m.)

\*\* Games and activities are subject to change.



### For your info....

#### Historic Jones Park plays host to Home Talent Generals & Youth Teams

For over 125 years, baseball has graced the corner of Janesville Avenue & 6th Street at historic Jones Park.

The Fort Atkinson Generals, perennial play-off performers in the Home Talent League, play wood bat baseball primarily on Thursday nights and Sunday afternoons throughout the spring and summer. VFW Teeners and Senior Hawks high school age teams fill out the summer schedule.

Admission is free for all games and affordable, delicious concessions are available with proceeds benefiting area teams and ball park improvements. To check the summer game schedule go to the web site: [www.fortgenerals.com](http://www.fortgenerals.com)



## Fort Community Cruise Nights Car Show

16th anniversary for the Cruise Night Car Show!  
On Display... Vintage & Modified Classic Cars, Trucks, Motorcycles & More!  
Free Admission with concessions available on the following  
Monday Nights from 5:30-8:30 p.m.

\* May 13    \* June 10    \* July 8    \* August 12    \* September 9



6-d

**CITY OF FORT ATKINSON, Fort Atkinson, WI, 53538**

**Date:** April 12, 2019

**TO:** City Council

**FROM:** Michelle Ebbert, City Clerk/Treasurer

**SUBJECT:** Change Premise Description and Use of Public Space for Brock's Riverwalk Tavern & Grill

**Background:**

Jake and Jaimie Brock have requested use of a public park area on S. Water Street East which is located between Brock's Riverwalk Tavern & Grill and the Water Street Center. They would like to hold an outdoor concert on Saturday May 11<sup>th</sup>. They are requesting the outdoor times from 6:00 pm to 10:00 pm, however Brock's did state 7:00 pm to 11:00 pm would be ideal.

**Discussion:**

1. Provide proof of insurance listing the City as an additional insured on the Brock's policy with a \$1,000,000 per occurrence limit including alcohol liability.
  - a. Attached.
2. Utilize snow fence for a secure barrier at the sidewalk and providing security around the landscaped area.
3. Maintain a minimum of a 5 foot sidewalk clearance.
  - a. Noted in attached site plan.
4. Allow access to the lift station panel in the event of a wastewater emergency or incident.
  - a. Noted in attached site plan.
5. Provide security guards and checkpoints.
  - a. Noted in attached site plan.
6. Provide trash receptacles.
  - a. Noted in attached site plan.
7. Provide a letter from Water Street Center confirming the event adjacent to their property.
  - a. Attached.
8. Provide a letter from Chamber of Commerce confirming the use of their electrical connection and reimbursement to them for charges.
  - a. Attached.
9. Site clean-up completed by Noon the following day of each event.

Departments provided the following comments:

Wastewater Utility – Supervisor Christensen discussed the lift station located feet away from where the stage and band would be located. Christensen added that with Council approval of the event, he would confirm maintenance of the lift station before the event to hopefully deter any issues.

Fire Department – The enclosure (snow fence) should have exits/openings that are adequately sized and arranged based on the potential capacity of the area. There is basic indoor/outdoor venue guidelines that an owner should be aware of and follow. The owner can contact the Fire Department if they need additional information in this area. Capacity should be based on 5 square feet per person in an area of standing space only. They recommend 5 standard exits for

1 of 7

the area and occupant load of the outdoor space as the net square feet of the area available could yield an occupant load of 750 people.

Police Department – The Police Department does not have any concerns for the event as requested. 2017 and 2018 events went very well with no real issues.

**Financial Analysis:**

There is no potential financial impact. Should additional police officers be needed, Brock's could be invoiced.

**Staff Recommendation:**

Staff recommends approval of the May 11<sup>th</sup> event to be held on city property, the premise description change for the date noted and for the concert to end at 10:00 pm or 11:00 pm based on Council recommendation.

**Leila Carl**

---

**Subject:**

FW: Council Agenda

---

**From:** Jake Brock [<mailto:masonrybydesign@hotmail.com>]

**Sent:** Friday, April 05, 2019 3:07 PM

**To:** Leila Carl

**Subject:** Re: Council Agenda

Hi Leila,

Can I please request city council approval for the date of May 11th?

Time line: 6-10

I would like 7-11 to try and maximize some revenue but I know the 11pm is a questionable time for the city.

Layout: the layout will be the same as previous years so please use the same blueprint as the previous requests.

Please let me know when I can expect to be on the agenda. Sorry about the short notice, these things creep up on me.

Thank you,  
Jake Brock

---





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

04/10/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Day Insurance Agency 904 Madison Ave Fort Atkinson WI 53538	<b>CONTACT NAME:</b> Charlene Patefield <b>PHONE (A/C, No, Ext):</b> (920) 563-5872 <b>E-MAIL ADDRESS:</b> cpatefield@dayinsurancewi.com <b>FAX (A/C, No):</b> <b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A:</b> Society Insurance <b>INSURER B:</b> <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>	<b>NAIC #</b> 15261
--	---	------------------------

**COVERAGES****CERTIFICATE NUMBER:** Cert ID 2030**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y		TRM 588490	02/06/2019	02/06/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ 1,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A					PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
							\$ \$

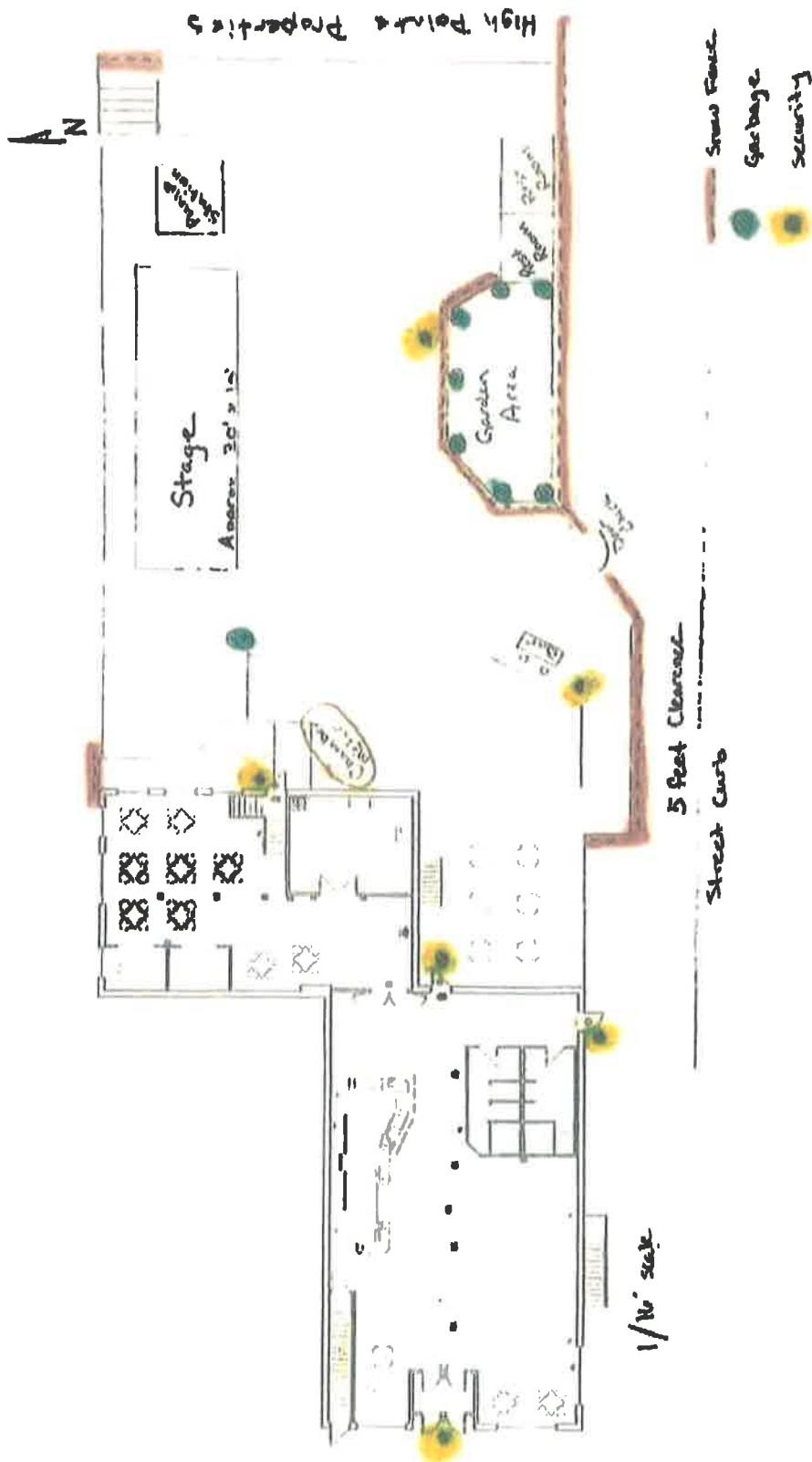
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

City of Fort Atkinson is additional insured for outdoor entertainment events to be held on S Water St E.

**CERTIFICATE HOLDER****CANCELLATION**

City of Fort Atkinson 101 N Main St Fort Atkinson WI 53538	<b>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.</b> <b>AUTHORIZED REPRESENTATIVE</b> <i>DA Tuwa Wood</i>
--	--

4 of 7



# Absolut Management Company, Inc.

43 South Water Street East, Fort Atkinson, WI 53538  
ph: 920.568.9870 • fx: 920.568.8298

April 11, 2019

Mr. Matt Trebatoski  
City of Fort Atkinson  
101 North Main Street  
Fort Atkinson, WI 53538

RE: Request for outdoor events at Brock's Riverwalk

Dear Matt:

This letter is sent in support of the request from Brock's Riverwalk to hold an outdoor event on May 11, 2019. As a neighboring property owner, we have had no issues with the past events and do not have any objections to these events being held again this summer.

Sincerely,



Sandra Mayer  
Water Street Center

6 of 7



**FORT ATKINSON AREA  
CHAMBER OF COMMERCE**

**Carrie Chisholm**  
**Executive Director**  
244 N Main Street  
Fort Atkinson, WI 53538  
P | (920) 563-3210

April 9, 2019

Matt Trebatoski, City Manager  
101 N. Main Street  
Fort Atkinson, WI 53538

Dear Matt;

Please accept this letter of approval for Brock's RiverWalk Restaurant to utilize the Fort Atkinson Chamber of Commerce electrical meter on May 11, 2019 for an outdoor concert.

We understand that the meter can be monitored in such a way as to separate any concert-related expenses from the regular chamber invoice and that the chamber can then invoice Brock's RiverWalk for any related charges accordingly.

Sincerely,

Carrie Chisholm, Executive Director  
Fort Atkinson Area Chamber of Commerce

7-a

**ORDINANCE NO. \_\_\_\_\_**

The City Council of the City of Fort Atkinson does hereby ordain as follows:

That Chapter 94, TRAFFIC AND VEHICLES, Article VIII, Traffic Schedule, Division 6, Stopping, Standing and Parking, Subdivision II, Parking Prohibited, Sec. 94-457, No parking areas, *West Sherman Avenue*, be deleted in its entirety.

*West Sherman Avenue.*

The north side of the street from its intersection with North Main Street to a point 45 feet west, and the area from 50 feet west to 145 feet west of Mechanic Street.

The south side of the street from its intersection with North Main Street to a point 225 feet west, and the area from Mechanic Street to a point 46 feet west.

That Chapter 94, TRAFFIC AND VEHICLES, Article VIII, Traffic Schedule, Division 6, Stopping, Standing and Parking, Subdivision V, Two-Hour Limit, Sec. 94-526, Specific limitations, *Sherman Avenue* be repealed and replaced with the following:

*Sherman Avenue*

The north side of the street from a point 130 feet east of Mechanic Street west to the bike trail.

The south side from a point 225 feet west of the intersection with North Main Street west to the bike trail.

Both sides of the street from its intersection with North Main Street east to Edward Street.

That Chapter 94, TRAFFIC AND VEHICLES, Article VIII, Traffic Schedule, Division 6, Stopping, Standing and Parking, Subdivision V, Two-Hour Limit, Sec. 94-526, Specific Limitations, (b) be created as follows:

- (b) No person shall park, stop or leave standing any vehicle, whether attended or unattended, for more than two hours, between the hours of 9:00 a.m. and 8:00 p.m. on Sundays through Saturdays, on the following streets or portions thereof:

*Sherman Avenue*

The north side of the street from a point 45 feet west of North Main Street to a point 130 feet east of Mechanic Street.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

1 of 2

This ordinance shall take effect and be in force from and after the date of its passage and publication.

Adopted: \_\_\_\_\_, 2019.

\_\_\_\_\_  
Pres. of the City Council

ATTEST:

\_\_\_\_\_  
Michelle Ebbert, City Clerk

7-b

**ORDINANCE NO. \_\_\_\_\_**

The City Council of the City of Fort Atkinson does hereby ordain as follows:

That Chapter 94, TRAFFIC AND VEHICLES, Article VIII, Traffic Schedule, Division 6, Stopping, Standing and Parking, Subdivision I, In General, Sec. 94-434, Taxi cab parking, be created as follows:

The first parking stall on the west side of North Main Street north of North Water Street West in front of the Municipal Building (101 North Main Street) shall be designated for taxi cab parking only.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

This ordinance shall take effect and be in force from and after the date of its passage and publication.

Adopted: \_\_\_\_\_, 2019.

\_\_\_\_\_  
Pres. of the City Council

ATTEST:

\_\_\_\_\_  
Michelle Ebbert, City Clerk

1 of 1



FORT • ATKINSON

# Permit Report

8-a

03/01/2019 - 03/31/2019

Permit #	Permit Location	Owner Name	Project type	Permit Description	Estimated Project Cost	Total Fees
<b>Group: Add/Alter Commercial</b>						
20407	342 Whitewater Ave.	Casey's General Store	Add/Alter Commercial	Addition to and remodel of existing building	550,000	\$814.20
20413	108 N Main St.	Mike Ajango	Add/Alter Commercial	Alter wall and door for studio	5,000	\$32.00
						<b>\$846.20</b>

**Group Total: 2**

**Group: detached garage**

20426	1115 Grove St.	Robert Church	detached garage	garage addition adding 192 'Sq.	6,000	\$58.80
						<b>\$58.80</b>

**Group Total: 1**

**Group: Early Start**

20412	737 Reena Ave.	Tom Pientka	Early Start	Early start permit for footing and foundation only.	0	\$105.00
						<b>\$105.00</b>

**Group Total: 1**

**Group: Electrical**

20396	100 Edward St., #9	Carol Erdman	Electrical	6 openings	0	\$34.50
20397	404 Curtis Cr	Karla Corcoran	Electrical	13 openings	0	\$39.75
20405	1504 Radhika St.	Stephen Windham	Electrical	Electrical for basement room	0	\$84.00
20409	600 Chippewa Ct.	Ken Faken	Electrical	Move service	0	\$55.00

1 of 4



Permit #	Permit Location	Owner Name	Project type	Permit Description	Estimated Project Cost	Total Fees
20411	1401 N. High St.	Cloute Properties	Electrical	800 amp U.G. Service	0	\$85.00
20415	700 Jackson St.	Leanne Purtell	Electrical	Exhaust fan	0	\$35.00
20416	411 Hickory St.	Bethany Katzer	Electrical	Exhaust fan	0	\$35.00
20418	411 Hickory St.	Bethany Katzer	Electrical	Water heater	0	\$30.75
20421	212 S. Third St. W.	Deanne Piper	Electrical	Repair service mast	0	\$55.00
20422	921 Hillcrest Dr.	Zach Finch	Electrical	19 openings	0	\$44.25
20424	1115 Grove St.	Robert Church	Electrical	6 openings - garage addition	0	\$34.50
20425	102 S. Main St.	Tuttle's Home Town Pharmacy	Electrical	6 openings	0	\$34.50
20428	507 Shah Ave.	Tim Smith	Electrical	electrical for basement finish	0	\$87.50
						<b>\$654.75</b>

**Group Total: 13**

**Group: Fence**

20404	1116 W Sherman Ave	Jon Allen	Fence	Privacy fence in rear yard.	6,970	\$55.00
20414	1656 Montclair Pl	Marcus Neumann	Fence	4' Chainlink Fence	2,200	\$55.00
20423	308 Jackson St.	Lorraine Fowler	Fence	6' PVC fence	2,000	\$55.00
20429	629 Lexington Blvd.	Jeffrey Scheuerell	Fence	4' Chainlink Fence	6,000	\$55.00
20433	647 Short St.	James Garthwait	Fence	PVC - 4' fence	2,200	\$55.00
						<b>\$275.00</b>

**Group Total: 5**

**Group: Home Occupation**

20403	75 Jackson St.	Deilee Calvert	Home Occupation	Marketing business from home.	0	\$55.00
						<b>\$55.00</b>

**Group Total: 1**

2 of 4

Permit #	Permit Location	Owner Name	Project type	Permit Description	Estimated Project Cost	Total Fees
----------	-----------------	------------	--------------	--------------------	------------------------	------------

**Group: HVAC**

20398	217 Highland Ave.	Nedra Nichols	HVAC	Replace Furnace	0	\$65.00
20399	703 East St.	Pat Heffron	HVAC	Replace Furnace	0	\$65.00
20400	715 Monroe St.	Sue Wolff	HVAC	Replace Furnace	0	\$65.00
20401	304 Rogers St.	Opportunities Inc.	HVAC	Replace Furnace	0	\$65.00
20402	1008 Caswell St.	Delores Masker	HVAC	Replace Furnace	0	\$65.00
20408	700 Cherokee Ct.	Jeff Onsrud	HVAC	Replace Furnace & A/C	0	\$100.00
20420	525 Memorial Dr.	WI IL Senior Housing	HVAC	Replace 6 furnaces & A.C.s	0	\$450.00
20431	1009 Monroe St.	Kathy Kauffman	HVAC	Replace A/C	0	\$65.00
						<b>\$940.00</b>

**Group Total: 8**

**Group: Plumbing**

20406	1504 Radhika St.	Steven Windham	Plumbing	Basement bath	0	\$36.00
20410	250 E Blackhawk Dr	K&F Auto	Plumbing	Bathroom group	0	\$42.00
20417	1200 Industrial Dr.	OSI	Plumbing	Backflow preventer	0	\$36.00
20419	411 Hickory St.	Bethany Katzer	Plumbing	Water heater	0	\$36.00
						<b>\$150.00</b>

**Group Total: 4**

**Group: Sign**

20427	1007 Madison Ave.	Pete Weston	Sign	Freestanding yard sign	3,000	\$55.00
						<b>\$55.00</b>

**Group Total: 1**

**Group: Single Family Alteration/Addition**

20430	309 Monroe St.	Bob Smith	Single Family Alteration/Addition	Install patio door	800	\$31.50
-------	----------------	-----------	-----------------------------------	--------------------	-----	---------

Permit #	Permit Location	Owner Name	Project type	Permit Description	Estimated Project Cost	Total Fees
20432	600 Chippewa Ct.		Single Family Alteration/Ad dition	Bedroom addition	35,000	\$67.80
						\$99.30
						<b>Group Total: 2</b>
						<b>\$3,239.05</b>

**Total Records: 38**

**4/1/2019**

Submitted this 1st day of April, 2019.

*Brian Juarez*  
 Brian Juarez, Building Inspector  
*lc*

8-b

**CITY OF FORT ATKINSON**  
**Plan Commission ~ April 9, 2019**  
**1,007th Meeting**

CALL TO ORDER.

The meeting was called to order by Manager Trebatoski in the Council Chambers of the Municipal Building at 4:00 pm.

ROLL CALL.

Present: Commissioners Scherer, Lescohier, Greenhalgh, Manager Trebatoski and Engineer Selle. Also present: City Attorney, Building Inspector and City Clerk/Treasurer. Cm. Kutz arrived at 4:02 pm.

Excused absence: Cm. Frame.

APPROVAL OF MINUTES OF MARCH 12, 2019 PLAN COMMISSION MEETING.

Cm. Lescohier motioned, seconded by Cm. Scherer to approve the minutes of the March 12, 2019 Plan Commission meeting. Motion carried.

REVIEW AND APPROVE MOBILE MERCHANT LICENSE FOR DOYLE'S DOGS TO USE IN THE PARKING LOT AT ACE HARDWARE, 10 MADISON AVENUE

Clerk Ebbert reviewed the application, letter of approval by Ace Hardware for use of their lot, certificate of insurance and certificate from the health department. A successful background was conducted.

Greg Greenhalgh, 424 S High Street spoke in support of the applicant and the license.

Cm. Greenhalgh moved, seconded by Cm. Scherer to approve the Mobile Merchant License for Doyle's Dogs to use in the parking lot at Ace Hardware, 10 Madison Avenue. Motion carried.

REVIEW AND APPROVE PRELIMINARY CERTIFIED SURVEY MAP CREATING A 2.8 ACRE PARCEL AT W5273 HIGHWAY 106 (EXTRA-TERRITORIAL)

Engineer Selle reviewed the request. Departments reviewed without comments or concerns. Discussion was held on the size of the lot as it relates to the Comprehensive Plan and future development towards the subject property. The Subdivision Code currently being reviewed addresses lot size and future surveys will reflect additional review of the Code.

Cm. Greenhalgh moved, seconded by Cm. Lescohier to refer to the City Council to approve Preliminary Certified Survey map creating a 2.8 acre parcel at W5273 Highway 106 (extra-territorial). Motion carried.

ADJOURNMENT

Cm. Greenhalgh moved, seconded by Cm. Kutz to adjourn. Meeting adjourned at 4:10 pm.

Respectfully submitted  
Michelle Ebbert  
City Clerk/Treasurer

1 of 1

8-C

**CITY OF FORT ATKINSON**  
**Ordinance Committee ~ April 10, 2019**

CALL TO ORDER.

Pres. Becker called the Ordinance Committee meeting to order at 4:00 pm.

ROLL CALL.

Present: Cm. Lescohier, Cm. Hartwick and Pres. Becker. Also present: City Clerk/Treasurer and Police Chief.

REVIEW ORDINANCE PERTAINING TO CURBSIDE PICK-UP OF ALCOHOL BEVERAGES

Clerk Ebbert provided information on State Statutes that require licensed establishments to list their premise descriptions on their alcohol license applications, which in turn is stated on their alcohol license. A premise description includes where alcohol is sold, stored, consumed and where records are stored. These descriptions can include outdoor enclosed areas, bathrooms, basement storage and home offices for purposes of records storage.

Festival Foods requested to update their premise description to include delivery of alcoholic beverages to customer's vehicles following online purchases/reservations of groceries and alcohol. There is no ordinance that disallows or allows this type of transaction, however it was felt that establishing an ordinance could enforce specific guidelines/procedures for other businesses to follow.

Chief Bump confirmed he reviewed the Ordinance and shared concern for precise procedures to avoid alcohol getting in the hands of underage individuals.

Cm. Hartwick and Cm. Lescohier concurred they were pleased to see the four (4) hour waiting period between online orders and pickups. This would help eliminate individuals under the influence of alcohol trying to purchase products on a short notice, for pick up from their vehicle. These situations would require the customer to go into the store.

The Committee requested an addition to the ordinance that specifically states that the employee delivering the alcohol must be a licensed operator in the City of Fort Atkinson. Additionally, the Committee requested forfeitures be set that would hold the business accountable should they violate the four (4) hour waiting period for pickups.

Cory Krisher of Festival Foods was present to discuss practices done by Festival Foods to ensure safe transactions and legal sales to those above the age of 21.

Cm. Hartwick moved, seconded by Cm. Lescohier to send the ordinance pertaining to curbside pick-up of alcohol beverages to Council. Motion carried.

ADJOURNMENT

Cm. Hartwick moved, seconded by Cm. Lescohier to adjourn the meeting at 4:28 pm. Motion carried and meeting adjourned.

Respectfully submitted  
Michelle Ebbert, City Clerk/Treasurer

1 of 1



9-a

**CITY OF FORT ATKINSON, Fort Atkinson, WI, 53538**

**Date: April 10, 2019**

**TO:** Planning Commission

**FROM:** Andy Selle, P.E.

**SUBJECT:** HWY 106 - Extraterritorial Review - CSM

**Background:**

This is a request for a preliminary certified survey map to split a 2.8 Acre building site from the larger parcel. The zoning remains the same, R2.

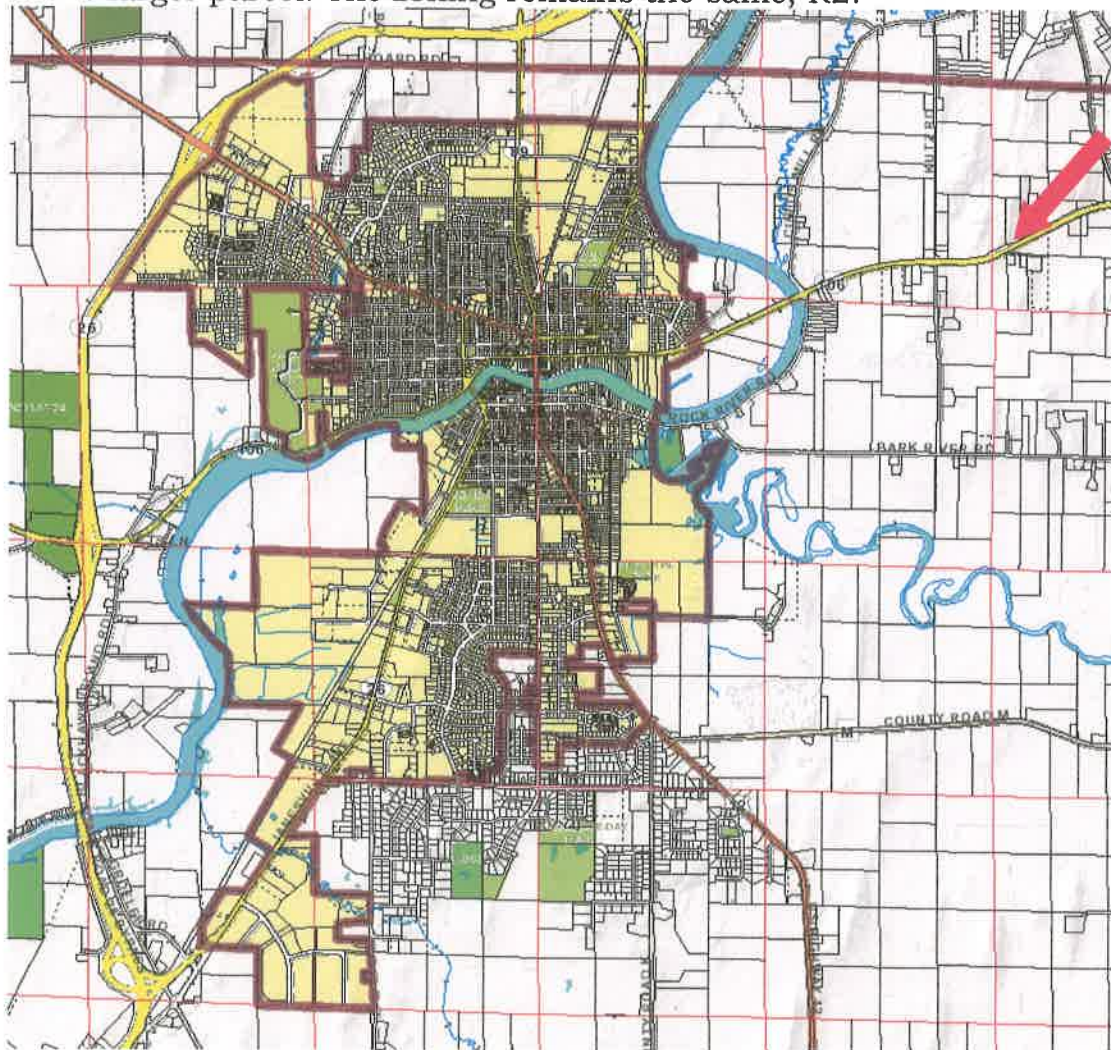


Figure 1: Property location in relation to the City of Fort Atkinson

1 of 6



City departments have reviewed the submittal.

City departments have reviewed the submittal.

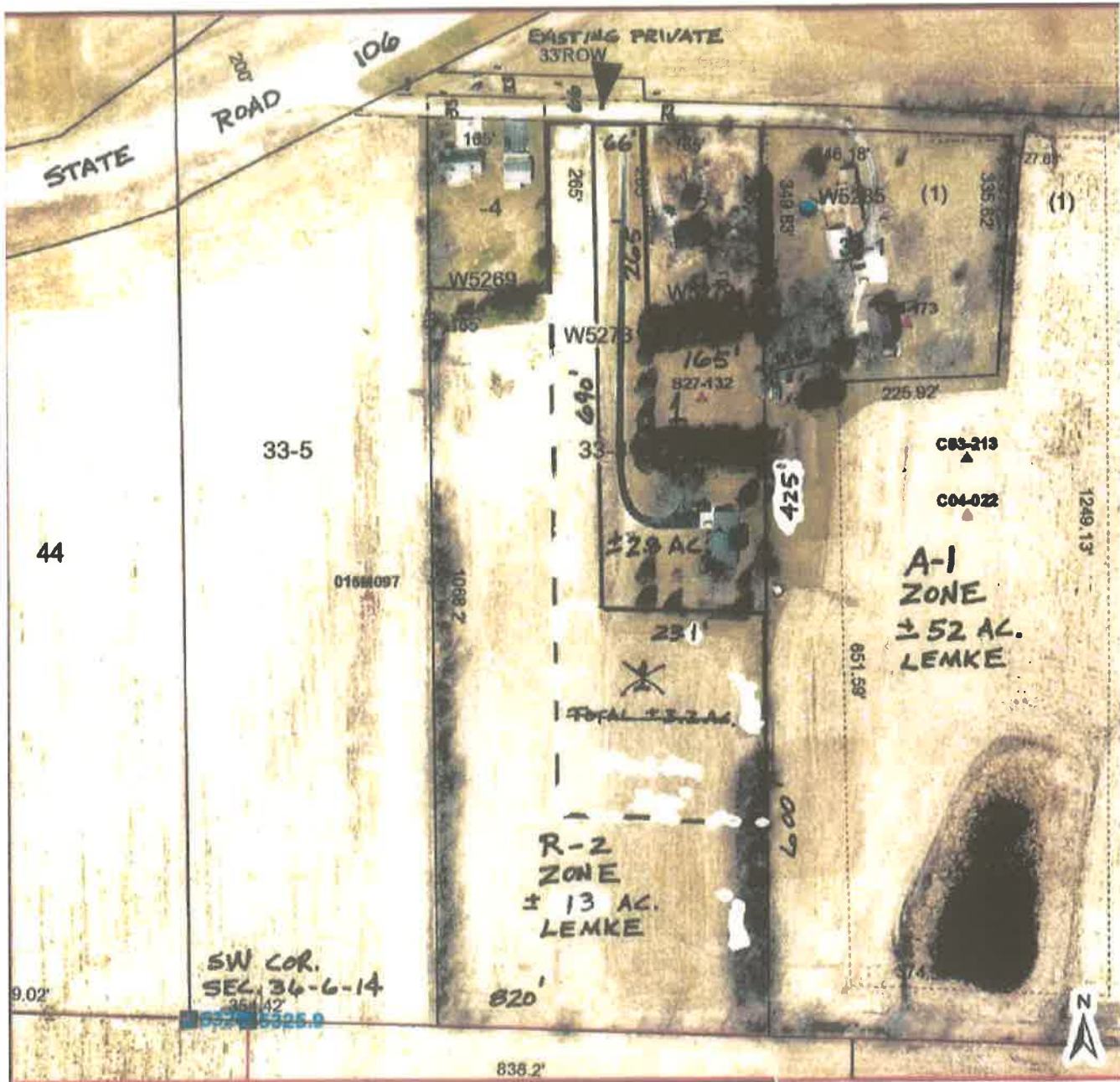


Figure 2: Proposed land addition

**Recommendation:**

Staff recommends approval of the request.

Attachments:

Original Submittal

2 of 6

**JEFFERSON COUNTY  
PRELIMINARY REVIEW FOR CERTIFIED SURVEY**

A division of land located in the SW 1/4 of the SW 1/4 of Section 35, Town 6 N, Range 14 E, Town of Koshkonong,  
Jefferson County, Wisconsin, on Parcel Number(s) 016-0514-3633-003

Date Submitted: October 23, 2018

Revised: February 14, 2019

Owner: N & M Lemke Trust c/o John A. Lemke, Sr.

Address: 6546 W. Wood Ridge Drive

City, ST Zip: Janesville, WI 53548

Phone: 608-754-5718

Note to be placed on final CSM

Petition # V1638-19 Zoning R-2

Check for subsequent zoning changes with Jefferson  
County Planning and Zoning Department.

Surveyor: Anderson Land Surveying LLC

Address: W8141 Star School Road

City, ST Zip: Fort Atkinson, WI 53538

Phone: 920-563-8162

In addition to the info required by Section 256.34 of State statutes, Sec.  
19.04(9) of the Jefferson County Land division/subdivision Ordinance  
requires that the following be shown:

- Existing buildings, watercourses, drainage ditches and other  
features pertinent to the proper division.
- Location of access to a public road, approved by the agency  
having jurisdiction over the road.
- All lands reserved for future public acquisition.
- Date of the map
- Graphic Scale



Rezoning



Allowed Division within an existing Zoning District



Survey of Existing Parcel

Intent and Description of Parcel to be Divided: ~~Create an approximately 3.2 acre R-2 residential building site lot for the owner  
Michael Lemke's son. Accessing to State Road 106 on an existing private 33 foot right of way with an additional 33 feet acquired by  
Lemke. Access requiring a variance.~~

At the recommendation of the Jefferson County Planning and Zoning Committee - Create an approximately  
2.8 acre R-2 lot with an existing house using an existing private right of way.

V1638-19 approved  
by BOA 3/14/19

**SEE SHEET 2**

NOTE: Areas and dimensions on this Preliminary are approximate only and in most cases will vary from the Final survey data.

Town Board Approval Bruce Burlingame Date 2-11-2019  
(includes Access approval if applicable)

County Highway Approval \_\_\_\_\_ Date \_\_\_\_\_  
(if applicable)

Extraterritorial Approval ✓ for final Date \_\_\_\_\_  
(if applicable)

County Surveyor Approval in file Date \_\_\_\_\_

Zoning Office Approval Mark Zyl Date 3/15/19

Please submit four copies to Jefferson County Planning & Zoning, 311 S. Center Ave. Room 201, Jefferson, WI 53548

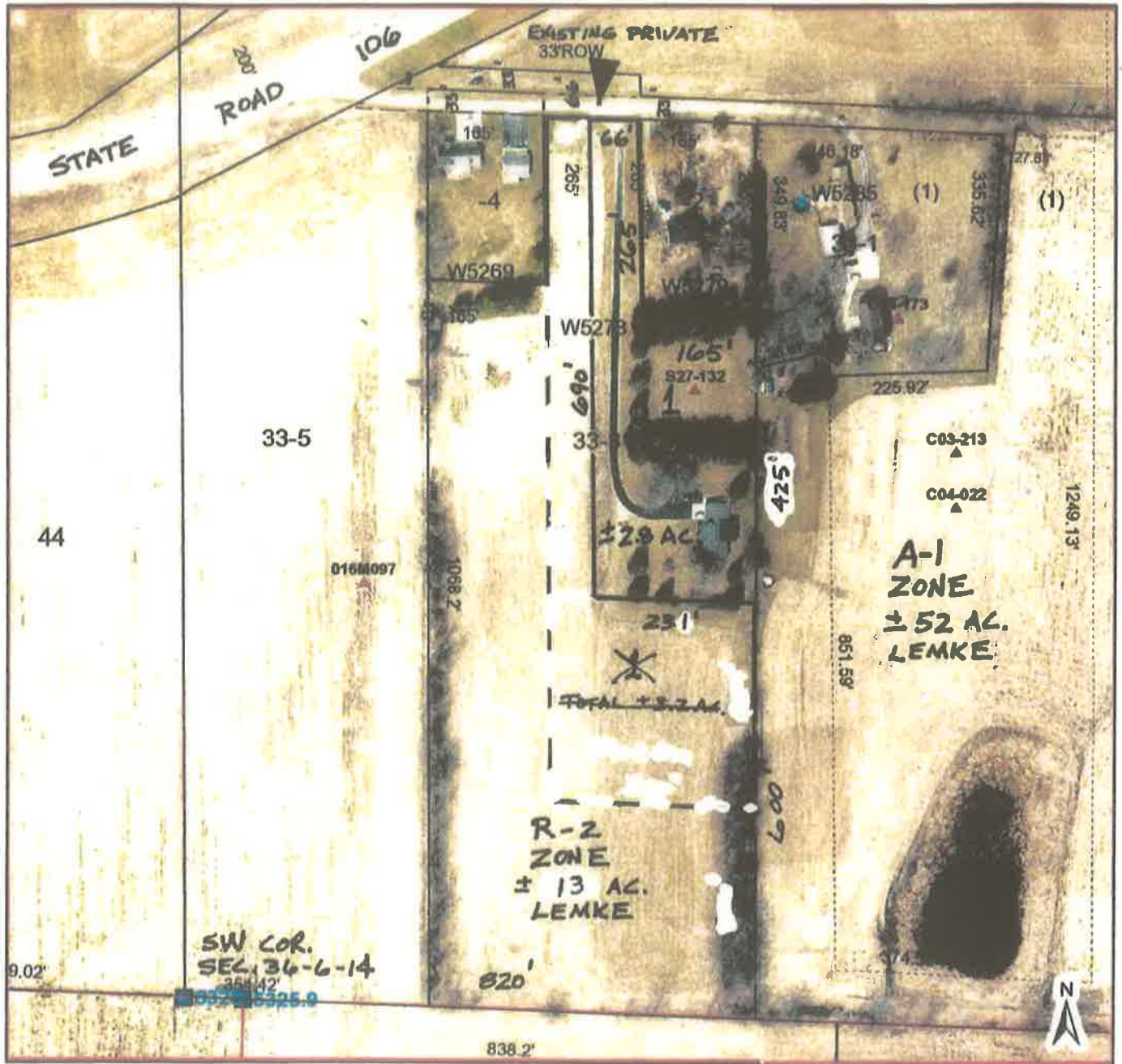
18-29

Sheet 1 of 2

3 of 6



## Jefferson County Land Information



## Tax Parcels



## WI Height Modernization Monuments

## Streams and Ditches



## Land Surveys



## PLSS Sections



### Public Survey System Co IDs

REVISED 2-14-19



Printed on: October 21, 2018

Jefferson County Geographic Information System

**SHEET 2 OF 2**

4 g 6



# Jefferson County Land Information



Jefferson County Geographic Information System

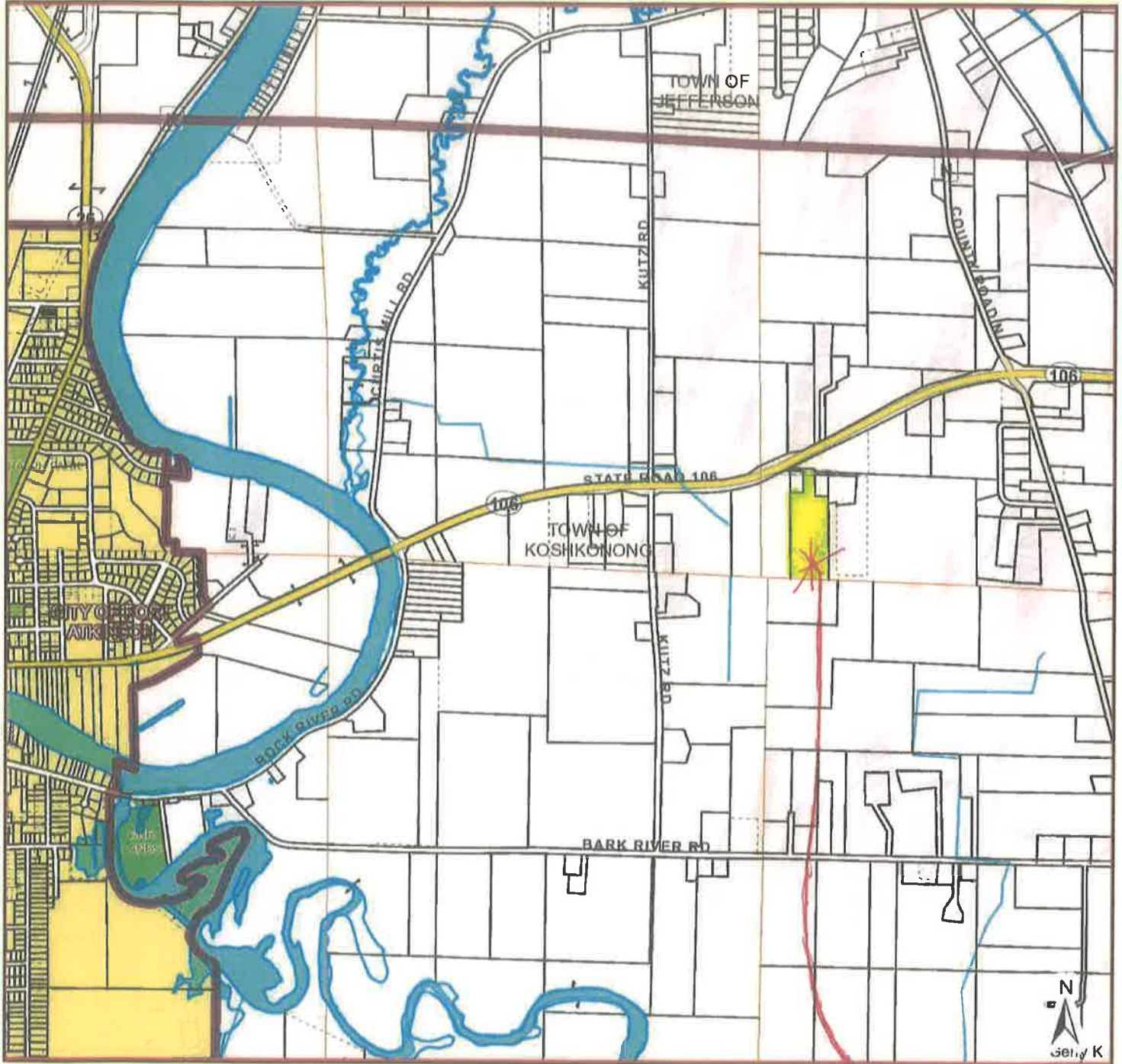
DISCLAIMER: This map is not a substitute for an actual field survey or onsite investigation. The accuracy of this map is limited to the quality of the records from which it was assembled. Other inherent inaccuracies occur during the compilation process. Jefferson County makes no warranty whatsoever concerning this information.

Printed on: March 18, 2019

Author: Public User



# Jefferson County Land Information



- |                       |                    |                     |
|-----------------------|--------------------|---------------------|
| Municipal Boundaries  | Road Right of Ways | Streams and Ditches |
| <b>Parcel Lines</b>   |                    |                     |
| Property Boundary     | Section Lines      |                     |
| Old Lot/Meander Lines | Surface Water      |                     |
| Rail Right of Ways    | Map Hooks          |                     |
|                       | Tax Parcels        |                     |

*Parcel Location*

*6 of 6*

Jefferson County Geographic Information System

**DISCLAIMER:** This map is not a substitute for an actual field survey or onsite investigation. The accuracy of this map is limited to the quality of the records from which it was assembled. Other inherent inaccuracies occur during the compilation process. Jefferson County makes no warranty whatsoever concerning this information.

Printed on: March 20, 2019

Author: Public User

1,600 800 0 1,600 Feet  
1 Inch = 1,700 feet



9-6

**CITY OF FORT ATKINSON, Fort Atkinson, WI, 53538**

**Date:** April 11, 2019

**TO:** City Council  
**FROM:** Michelle Ebbert, City Clerk/Treasurer  
**SUBJECT:** Ordinance – Curbside Pick-up of Alcohol Beverages

**Background:**

Alcohol License applications require a premise description be provided, as follows.

Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) \_\_\_\_\_

Every applicant provides this detailed information which is then printed on their alcohol license. Should a premise be altered from the original description, it must be approved by the licensing body. Alterations may include adding a room from an addition to the property, outdoor enclosed area or temporary additions for events (i.e. Fat Boyz annual event or Brock's River Walk outdoor concerts) – upon approval by the City Council.

The City Council has the authority to attach conditions to a premise description including limitations to the described premises, when the license is granted.

Additional information is provided in the attachments that reference State Statutes.

**Discussion:**

Tamara Thompson from Festival Foods corporate office contacted me requesting to adjust their premise description for the Fort Atkinson location to allow of curbside pick-up for alcohol beverages through their Click N Go program.

Click N Go allows customers to purchase products online and have them delivered to their vehicle in the parking lot. This process can currently exist without any restrictions, however, they would like to offer online alcohol sales to their customers. The addition of the alcohol sales is where the Ordinance comes into play.

Several cities in the State have adopted an Ordinance that allows the 'extension of premises' to license a portion of the parking lot that will allow vehicles to park for purposes of picking up their online alcohol order.

Statutes require the sale of alcohol to physically take place on the licensed premise. Customers can order their items online and reserve with a debit or credit card. Once the customer arrives to pick up their items, a Festival employee will report to their

1 of 6

vehicle, confirm they are over the age of 21 for alcohol sales and process their payment inside the store.

The Ordinance Committee requested to add a subsection confirming the employee delivering alcohol to the vehicle is to be a licensed operator in the City of Fort Atkinson. Additionally, the City Attorney is researching forfeitures should the licensed establishment violate the 4 hour requirement for ordering to pick up time.

**Financial Analysis:**

None at this time. Upon adoption of ordinances, there is a publication cost.

**Staff Recommendation:**

To send the Ordinance to its second reading.

**The League of Wisconsin Municipalities**  
***Municipal Licensing and Regulation of Alcohol Beverages***

---

**G. Premises**

**1. Premises description required**

- a. The applicant must “particularly describe the premises” - the building(s), room(s), and/or land area under his/her control where alcohol beverages will be sold, served, consumed, or stored. Secs. 125.25(3), 125.26(3), 125.28(3), 125.51(2)(c) and 125.51(3)(d). However, a license with a broad premise description is not void because it fails to “particularly describe” the premises because a broad description is not statutorily prohibited. *Wisconsin Dolls, LLC v. Town of Dell Prairie*, 2012 WI 76. But a municipality is not required to accept a broad premises description on initial application and permit activity in such an area. *Id.* A municipality may attach conditions, including limitations to the described premises, when the license is initially granted. *Id.*
- b. Any questions about the extent of the described premises should be clarified with the applicant before the license is granted.
- c. The municipal official must issue the license with a premises description identical to that shown on the application and approved by the governing body.

**2. Changing the description**

- a. If the request is made for a new license year, the applicant may add to the description on the application any change from the previous year.
- b. For any revision during the license year, the licensee must file a written request with the municipal official to amend the premises description. It is within the discretion of the governing body to approve or disapprove the change. *Alberti v. City of Whitewater*, 109 Wis.2d 592, 327 N.W.2d 150 (1982). See also Wis. Stat. sec. 125.04(3)(h).
- c. If the change is approved, the municipal official must amend the license and the license must be posted on the premises.
- d. Premises modifications after initial issuance, especially those that disadvantage the licensee, must be accomplished by enactment of a valid local regulation under Wis. Stat. sec. 125.10(1), by following the procedures outlined in sec. 125.12 for revocation, suspension or renewal, or by negotiating the consent of the licensee. A municipality that unilaterally reduces the description of the premises on a renewal exceeds its authority. *Wisconsin Dolls, LLC v. Town of Dell Prairie*, 2012 WI 76.

**3. Use of street address to describe the premises**

- a. Use of a city or village street address is possible only if the applicant has been granted a license to cover the entire location: i.e., the building(s) and land area at that address.

If the license is to cover the building or a part of the building only, then the applicant must describe the building or portion of the building at the appropriate street address as shown on the license application.

- b. If an applicant has a town address that pinpoints the location of the premises, the same procedure would be followed as above.

The use of a route number, a highway number (or the legal description) in itself does not properly identify the area under the control of the applicant where the alcohol beverages will be sold, served, consumed, or stored.

3 of 6

**The League of Wisconsin Municipalities**  
**Municipal Licensing and Regulation of Alcohol Beverages**

---

**4. Exterior sale, service, or consumption**

Sale, service, or consumption of alcohol beverages outside the barroom is permissible only if the area in question (e.g., a porch, outdoor volleyball court, terrace, "beer garden" or lawn area) is described in the license as being part of the licensed premises.

**5. Effect of premises loss on license**

- a. The licensee may: (1) hold the license until its expiration date, (2) request approval of the governing body on form AT-112 to transfer the license to another location in the municipality, or (3) surrender the license to the municipal clerk. An alcohol beverage license is not "tied" to a particular location. The license is issued to a particular person for a specific premises, but it is the person that holds the license and not the place. 28 Op. Att'y Gen. 123 (1939).
- b. Under the statutes, loss of a premises is not grounds for revocation of the license. Licenses can only be revoked for cause. Sec. 125.12(1). However, a municipality may, under sec. 125.10(1), enact an ordinance requiring licensed premises to remain open for certain minimum periods and could proceed under sec. 125.12 to revoke or suspend a license for failure to comply with such a continuation of business requirement. Intoxicating Liquors 858 (1986).
- c. An agreement between a landlord and tenant regarding the premises is not binding on the governing body. The governing body decides whether licenses are granted and to whom they are granted. A landlord or previous licensee cannot force a governing body to grant a license to the applicant of the landlord's choice or force revocation of the license at a later date. Nevertheless, since the license has been issued for the particular location and the license affects the value of the property, the municipality should not refuse to grant a license to a new tenant or new owner of a previously licensed premise absent sufficient reasons.

**6. Licensing of premises under new ownership**

- a. If a licensed premise is leased or sold, the new owner or tenant may receive an available retail license for the premise if, prior to granting the license, control of the premise can be shown by purchase or lease agreement. 28 Op. Att'y Gen. 123 (1939).
- b. The new tenant or owner cannot legally operate under the alcohol beverage license issued to the prior lessee or owner for that premises. Only the person named in the license has the right to sell alcohol beverages. The licensee does not have the power to assign or transfer these privileges. State law gives this authority only to the governing body.

**H. Withholding Licenses**

**1. Unpaid taxes or other charges**

- a. Licenses may be withheld pursuant to a local ordinance if the licensee owes municipal taxes, assessments, or other fees. The ordinance must apply to all municipal licenses, not just alcohol beverage licenses. Licenses cannot be withheld for failure to pay taxes or other debts to the state or federal government. *Tavern League v. Madison*, 131 Wis. 2d 477, 389 N.W. 2d 54 (Ct. App. 1986).
- b. Licenses may be withheld when the licensee has failed to pay overdue municipal forfeitures. Wis. Stat. sec. 66.0115.

[Note: When an initial license is withheld for failure to pay municipal taxes, an outstanding forfeiture or similar specific grounds, the municipality should give the applicant notice and an opportunity to rebut the charge. If a renewal license is withheld, then the procedures for the nonrenewal of a license would apparently have to be followed. See *Tavern League*, above.]

**ORDINANCE # \_\_\_\_\_**

**ONLINE ORDERING AND CURBSIDE PICK-UP OF ALCOHOL BEVERAGES**

The City Council of the City of Fort Atkinson does hereby ordain as follows:

That Chapter 6, ALCOHOL AND NONINTOXICATING BEVERAGES, Article II, Alcohol Beverages, Division 1, Generally, Sec. 6-38, Online Ordering and Curbside Pick-Up of Alcohol Beverages, be created as follows:

**Sec. 6-38. Online Ordering and Curbside Pick-Up of Alcohol Beverages**

(a) *Online Ordering and Curbside Pickup of Alcohol Beverages.*

- (1) No establishment shall allow online purchase of alcohol beverages and curbside delivery of such purchases ("Click and Collect"), without first obtaining an "Extension of Premises" from the Fort Atkinson City Council, upon recommendation of the License Committee to license that portion of the establishment's parking lot that will allow vehicles to park for purposes of picking up their online order.

- a. The licensed establishment shall file a detailed operation plan with their "Extension of Premises" form that clearly details how their "Click and Collect" operation will function. The operation plan shall include the licensee's protocol for assuring that underage persons and intoxicated persons do not pick up alcohol via the "Click and Collect" program.
- b. Failure of licensee to provide a detailed operation plan with their "Extension of Premises" application shall result in the City of Fort Atkinson Clerk's Office not forwarding the "Extension of Premises" form to the License Committee for consideration.

- (2) No establishment holding an alcohol beverage license shall allow online purchase and pick-up of alcohol beverages unless the sale is consummated on the licensed premises.

- a. Payment for the purchase must be completed on premises and may not be completed until the purchaser is at the licensed premises and has presented valid photo identification that has been verified by a licensed operator employed by the licensed establishment.
- b. The licensed operator must verify that the person placing the "Click and Collect" order is the same person picking up the order.
- c. The sale and delivery of "Click and Collect" purchases shall be made only by a licensed operator.
- d. No alcohol sales are permitted if the purchaser fails to present valid photo identification.



- e. The "Click and Collect" system must allow the purchase of alcohol to be denied without affecting the remainder of the purchase.
- (3) Each "Click and Collect" transaction must capture and retain an image of the vehicle into which the order is being loaded for thirty (30) days.
  - (4) Pick-up of "Click and Collect" orders shall be between the hours of 8:00 a.m. and 8:00 p.m.
  - (5) There shall be a minimum four (4) hour waiting period between order time and pick-up time.
  - (6) Orders placed after 2:00 p.m. cannot be picked up until the following day.
  - (7) If the "Click and Collect" purchaser is not the driver of the vehicle into which the order is being loaded, the licensed operator must verify that the driver is 21 years of age or older.
  - (8) The employee to deliver the purchase to the customer's vehicle must be a licensed operator of the City of Fort Atkinson.
  - (9) The licensed operator shall report to his or her manager any purchaser who shows signs of alcohol consumption, and in conjunction with the manager, shall assess sobriety for purposes of approving or denying the sale.
  - (10) The pick-up area for "Click and Collect" purchases shall be clearly defined with visible markings, signs, and/or barriers and must be within 150 feet from the pick-up door and not in a fire lane.
  - (11) No events other than the delivery of "Click and Collect" orders shall be allowed on the expanded premises.
  - (12) Penalty. Any license or person who violates any provision of this subsection shall be subject to forfeiture as determined by resolution of the City Council.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

This ordinance shall take effect and be in force from and after the date of its passage and publication.

Adopted: \_\_\_\_\_, 2019.

\_\_\_\_\_  
President of the City Council

ATTEST:

\_\_\_\_\_  
Michelle Ebbert, City Clerk

6 of 6



10-a

**CITY OF FORT ATKINSON, Fort Atkinson, WI, 53538**

**Date:** April 12, 2019

**TO:** City Council  
**FROM:** Andy Selle, P.E.  
**SUBJECT:** 2018 Recycling Report

**Background:**

The City is required to submit an Annual Report to the Department of Natural Resources on our recycling activities for the year.

**Discussion:**

The Report documents that the City recycled 993.79 tons of materials listed on DNR's Table #1: newspaper, cardboard, magazines, etc. The City recycled 160.42 pounds per capita, which surpasses the standard of 106.55 pounds, so we have met the collection standard.

E-waste, although not required, is also documented in this report. In 2018 we recycled 40.14 Tons of e-waste.

**Financial Analysis:**

The City's net eligible recycling costs excluding yard waste is \$286,314, which exceeds our Grant amount. The City will receive the full amount of the Grant \$35,037.

**Staff Recommendation:**

Staff recommends the Annual Report be approved and authorized for signature.

1 of 6

**Report Status:** In Progress  
**Report Date:** April 30 2019

State of Wisconsin  
Department of Natural Resources

**Questions:** Ariana Mankerian - WA/5  
PO Box 7921  
Madison WI 53707-7921

Ariana.Mankerian@wisconsin.gov  
608-266-6965

**2018 ANNUAL REPORT RECYCLING PROGRAM  
ACCOMPLISHMENTS AND ACTUAL COSTS**

Form 4400-182 Rev. 1-19

NOTICE: Completion of this form fulfills the mandatory annual reporting requirement for continued approval of a responsible unit's recycling program and retention of the DNR recycling grant, for those who received it. This form is authorized by s. NR 544.10 and s. NR 542.09(3), Wis. Adm. Code. Personally identifiable information will be used for program administration and must be made available to requesters as required by Wisconsin Open Records law [s. 19.31-19.39, Wis. Stats].

Responsible Unit (RU)	County	Municipal Code	RU Population
City of Fort Atkinson	Jefferson	28226	12390

---

**SECTION 1: CONTACT INFORMATION**

---

**A. Authorized Representative**

**Name:** Trebatoski, Matt  
**Title:** City Manager  
**Address:** 101 N Main St  
Fort Atkinson, WI 53538-1861  
**Telephone:** 920-563-7760 **Phone Type:** Landline  
**Email:** mtrebatoski@fortatkinsonwi.net

**B. Primary Contact**

**Name:** Selle, Andy  
**Title:**  
**Address:** 101 N Main St  
Fort Atkinson, WI 53538-1861  
**Telephone:** 920-563-7760 **Phone Type:** Landline  
**Email:** aselle@fortatkinsonwi.net

2 of 6

## SECTION 2: EFFECTIVE PROGRAM INFORMATION

### A. Collection of Recyclables for 1 - 4 Residential Unit Housing – Single Member

1. Do you have curbside collection?

Y

a) How is curbside service provided?

RU contracts private hauler(s) to provide collection service

b) What is your primary curbside collection method?

Single Stream (all recyclables in one bin)

c) How often are recyclables picked up?

Once every other week

2. Do you have drop-off center(s)?

N

4. Drop off site list

5. Do the majority of your residents use curbside or drop off collection for their recyclables?

Curbside

### 6. Hauler List

Hauler Name	C & T	Contract
Advanced Disposal Services SW Midwest LLC - Fort Atkinson	10001	Municipality(RU)
Advanced Disposal Services SW Midwest LLC - Fort Atkinson	10001	Municipality(RU)

### B. Processing of Recyclables for 1-4 Residential Unit Housing

#### 1. List of Materials Recovery Facilities (MRF)

Materials Recovery Facility	FID	RU Contract
Advanced Disposal Services (Waunakee)	113273930	Y

#### 2. List of Other Processors and End Users

### C. Compliance

1. A recycling ordinance is required by all RUs in accordance with s. NR 544.04(2), Wis. Adm. Code. What is your recycling ordinance number?

Ch 86 Article III

a) Did you make changes to your recycling ordinance in the previous calendar year?

N

b) Ordinance Effective Date

2. A Compliance Assurance Plan (CAP) is required by all RUs in accordance with s. NR 544.04(9g), Wis. Adm. Code. Did you make changes to your CAP during the previous calendar year?

N

3. How does your RU ensure compliance with your recycling ordinance at residences with 5 or more units?

3 of 6

RU provides direct outreach to business owners/managers

RU staff respond to recycling-related complaints

**4. How does your RU ensure compliance with your recycling ordinance at non-residential facilities and properties (e.g., businesses, stadiums, events, etc.)?**

RU staff respond to recycling-related complaints

## SECTION 3: ANNUAL PERFORMANCE INFORMATION

### A. Compliance & Enforcement

#### 1. Compliance and enforcement actions taken

	Complaints Received	Warning Tags	Verbal Warnings	Written Warnings	Inspections	Citations
1 - 4 units residential	0	0	0	0		0
5+ units residential	0	0	0	0	0	0
Non-residential (Business)	0	0	0	0	0	0

### B. Table 1 Materials and Weights Collected

#### 1. Did your RU collect all of the required NR 544 Table 1 materials?

Y

#### 2. Tonnage of Recyclables Collected

Name	Type	Tonnage
Advanced Disposal Services SW Midwest LLC - Fort Atkinson	HAUL	993.79
Aluminum containers		13.91
Co-mingled containers		30.81
Corrugated cardboard		120.25
Glass containers		235.53
Newspaper		486.95
Single source co-mingled		80.50
Steel & bi-metal containers		25.84

Loads Include:

### 3. Summary of Compliance with Table 1 Collection Standard

a) Total weight of recyclables collected from residences	993.79
b) Per capita collection	160.42
c) Per capita collection standard (lbs. per capita)	106.55

Based on the data you provided, you have MET your Table 1 collection standard.

### C. Information on Other Materials Collected From Residents

#### 1. Table 2 Other banned materials collected for recycling from residents

4 of 6

Material Name	Weight/ Unit
Electronics	40.14 Tons
Major appliances	22.15 Tons
Yard waste	8000 Cubic Yards

#### D. Report of Actual Recycling Costs

**Section 3.D will be blank if you did not have a grant award**

##### 1. Summary of Costs

a) Total costs of recycling program (Worksheet Line 18, Column E)	286,314.00
b) Total ineligible costs and revenue (Worksheet Line 21, Column E)	0.00
c) Total eligible recycling costs (Worksheet Line 22, Column E)	286,314.00

You have successfully earned your grant. Repayment will not be required

d) Cost (including yard waste) per capita:	23.11
--	-------

##### 2. Yard Waste Costs and Summary

a) Enter the cost of handling yard waste that is included in line 18, column E of the Actual Costs worksheet.	43,284.72
b) Cost (excluding yard waste) per capita:	19.61
c) Cost (excluding yard waste) per ton:	244.55

#### E. Outreach and Other Program Features

##### 1. What outreach efforts did you undertake in the program year?

Community yard sale

Direct mail (flyers in the tax bill, etc.)

Recycling focused event (collections, cleanups, etc.)

Web site has recycling info (what to recycle, when, where, and how)

## SECTION 4: CERTIFICATION

**RU Name:** City of Fort Atkinson  
**Mail To:** Arlana Mankerian - WA/5  
PO Box 7921  
Madison WI 53707-7921

**Muni Code:** 28226  
**County:** Jefferson  
**Population:** 12390

### A. Summary of 2018 Recycling Performance

#### Weight Summary

Total weight of residential Table 1 materials collected	993.79
Per capita collection	160.42
Per capita collection standard	106.55

**Based on the data you provided, you have MET your Table 1 collection standard.**

#### Cost Summary

2018 Grant Award	35,037.35
Net eligible recycling costs	286,314.00
Cost per capita including yard waste	23.11
Yard waste handling costs	43,284.72
Cost per capita excluding yard waste	19.61

### B. Exemption not required

### C. Assurances

A. The responsible unit certifies the program operates in accordance with its Effective Recycling Program Approval or, if there have been changes, the responsible unit has described those changes in this 2018 Annual Report Form.

B. The responsible unit agrees to comply with all applicable provisions of ch. 287, Wis. Stats., and chs. NR 544 and NR 542, Wis. Adm. Code.

C. The responsible unit understands that if it fails to comply with any applicable provision of ch. 287, Wis. Stats., chs. NR 544 Wis. Adm. Code, and NR 542 Wis. Adm. Code, or its Effective Recycling Program Approval, the following may happen:

- \* the responsible unit's Effective Recycling Program approval may be revoked,
- \* the responsible unit may not be allowed to dispose of its solid waste in solid waste disposal and solid waste treatment facilities located in the state of Wisconsin, and
- \* the responsible unit may lose its eligibility for a state recycling grant.

D. The responsible unit certifies that in the management of its solid waste, it has, whenever possible and practical, followed these priorities: 1) the reduction of the amount of solid waste generated; 2) the reuse of solid waste; 3) the recycling of solid waste; 4) the composting of solid waste; 5) the recovery of energy from solid waste; 6) the land disposal of solid waste; and 7) the burning of solid waste without energy recovery.

I hereby acknowledge I am the duly authorized representative of the responsible unit and, to the best of my knowledge and belief, the information contained in this report is correct, true and complete.

### D. Certification

☐ I have reviewed all sections of this report.

Name of Authorized Representative Matt Trebatoski	Signature of Authorized Representative	Date Submitted
--	--	----------------

**Prepared by:** Andy Selle

**Confirmation #:**

Selle, Andy  
920-563-7760  
101 N Main St  
Fort Atkinson, WI 53538-1861

6 of 6

10-6



**CITY OF FORT ATKINSON, Fort Atkinson, WI, 53538**

**Date:** xxx

**TO:** City Council

**FROM:** Jude Hartwick, President of the Beautification Council

**SUBJECT:** Murals: Water dept. bldg. Water St. & Jones' Park water reservoir

**Background:**

The Beautification Council's purpose is:

**Purpose:** The purpose shall be to improve and beautify the community of Fort Atkinson, Wisconsin. To survey, study, plan, report, recommend, guide and conduct activities relating to the physical improvement and beauty of Fort Atkinson and its environs. The organization is dedicated exclusively to charitable and educational purposes as set forth above and no substantial part of its activities will attempt to influence legislation by propaganda or otherwise.

We are looking at doing two murals to make our cityscape a little more artsy. The mural at Jones Park would be on the reservoir. Currently it is just sealed with a white enamel/epoxy (palette calling out for artwork). The Generals logo with baseball theme would be painted on the top. It would be covered with epoxy/sealant resin to protect the finish, as well as to encase the reservoir to protect it. The mural would be painted by a collaborative partnership between folks from the Generals and Beautification Council. It was earlier determined that it should be resealed by Ryan Peterson, Sherwin Williams manager.

The second mural would be on the water department building. It too has been painted with a white colored paint and looks like a palette calling out for artwork. The Beautification Council had internal discussions about what to paint as for themes. The parameters were set as something that was Fort Atkinson specific/recognizable, nature themed, transportation/river, and agricultural. We came to consensus that there was enough native American themed artwork around town, as well as enough poetry highlighted in other parts of the city. We solicited bids from various muralists in Madison, Milton, Delevan, Waukesha, as well as discussed with other local artists. We've enlisted the assistance of our local expert, Ann Engleman, and sought approval from other groups. We've tried to make the process, as well as the mural itself a community project.

**Discussion:**

**Jones Reservoir Mural:** We've collaborated with the Fort Atkinson Generals for the mural. They have allowed us to use their image, as well as said they would help paint. They have agreed to donate to help finance the artwork. The city will provide for the protective coating, as they were going to do so earlier. The image will be of the General with baseball stitching and maybe a bat, placed on the top of the reservoir. Thus, you can identify that it is a baseball theme. See attached image. There will be no murals on the sides of the reservoir.

1 of 3





Water Dept Mural: We've sought approval and involved city staff in the decision process and planning, neighbors, community (Facebook), arts alliance groups. We plan on fundraising once approval has been granted. Preliminary discussions have been had with the Community Foundation and some potential donors. A bank account has been set up at FCCU to start the process. Ann Engleman's checklist on mural development has been extremely useful in keeping us coordinated. It is intended to not only enhance, but to involve, our community. Larry Schulz, the selected muralist, has done murals and is an accomplished agriculture/nature artist. He lives in between Milton and Fort Atkinson. We may seek some help from Michael Mayovsky, the muralist who painted MaKaTaiMeSheKiaKiack on the Blackhawk residence. He is returning to our area after doing a mural at Fort Stanwix in New York. He knows his paints. The Keim paint to be used is expected to last over 40 years, but has lasted over 100 years. It forms a ceramic base and is much more water resistant and durable than other surface paints. There will not be a protective layer, as the sealant would yellow or blister with moisture and sunlight impact. Touch up is expected, but unless damaged should be minimal. One group (DAMA) was rejected because they wanted to use a contact paper like product that would adhere to the building. The



thought was that though they said it would last, it was a newer product and has not stood the test of time and may be suspect for blistering due to moisture. On a south facing wall there was potential for yellowing due to sunlight, thus clouding the image itself. An image of the mural design is below. The Rock River is represented, as are the old steamboats used by early citizens and tourists, the quirky bandshell above the bridge is showcased depicting some of Fort Atkinson's odder innovations, some historic buildings are represented including the Creamery that existed along the river, Jones Dairy Farm. Koshkonong Country to depict the history of the mural. Please note how the windows and edge of the building were incorporated in the mural design itself.

### **Financial Analysis:**

Jones Park Reservoir Mural: Any paints and costs associated with the artwork will be borne by the Beautification Council and secured through fundraising. Process will be coordinated with City to ensure preservation and covering of the reservoir this summer. Costs to the Beautification Council/Generals should be minimal, as design and color scheme is basic, @ 500-1000 dollars. City costs will be incurred through jet washing/scrubbing, undercoat, and top sealant. It was advised that the city do these this year regardless of whether a mural was painted on top or not.

Water Department Building mural: Costs will be borne by the Beautification Council. Grant will be written to the Fort Atkinson Community Foundation to try to secure matching funds. Fundraising will be done in the community by Beautification Council. Hope is to secure funding of \$22,000 by July 2019 and paint this year. The cost to the city will be nothing. Launching of fundraising will be upon approval by City Council. We may seek assistance with scaffolding and washing the building.

**Staff Recommendation:** City staff have reviewed the request. The following concerns were discussed and resolved:-

- Jones Reservoir
  - o Paint for the Generals logo will be the same special epoxy paint used to protect the reservoir
  - o Sides of reservoir may be painted with a different tint, other than white, again with the same special paint
  - o Water utility will not be responsible for re-creating the mural in future years when reservoir needs to be serviced – beatification council may do so
  - o Water utility will prep the surface for the topcoat – necessary to perform anyway this year, then the mural will be placed, then the topcoat of epoxy will be placed by the water department
- Water Street Murals
  - o Water utility will not be responsible for upkeep of the murals

City staff support both projects.



10-C

**CITY OF FORT ATKINSON, Fort Atkinson, WI, 53538**

**Date:** April 12, 2019

**TO: City Council**

**FROM: Paul Christensen – Wastewater Utility Supervisor**

**SUBJECT: WWTP Upgrades – Design Consultant Selection**

**Background:**

The Facility Plan for the WWTP was completed in January 2019. This plan documents a path toward meeting phosphorous compliance as well as ensuring necessary upgrades and scheduled replacement of major equipment at the WWTP is performed. A ten year plan for capital investment was documented. This is the first year of that plan, intended to meet the deadline of July 1, 2023 for the plant's phosphorous compliance permit from WDNR.

**Discussion:**

Two firms responded to the requested proposal, five were asked to submit. Two of the five indicated they did not have the capacity to pursue the work within the time frames indicated. Firms were asked to bid on the design of three items; replacement of a raw influent pump, modification of existing aeration tanks, and the design for centrate piping to carry high phosphorous liquid to the modified holding tanks. Consultants were evaluated on their scope and budget to design, the team assembled to perform the work, and their intended schedule. An evaluation table is attached. Each metric was given a 1,3,or 5 ranking.

Donohue and Associates were ranked first in the evaluation. They performed the Facility Plan and we have a good relationship with them.

**Recommendation:**

I recommend contracting with Donohue and Associates in the amount of \$53,574 for design services. The fees for design services will be covered with budgeted replacement funds of \$908,000 for these three projects.

1 of 2

	SCOPE OF WORK	#	TEAM	#	FEE	#	SCHEDULE	#
SCORE 14	- Good detail on the three design tasks							
	- Detailed assumptions to accompany the scope							
	- No scope / fee for bid phase services as requested in RFP							
SCORE 18	- Detailed breakdown of tasks							
	- Appreciate the sheet set, sets a good understanding for bid docs							
	- Deliverables clearly spelled out, assumptions could have been more detailed							
Symbiont		3	PROS: Great range of experience and expertise within the 3 individuals CONS: Did not follow the proposal instructions - 1 page or less for project team	3	\$64,850 / 626 hrs PROS: Breakdown by task provided CONS: A semi-detailed breakdown, short of what was requested.	3	PROS: July 3 Advertise, Aug 6 Bids due CONS: Dec 31 completion is ambitious?	5
Donahue and Assoc.		5	PROS: Solid team among the 3 individuals. Kept at 1 page as requested CONS: None	5	\$53,574 / 399 hrs PROS: Detailed breakdown provided as requested CONS: None	5	PROS: Factored lead time for Pump 3 into schedule CONS: Dec 12 Advertise, Jan 12 (2020) bids due. Difficult schedule to	3

2 of 2



10-d

**CITY OF FORT ATKINSON, Fort Atkinson, WI, 53538**

**Date:** April 10, 2019

**TO:** City Council

**FROM:** Paul Christensen, Wastewater Supervisor

**SUBJECT:** Purchase of Replacement Biological Phosphorus Zone Mixers

**Background:** The 2019 Replacement budget contains \$27,000 for the replacement of 3 biological phosphorus zone mixers. Last year we replaced the other 3 mixers. These mixers are used in the unaerated (anaerobic zone) section of the aeration tanks to keep the liquid contents in suspension without oxygen to promote the biological phosphorus removal process.

The mixers were installed in 2003 and were manufactured and supplied by the Xylem/Flygt Corporation. They have provided excellent service during this period. The Utility also uses Xylem/Flygt submersible pumps throughout the facility, including all three lift stations. The maintenance department has acquired the specialty tools and knowledge to perform most required maintenance and repairs for all of these Flygt products as they are of similar construction and use the same types of parts.

**Discussion:** Based on performance the Utility would prefer to continue using Xylem/Flygt mixers. Xylem/Flygt sells directly to municipal customers through their service and sales network. The Utility purchases from the Pewaukee, WI branch.

As budgeted we are replacing the 3 mixers. Xylem/Flygt has offered the Utility a 30% discount if we purchase 3 mixers at a time.

**Financial Analysis:** Staff has negotiated the following price for the purchase of three mixers this year:

Xylem/Flygt Water Solutions, Pewaukee WI

\$25,609.33 including freight.

**Staff Recommendation:** Staff recommends the purchase of the three mixers for the cost of \$25,609.33 from Xylem/Flygt Water Solutions of Pewaukee, WI. The cost of the three mixers is under the 2019 budgeted amount.

1 of 1



11-a

**CITY OF FORT ATKINSON, Fort Atkinson, WI, 53538**

**Date:** April 12, 2019

**TO:** City Council  
**FROM:** Michelle Ebbert City Clerk/Treasurer  
**SUBJECT:** Granting Operator Licenses

**Background:**

The following are applicants for operator licenses. The applications have been reviewed and approved for accuracy by the Police Department. The following licenses are recommended for approval by the City Council.

**Discussion:**

REGULAR FOR THE TERM OF 2018-2020:

- |                   |                        |
|-------------------|------------------------|
| 1. Cade Pasold    | Kwik Trip              |
| 2. Arsenio Cortez | LaCabana Mexican Grill |

**Financial Analysis:**

None.

**Staff Recommendation:**

To recommend the approval of operator licenses for the above noted applicants upon completion of successful background checks.

1 of 1



Information Only

**CITY OF FORT ATKINSON, Fort Atkinson, WI, 53538**

**Date:** April 9, 2019

**TO:** City Council  
**FROM:** Andy Selle, City Engineer  
**SUBJECT:** Extra-Territorial Surveys

At the December 18, 2018 City Council meeting, approval was given to the City Manager and City Engineer to approve Extra-Territorial Surveys that were within a 1.5 to 3 mile radius of the City limits and not require that they be presented to the Plan Commission for review.

It was indicated at that meeting that staff would give the Council periodic (quarterly) updates on those Surveys that were approved by them and not forwarded to the Plan Commission.

This memo is to let you know that staff did not approve any extra-territorial Surveys that were within the 1.5 to 3 mile radius of the City limits in the first quarter of 2019.

Thank you.

1 of 1