



City of Fort Atkinson  
City Manager's Office  
101 N. Main Street  
Fort Atkinson, WI 53538

**CITY COUNCIL MEETING  
REMOTE VIA PHONE USING ZOOM  
TUESDAY, MAY 18, 2021 – 7:00 PM**

<https://us02web.zoom.us/j/85115081013?pwd=V3g2TWlrL0NxbDVDcmpNeWQvTUJoQT09>

Meeting ID: 851 1508 1013

Passcode: 052404

Dial by Location  
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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.

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**AGENDA**

1. Call meeting to order
2. Roll call
3. **Public Hearings - None**
4. **Public Comment:** *The City Council will receive comments from City residents. Comments are generally limited to three minutes per individual. Anyone wishing to speak is required to sign up in advance or state the following items for the record when called upon: name, address, subject matter, and contact information. No action will be taken on any public comments unless the item is also elsewhere on the agenda.*
5. **Consent Agenda:** *The Consent Agenda outlined below is hereby presented for action by the City Council. Items may be removed from the Consent Agenda on the request of any one Council member. Items not removed may be adopted by one action without debate. Removed items may be taken up either immediately after the Consent Agenda or placed later on the agenda at the discretion of the Council President.*
  - a. Review and possible action relating to the **minutes of the May 4, 2021 regular City Council meeting** (Ebbert)
  - b. Review and possible action relating to **building, plumbing, and electrical permit report for April, 2021** (LeMire)

- c. Review and possible action relating to **Special Event** request to hold **Easton's Cause softball tournament** at Ralph Park on July 17-18, 2021 (Ebbert)
- d. Review and possible action relating to a **Temporary Class "B" Retailer's License** for the EAB Softball Tournament – Easton's Cause on July 17-18, 2021 (Ebbert)
- e. Review and possible action relating to **Special Event** request to hold **Rhythm Remix** in mapped downtown area on August 21, 2021 (Ebbert)
- f. Review and possible action relating to **Special Event** request to hold **Fort Atkinson Cruise Nights** on several dates at Jones Park and Janesville Ave (Ebbert)
- g. **City Sewer, Water, and Stormwater Utility Financial Statements** as of April 30, 2021 (Ebbert)
- h. Review and possible action relating to granting of **operator licenses** (Ebbert)

**6. Petitions, Requests, and Communications - None**

**7. Resolutions and Ordinances:**

- a. Review and final reading relating to an Ordinance to amend section 6-86 of the City of Fort Atkinson Municipal Code (**retail Class A liquor license quota**) (Ebbert)
- b. Review and final reading relating to an Ordinance to amend Section 6-33 of the City of Fort Atkinson Municipal Code (**authority to issue operator's licenses**) (LeMire)
- c. First reading relating to an Ordinance to create Sections 22-456 through 22-458 of the City of Fort Atkinson Municipal Code (**relating to Mobile Merchants**) (LeMire)

**8. Reports of Officers, Boards, and Committees:**

- a. City Manager's Report (LeMire)
- b. Review and presentation of **2020 Annual Report** (LeMire)

**9. Unfinished Business:**

- a. Review and possible action relating to an **Intergovernmental Agreement** between the City of Fort Atkinson and the Town of Koshkonong relating to the **Attachment of City-owned Properties** (LeMire)

**10. New Business:**

- a. Review and possible action relating to selecting a **security camera proposal from Ignatek, LLC for \$12,271.54** for 22 cameras to be located in five City Parks (Franseen)

- b. Review and possible action relating to the Wastewater Utility Phase II Construction Project – **Change Order #001 in the amount of \$17,843** (Christensen)

**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)

**13.** The City Council will consider a motion to convene in closed session pursuant to State Stat. §19.85(1)(g) to **confer with legal counsel** for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved [**Koshkonong Estates Mediation**]; the Council will not reconvene in open session.

**14. Adjournment**

*Date Posted: May 14, 2021*

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City of Fort Atkinson  
City Clerk/Treasurer's Office  
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**CITY COUNCIL MEETING MINUTES  
REMOTE VIA PHONE USING ZOOM  
TUESDAY, MAY 4, 2021 – 7:00 PM**

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**CALL MEETING TO ORDER**

President Scherer called the meeting to order at 7:00 pm.

**ROLL CALL**

Present: Cm. Becker, Cm. Hartwick, Cm. Housley, Cm. Johnson and Pres. Scherer. Also present: City Manager, City Clerk/Treasurer, City Attorney, City Engineer, Police Chief and Parks & Recreation Director.

**REVIEW AND POSSIBLE ACTION RELATING TO THE MINUTES OF THE APRIL 20, 2021 REGULAR CITY COUNCIL MEETING**

Cm. Becker moved, seconded by Cm. Housley to approve the minutes of the April 20, 2021 regular council meeting. Motion carried.

**PUBLIC HEARINGS – NONE.**

**PUBLIC COMMENT:** *The City Council will receive comments from City residents. Comments are generally limited to three minutes per individual. Anyone wishing to speak is required to sign up in advance or state the following items for the record when called upon: name, address, subject matter, and contact information. No action will be taken on any public comments unless the item is also elsewhere on the agenda.*

Peggy Race spoke in support of the prohibition large-scale commercial animal breeding Ordinance that the City Council is reviewing this meeting at its second reading.

Paula Brown also spoke in support of the prohibition large-scale commercial animal breeding Ordinance.

Jeff Okazaki of the Jefferson County Humane Society spoke in support of the prohibition large-scale commercial animal breeding Ordinance.

Megan Nicholson spoke in support of the prohibition large-scale commercial animal breeding Ordinance.

**PETITIONS, REQUESTS, AND COMMUNICATIONS:**

*Presentation of plaque to **Jeff Hottman** for years of service*

*Presentation of plaque to **Ron Bishofberger** for years of service*

No action was required.



### **RESOLUTIONS AND ORDINANCES:**

*Review and second reading relating to an Ordinance to create Section 10-14 of the City of Fort Atkinson Municipal Code (prohibiting large-scale commercial animal breeding)*

Manager LeMire stated this is the second reading of the Ordinance. Statements of support were presented during the Public Comments.

Cm. Becker moved, seconded by Cm. Johnson to suspend the rules and waive the third reading. Motion carried on a roll call vote.

Cm. Becker moved, seconded by Cm. Hartwick to approve and adopt Ordinance to create Section 10-14 of the City of Fort Atkinson Municipal Code (prohibiting large-scale commercial animal breeding). Motion carried on roll call vote.

*Review and second reading relating to an Ordinance to amend section 6-86 of the City of Fort Atkinson Municipal Code (retail Class A liquor license quota)*

Clerk Ebbert stated this is the second reading of the Ordinance to allow additional "Class A" Intoxicating Liquor Licenses. No comments, concerns or questions have been presented since the presentation of this Ordinance.

Cm. Becker moved, seconded by Cm. Johnson to direct the City Manager to prepare this Ordinance for a third and final reading at the meeting on May 18, 2021. Motion carried.

*Review and second reading relating to an Ordinance to amend Section 6-33 of the City of Fort Atkinson Municipal Code (authority to issue operator's licenses)*

Manager LeMire provided the Ordinance for its second reading. The passing of this Ordinance would allow the Clerk to issue operator's licenses once a successful background check is approved by the Police Department.

Cm. Becker moved, seconded by Cm. Johnson to direct the City Manager to prepare this Ordinance for a third and final reading at the meeting on May 18, 2021. Motion carried.

*Review and second reading relating to an Ordinance for a Zoning Map Amendment to change the zoning of the property located at 1309 High Street from UMU, Urban Mixed Use, to PUD, Planned Unit Development, to accommodate the U-Haul Storage redevelopment project*  
Engineer Selle presented the Ordinance. Comments have not been received by Staff. This change would accommodate the U-Haul Storage redevelopment project.

Cm. Becker moved, seconded by Cm. Johnson to suspend the rules and waive the third reading. Motion carried on a roll call vote.

Cm. Becker moved, seconded by Cm. Johnson to approve and adopt Ordinance for a Zoning Map Amendment to change the zoning of the property located at 1309 High Street from UMU, Urban Mixed Use, to PUD, Planned Unit Development, to accommodate the U-Haul Storage

redevelopment project contingent upon approvals of the General Development Plan and Specific Implementation Plan. Motion carried on a roll call vote.

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

*City Manager's Report.*

No action was taken.

*Review and possible action relating to council appointments to committees, commission, and boards by council president and city manager.*

Cm. Becker moved, seconded by Cm. Johnson to approve the Council Appointments as presented by President Scherer and Manager LeMire in the associated memo. Motion carried.

*Review and possible action relating to Citizen Appointments to Committees, Commissions, and Boards.*

Cable Television Committee:

- a. Matthew Bills for a five- year term ending in 2026 (reappointment)
- b. Mark Thomas Bernhardt for the remainder of a five-year term ending in 2024 (appointment)

Economic Development Commission:

- c. Bill Camplin for a three-year term ending in 2024 (reappointment)
- d. James Nelson for a three-year term ending in 2024 (reappointment)

Parks & Recreation Advisory Board:

- e. Don Neste for a 3-year term ending in 2024 (reappointment)
- f. Steve Mahoney for a 3-year term ending in 2024 (School District Representative; reappointment)

Plan Commission: Eric Schultz for a 3-year term ending in 2024 (reappointment)

Sex Offender Residence Board: Mary Zentner to a 2-year term ending in 2023 (reappointment)

Board of Zoning Appeals: Jim Woodman to a 2-year term ending in 2023 (reappointment)

Cm. Hartwick moved, seconded by Cm. Johnson to approve the Citizen Appointments as presented by Manager LeMire in the associated memo. Motion carried.

*List of Vacancies for Citizens on City Commissions, Committees, and Boards:*

Tourism Committee (one seat)

Board of Zoning Appeals (two seats)

No action was required.

*Review and possible action relating to the minutes of the April 27, 2021 Plan Commission meeting*

Cm. Becker moved, seconded by Cm. Johnson to accept and file the minutes of the April 27, 2021 Plan Commission meeting. Motion carried.

**UNFINISHED BUSINESS - NONE**

**NEW BUSINESS:**

*Review and possible action relating to the purchase of miBudget municipal budgeting module from Civic Systems for \$4,700.*

Clerk Ebbert reviewed the estimate for the miBudget module to enhance the flow of the annual budget preparation. The program allows Staff to electronically manage their year-end projections, future year budget while viewing prior year budgets, actuals and calculations. The initial cost may be reimbursed through the American Rescue Plan Act from the federal government.

Cm. Becker moved, seconded by Cm. Johnson to approve the purchase of the Civic Systems miBudget budgeting module in an amount not to exceed \$4,700 and the annual support cost of \$875, divided among the general fund and utility funds as shown in Table 1 in the associated memo. Motion carried on a roll call vote.

*Review and possible action to approve the Process and Rules to implement a Consent Agenda for Future City Council Meetings*

Manager LeMire reviewed a sample consent agenda and discussed the process of approving, removing an item and how Council would address questions of items on the agenda.

Cm. Hartwick moved, seconded by Cm. Johnson to approve the Process and Rules to implement a Consent Agenda, and to direct staff to begin its use with the May 18, 2021 City Council agenda. Motion carried.

**MISCELLANEOUS:**

*Review and possible action relating to Temporary Class "B"/"Class B" Retailer's Licenses for the Fort Atkinson Club for events on June 18, 2021 and July 16-17, 2021.*

Cm. Becker moved, seconded by Cm. Johnson to approve the Temporary Class "B"/"Class B" Retailer's Licenses for the Fort Atkinson Club events on June 18<sup>th</sup> and July 16-17<sup>th</sup>. Motion carried.

*Review and possible action relating to granting of operator licenses.*

Cm. Housley moved, seconded by Cm. Johnson to approve the operator licenses as recommended in the associated memo. Motion carried.

**CLAIMS, APPROPRIATIONS AND CONTRACT PAYMENTS:**

*Review and possible action relating to disallowance of claim for sewer backup from Safeco Insurance.*

Clerk Ebbert presented the claim for disallowance pursuant to Wisconsin Statute §893.80.

Cm. Becker moved, seconded by Cm. Johnson to disallow the claim from Safeco Insurance related to a sewer backup at 1137 Peterson Street. Motion carried on a roll call vote.

*Review and possible action relating to the Verified Claims presented by the Director of Finance and authorization of payment.*

Cm. Hartwick moved, seconded by Cm. Housley to approve the list of verified claims and authorize payment. Motion carried on a roll call vote.

**ADJOURNMENT**

Cm. Housley moved, seconded by Cm. Becker to adjourn. Meeting adjourned 8:29 pm.

Respectfully submitted

Michelle Ebbert

City Clerk/Treasurer



## Permit Report

04/01/2021 - 04/30/2021

Permit #	Permit Location	Owner Name	Project type	Permit Description	Estimated Project Cost	Total Fees
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**Group: Add/Alter Commercial**

21538	1215 Klement St.	GFL Environmental	Add/Alter Commercial	Adding two non structural partition walls for training room.	750	\$32.00
21547	1600 Farmco Ln	City of Fort Atkinson Wastewater Treatment Plant	Add/Alter Commercial	plant renovation and addition	13,500,000	
						<b>\$32.00</b>

**Group Total: 2**

**Group: Commercial/ Industrial**

21518	211 S. Water St. East	Fort Atkinson Club	Commercial/ Industrial	Shed140 'Sq.	20,000	\$58.00
						<b>\$58.00</b>

**Group Total: 1**

**Group: Deck**

21546	1409 Commonwealth Dr.	Heidi Quiles	Deck	deck on rear of home	15,000	\$79.50
21552	421 E. Sherman Ave.	Alex & Tylynn Morrison	Deck	256'Sq deck	2,500	\$68.40
						<b>\$147.90</b>

**Group Total: 2**

**Group: detached garage**

21556	414-416 Robert St.	Kim & Craig Foelker	detached garage	Detached garage	35,000	\$177.00
						<b>\$177.00</b>

**Group Total: 1**

**Group: Electrical**

21514	1100 Laurie Dr.	Corianda Brodzeller	Electrical	Water heater	0	\$45.00
21515	222 Memorial Dr.	Gary Knoff	Electrical	Service	0	\$60.00

Permit #	Permit Location	Owner Name	Project type	Permit Description	Estimated Project Cost	Total Fees
21522	612 Chippewa Ct.	Engstrom	Electrical	Rehook power for two circuits to allow clean up of fire damage.	0	\$30.00
21527	1680 Janesville Ave	Kwik Trip, Inc	Electrical	2-220v, 2 DIRECT WIRE	0	\$55.00
21528	120 Margaret Ave.	Lori Johnson	Electrical	100 amp service & one opening	0	\$30.75
21532	429 McComb St.	Jennifer Kenyon	Electrical	100 Amp overhead service	0	\$55.00
21533	237 E Highland Ave.	John Leum	Electrical	Radon exhaust	0	\$35.75
21534	1135 Erick St.	David Schweitzer	Electrical	PV system	0	
21535	321 W HILLTOP TRAIL	ROBERT DOURLAIN	Electrical	1 SERVICE	0	\$60.00
21537	902 Zaffke St.	Dustin Moldenhauer	Electrical	200 amp service	0	\$60.00
21543	734 W Blackhawk Dr.	Joan Alvarado	Electrical	100 amp service and one opening	0	\$55.00
21544	1409 Commonwealth Dr.	Heidi Quies	Electrical	20 amp circuit	0	\$35.00
21548	426 Wilcox St.	Nick Floerke	Electrical	100 amp service	0	\$40.00
21551	1530 Doris Dr.	Highland Dental	Electrical	Electrical for new dental clinic	0	\$341.25
21557	617 Lexington Blvd	William Brock	Electrical		0	\$41.00
						<b>\$943.75</b>

Group Total: 15

Permit #	Permit Location	Owner Name	Project type	Permit Description	Estimated Project Cost	Total Fees
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**Group: Fence**

21523	1533 Rangita St.	CELIA VAN PIETERSOM BRADY SCHOENHER R	Fence	6' privacy fence in rear yard	1,500	\$55.00
21524	509 Milo St.	Rosemarie Mansavage	Fence	6' privacy fence in rear yard	12,000	\$55.00
21525	320 Jackson St.	Amy Lueder	Fence	6' privacy fence in rear yard	1,200	\$55.00
21526	1322 Erick St.	Antonio Garcia-Rodriguez	Fence	6' privacy fence in rear yard	8,500	\$55.00
21558	1104 MONROE ST	TIMOTHY MILLER	Fence	FENCE	3,244	\$55.00
						<b>\$275.00</b>

**Group Total: 5**

**Group: HVAC**

21516	1200 Industrial Dr.	OSI Fort Atkinson	HVAC	Unit heater replace	0	\$65.00
21549	417 Frederick Ave.	Jennifer Kenyon	HVAC	Replace Furnace & A/C	0	\$100.00
21550	4 E Hilltop Tr.	Robert Amadon	HVAC	Replace Furnace & A/C	0	\$100.00
						<b>\$265.00</b>

**Group Total: 3**

**Group: Plumbing**

21513	1100 Laurie Dr.	Corianda Brodzeller	Plumbing	Water Heater	0	\$36.00
21519	207 Talcott Ave.	Karissa Powers	Plumbing	Tub shower replace	0	\$42.00
21531	317 White St	PatDoc LLC	Plumbing	Bathroom	0	\$48.00
21542	720 McMillen St.	Shirley Dempsey	Plumbing	Tub shower replace	0	\$36.00
21545	1600 Farmco Ln	City of Fort Atkinson Wastewater Treatment Plant	Plumbing	plumbing for plant renovation and addition	0	

Permit #	Permit Location	Owner Name	Project type	Permit Description	Estimated Project Cost	Total Fees
21554	827 Banker Rd.	Madison College	Plumbing	Storm sewer & CB's	0	\$123.00
21555	414 Council St.	Jose Mieses	Plumbing	Bathroom in basement	0	\$54.00
						<b>\$339.00</b>

**Group Total: 7**

**Group: Right of Way Opening Permit**

21512	624 Oak St		Right of Way Opening Permit	Street Opening	0	\$50.00
21517	1407 Endl Blvd		Right of Way Opening Permit	Street Opening - Driveway	0	\$50.00
21520	422 Washington St	Jeremy Cosson	Right of Way Opening Permit	Street Opening - Driveway	0	\$50.00
21529	E Water St & McPherson		Right of Way Opening Permit	Street Opening - Storm Sewer	0	
21530	312 W Milwaukee Ave	Blodgett	Right of Way Opening Permit	Street Opening - Water Service Repair	0	
21536	1720-1722 Montclair Place	Ryan Foust	Right of Way Opening Permit	Street Opening	0	\$50.00
21539	1001 Edgewater Rd		Right of Way Opening Permit	Street Opening - Cable	0	\$50.00
21541	714 Cloute St	Joe Pettegrew	Right of Way Opening Permit	Street Opening - Driveway	0	\$50.00
						<b>\$300.00</b>

**Group Total: 8**

**Group: Sign**

21553	1620 Mehta Ln.	Livesey Company	Sign	Existing sign replacement	10,000	\$80.00
						<b>\$80.00</b>

**Group Total: 1**

**Group: Single Family Alteration/Addition**

21521	116 Shirley St.	Sherry Lumby	Single Family Alteration/Addition	Egress window	4,800	\$31.50
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Permit #	Permit Location	Owner Name	Project type	Permit Description	Estimated Project Cost	Total Fees
21540	426 Rogers St.	Andy Maxfield	Single Family Alteration/Addition	Egress window	3,000	\$31.50
						\$63.00

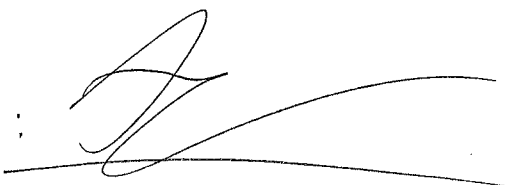
Group Total: 2

						\$2,680.65
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Total Records: 47

5/3/2021

Submitted: 5/3/21

Building Inspector: 



City of Fort Atkinson  
City Clerk/Treasurer's Office  
101 N. Main Street  
Fort Atkinson, WI 53538

## MEMORANDUM

**DATE:** May 18, 2021

**TO:** Fort Atkinson City Council

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

**RE:** Review and possible action relating to Special Event:  
EAB Softball Tournament – Easton's Cause

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### BACKGROUND

The City of Fort Atkinson is committed to supporting quality special events throughout the community. The Special Event Guide and Application was created to assist with planning events in the city and to allow appropriate contact information be obtained and forwarded to Departments. The planning guide is designed to assist members of the community in the planning, preparation and running of events and programs in Fort Atkinson.

The Special Event Guide defines a special event as a planned extraordinary occurrence or temporary aggregation of attractions, open to the public, that (a) is conducted on public property, (b) is conducted on private property and has a substantial impact on public property, (c) has activities that request special temporary licenses; or (d) require special city services, whether open to the public or not, including but not limited to, any of the following: street closures, provisions of barricades, garbage cans, stages or special no parking signs, special electrical services, or special police protection. Special events include, but not limited to, neighborhood and community festivals, parades, processions, fairs, and bicycle or foot races.

### DISCUSSION

**Event:** EAB Softball Tournament – Easton's Cause

**Dates and Hours of Event:**

Saturday July 17<sup>th</sup> and Sunday July 18<sup>th</sup> – 7:00 am to 10:00 pm

**Location:** Ralph Park, Jefferson Street

**Contact Person:** Mike Bauler, mbauler@enasco.com

**Estimated Number of Attendees:** 200

Event information was routed to Departments without any concerns provided. Restrooms and proper refuse receptacles are on site. The group appropriately applies for a Temporary Class B Retailer's License to sell Fermented Malt Beverages from the concession stand.

The applicant confirmed no additional park attractions this year aside from the softball tournament and concessions.



### **FINANCIAL ANALYSIS**

There is no financial impact to the City of Fort Atkinson for the event.

### **RECOMMENDATION**

Staff recommends that City Council approve the Easton's Cause – EAB Softball Tournament for July 17-18, 2021 at Ralph Park.

### **ATTACHMENTS**

Special Event Application



CITY OF FORT ATKINSON  
Special Event Application

Name of Business/Group Organizing Event: <u>EASTON'S CAUSE</u>	
Contact Person for Event: <u>MIKE BAULER</u>	
Phone Number: <u>612-388-4689</u>	Email: <u>MBAULER@ENASO.COM</u>
Is the Business/Group Organizing Event: <input type="checkbox"/> For profit or <input checked="" type="checkbox"/> Non-Profit	
Special Event Details	
Event Name: <u>EAB Softball Tournament</u>	
Event Date: <u>July 17-18, 2021</u>	
Event Location: <u>Ralph Park</u>	
Estimated Number of Attendees: <u>200</u>	Hours of Event: <u>7a-10p</u>
Check all applicable boxes: <input checked="" type="checkbox"/> I am renting a City Park Attach copy of paid park rental from Parks & Recreation (920) 563-7781. <input type="checkbox"/> I will be having music Start and end time of music: <input type="checkbox"/> I will be closing a street(s) Attach site diagram with details. Barricades can be provided by Public Works upon request (920) 563-7771. <input checked="" type="checkbox"/> I will be selling beer and/or wine* Attach Temporary License and Bartender/Operator Applications. Contact City Clerk (920) 563-7760 *Restroom Plan also required with sales of beer and/or wine. Refer to the Special Event Guide. <input type="checkbox"/> I will be erecting a tent, canopy or other temporary structure.	
By signing, I agree to the following statements: I understand I am responsible for a fire safety and medical plan. I understand it is my responsibility to read the Special Events Guide. I understand I may be required to provide Proof of Insurance. I am responsible to contact each Department to arrange for assistance. I understand I am responsible for timely clean up after the event. Responsible Party Signature: <u>[Signature]</u>	

Office Use Only

Date Submitted to Clerk: 4/29/2021 Date Emailed to Departments: 4/30/2021

Department	Comments, Concerns, Action(s) to be taken
<input checked="" type="checkbox"/> Clerk/Treasurer	<u>Beer license applied for, no other concerns</u>
<input checked="" type="checkbox"/> EMS - Ryan Brothers Ambulance	<u>no comments provided</u>
<input checked="" type="checkbox"/> Engineer and Building Inspection	<u>no concerns</u>
<input checked="" type="checkbox"/> Electrician	<u>no concerns</u>
<input checked="" type="checkbox"/> Fire and Rescue Department	<u>no concerns</u>
<input checked="" type="checkbox"/> Library and Museum	<u>no concerns</u>
<input checked="" type="checkbox"/> Parks & Recreation	<u>Park rental confirmed</u>
<input checked="" type="checkbox"/> Police Department	<u>no concerns</u>
<input checked="" type="checkbox"/> Public Works Department	<u>no concerns</u>
<input checked="" type="checkbox"/> Wastewater and Water Utility	<u>no concerns</u>
Date Reported to City Council (if necessary): <u>5/18/2021</u>	
Comments, Contingencies, Findings:	





City of Fort Atkinson  
City Clerk/Treasurer's Office  
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Fort Atkinson, WI 53538

## MEMORANDUM

**DATE:** May 18, 2021

**TO:** Fort Atkinson City Council

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

**RE:** Discussion and possible action relating to Temporary Class "B" Retailer's Licenses for the EAB Softball Tournament – Easton's Cause

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### BACKGROUND

The State of Wisconsin regulates alcohol licensing for local governments through Chapter 125. There are three classes of Licenses: Class A, Class B and Class C. "Class C" pertains strictly to wine with consumption on-site in a restaurant. The difference between Class A and B is where alcohol is authorized for sale and for consumption. Class A generally offers sale of alcohol on-site with consumption off-site (e.g. grocery or liquor store, gas station or convenience store). Class B allows for on-site sale and on-site consumption (e.g. Restaurant, Bar, Bowling Alley, Tavern). Class A can easily be remember as you consume alcohol *Away* from the premises. Likewise, Class B you consume on-site, for example *Bar*.

Alcohol licenses are further defined by the quotation marks used. For example, "Class A" refers to intoxicating liquor while Class "A" refers to fermented malt beverages. These licenses can also be issued together as a combination license, most common for grocery stores.

Temporary Class "B" (picnic) beer and/or wine licenses may sell fermented malt beverages to consumers at a picnic or similar gathering of limited duration. Such licenses may be issued only to bona fide clubs, chambers of commerce, county or local fair associations, agricultural societies, churches, lodges, societies, veteran's organizations that have been in existence for at least six months.

There is no limit to the number of Temporary Class "B" fermented malt beverage licenses that may be issued to an eligible organization in a calendar year. However, there is a limit of two Temporary "Class B" wine licenses that may be issued to an eligible organization in a 12-month period.

Temporary license holders must have licensed operators (bartenders) and they must purchase their products from a Distributor/Wholesaler.

The attached application from Easton's Cause was completed and submitted in a timely manner as required by Department of Revenue form AT-315 and City of Fort Atkinson Code of Ordinance Section 6-61(b).

## **DISCUSSION**

**Organization:** Bona Fide Club

**Name:** EAB – Softball Tournament - Easton's Cause

**Street Location:** 3013 Pheasant Run, Cottage Grove WI

**Manager of affair:** Mike Bauler

**Premises:** Ralph Park, 600 Jefferson Street

**Name of Event:** Easton's Cause – EAB Softball Tournament

**Date of Event:** July 17-18, 2021

**The Named Organization Applied for the Following License(s):** Class "B" Fermented Malt Beverages

## **FINANCIAL ANALYSIS**

There is a \$10.00 license fee per Application for Temporary Retailer's License. Publication is not required for these licenses.

## **RECOMMENDATION**

Staff recommends that the City Council approve of the Temporary Class "B" Retailer's License to sell Fermented Malt Beverage products at Easton's Cause, EAB Softball Tournament, July 17-18, 2021 at Ralph Park contingent upon having licensed operators and purchasing products from a Wisconsin beverage distributor.

## **ATTACHMENTS**

Application for Temporary Class "B" Retailer's Licenses

## Application for Temporary Class "B" / "Class B" Retailer's License

See Additional Information on reverse side. Contact the municipal clerk if you have questions.

FEE \$ 10.00

Application Date: 04/19/2021

☐ Town ☐ Village ☒ City of Fort Atkinson

County of Jefferson

The named organization applies for: (check appropriate box(es).)

☒ A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(6), Wis. Stats.

☐ A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stats.

at the premises described below during a special event beginning 07/17/2021 and ending 07/18/2021 and agrees to comply with all laws, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

### 1. Organization (check appropriate box) →

☒ Bona fide Club

☐ Church

☐ Lodge/Society

☐ Veteran's Organization

☐ Fair Association or Agricultural Society

☐ Chamber of Commerce or similar Civic or Trade Organization organized under ch. 181, Wis. Stats.

(a) Name Easton's Cause

(b) Address 3013 Pheasant Run, Cottage Grove, WI 53527

(Street)

☐ Town

☒ Village

☐ City

(c) Date organized 03/01/2011

(d) If corporation, give date of incorporation 03/12/2012

(e) If the named organization is not required to hold a Wisconsin seller's permit pursuant to s. 77.54 (7m), Wis. Stats., check this box: ☒

(f) Names and addresses of all officers:

President Mike Bauler, 3013 Pheasant Run, Cottage Grove, 53527

Vice President Lindsey Thommessen, Wauwatosa, WI

Secretary Lisa Daye, 3013 Pheasant Run, Cottage Grove, WI 53527

Treasurer \_\_\_\_\_

(g) Name and address of manager or person in charge of affair: Mike Bauler, 3013 Pheasant Run

### 2. Location of Premises Where Beer and/or Wine Will Be Sold, Served, Consumed, or Stored, and Areas Where Alcohol Beverage Records Will be Stored:

(a) Street number 600 Jefferson Street

(b) Lot \_\_\_\_\_ Block \_\_\_\_\_

(c) Do premises occupy all or part of building? Yes

(d) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover: \_\_\_\_\_

### 3. Name of Event

(a) List name of the event 10th Annual EAB

(b) Dates of event 07/17/2021

### DECLARATION

An officer of the organization, declares under penalties of law that the information provided in this application is true and correct to the best of his/her knowledge and belief. Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

Officer W. Michael Bauler 4-19-2021  
(Signature / Date)

Easton's Cause  
(Name of Organization)

Date Filed with Clerk 04/19/2021

Date Reported to Council or Board 05/04/2021

Date Granted by Council \_\_\_\_\_

License No. \_\_\_\_\_



City of Fort Atkinson  
City Clerk/Treasurer's Office  
101 N. Main Street  
Fort Atkinson, WI 53538

## MEMORANDUM

**DATE:** May 18, 2021

**TO:** Fort Atkinson City Council

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

**RE:** Review and possible action relating to Special Event:  
Fort Atkinson Chamber of Commerce – Rhythm Remix

---

### BACKGROUND

The City of Fort Atkinson is committed to supporting quality special events throughout the community. The Special Event Guide and Application was created to assist with planning events in the city and to allow appropriate contact information be obtained and forwarded to Departments. The planning guide is designed to assist members of the community in the planning, preparation and running of events and programs in Fort Atkinson.

The Special Event Guide defines a special event as a planned extraordinary occurrence or temporary aggregation of attractions, open to the public, that (a) is conducted on public property, (b) is conducted on private property and has a substantial impact on public property, (c) has activities that request special temporary licenses; or (d) require special city services, whether open to the public or not, including but not limited to, any of the following: street closures, provisions of barricades, garbage cans, stages or special no parking signs, special electrical services, or special police protection. Special events include, but not limited to, neighborhood and community festivals, parades, processions, fairs, and bicycle or foot races.

### DISCUSSION

**Event:** Rhythm Remix

**Dates and Hours of Event:**

Saturday August 21, 2021 10:00 am to 6:00 pm

**Locations:** Various

Music Sites: Riverwalk Plaza, Café Carpe, Jones Market, Barrie Park, Tavern on Rock

Food Site: Fort Healthcare Business Services, 210 Milwaukee Avenue West (to be confirmed)

Kid Zone: Riverwalk Plaza and Rotary Depot Shelter

Information Booth: Rotary Depot Shelter

**Contact Person:** Carrie Chisholm, [director@fortchamber.com](mailto:director@fortchamber.com)

**Estimated Number of Attendees:** 1500-2000



Event information was routed to Departments with the following comments without concerns. The Police Department confirmed an additional Officer will be scheduled to patrol during the event and Parks and Recreation will assist with placement of picnic tables.

The Farmers Market will be held the same morning until noon. Once the market is complete, the parking lot for the market will re-open. No other street closures are requested.

There will be no alcohol sales or consumption in conjunction with this event.

#### **FINANCIAL ANALYSIS**

There is no financial impact to the City of Fort Atkinson for the event.

#### **RECOMMENDATION**

Staff recommends that City Council approve the Fort Atkinson Chamber of Commerce Rhythm Remix Special Event Permit for August 21, 2021 at the various locations outlined in the application.

#### **ATTACHMENTS**

Special Event Application, Rhythm Remix Event Proposal, Rhythm Remix Map



**CITY OF FORT ATKINSON**  
**Special Event Application**

Name of Business/Group Organizing Event: <b>Fort Atkinson Area Chamber of Commerce</b>	
Contact Person for Event: <b>Carrie Chisholm, Executive Director</b>	
Phone Number: <b>920-563-3210</b>	Email: <b>director@fortchamber.com</b>
Is the Business/Group Organizing Event: <input type="checkbox"/> For profit or <input checked="" type="checkbox"/> Non-Profit	
<b>Special Event Details</b>	
Event Name: <b>Rhythm Remix</b>	
Event Date: <b>August 21, 2021</b>	
Event Location: <b>Downtown Fort (see attached event overview)</b>	
Estimated Number of Attendees: <b>1500-2000</b>	Hours of Event: <b>10:00am - 6:00pm</b>
<p>Check all applicable boxes:</p> <p><input type="checkbox"/> I am renting a City Park      Attach copy of paid park rental from Parks &amp; Recreation (920) 563-7781.</p> <p><input checked="" type="checkbox"/> I will be having music      Start and end time of music: <b>10 A - 6 P</b></p> <p><input type="checkbox"/> I will be closing a street(s)      Attach site diagram with details. Barricades can be provided by Public Works upon request (920) 563-7771.</p> <p><input type="checkbox"/> I will be selling beer and/or wine*      Attach Temporary License and Bartender/Operator Applications. Contact City Clerk (920) 563-7760</p> <p><i>*Restroom Plan also required with sales of beer and/or wine. Refer to the Special Event Guide.</i></p> <p><input checked="" type="checkbox"/> I will be erecting a tent, canopy or other temporary structure.</p>	
<p><b>By signing, I agree to the following statements:</b></p> <p>I understand I am responsible for a fire safety and medical plan. I understand it is my responsibility to read the Special Events Guide. I understand I may be required to provide Proof of Insurance. I am responsible to contact each Department to arrange for assistance. I understand I am responsible for timely clean up after the event.</p> <p>Responsible Party Signature: <i>Carrie Chisholm</i></p>	

*Office Use Only*

Date Submitted to Clerk: **5/16/2021**      Date Emailed to Departments: **5/11/2021**

Department	Comments, Concerns, Action(s) to be taken
<input checked="" type="checkbox"/> Clerk/Treasurer	<i>no alcohol, no other licenses</i>
<input checked="" type="checkbox"/> EMS - Ryan Brothers Ambulance	<i>no reply</i>
<input checked="" type="checkbox"/> Engineer and Building Inspection	<i>no comments</i>
<input checked="" type="checkbox"/> Electrician	<i>no concerns</i>
<input checked="" type="checkbox"/> Fire and Rescue Department	<i>no concerns</i>
<input checked="" type="checkbox"/> Library and Museum	<i>no comments</i>
<input checked="" type="checkbox"/> Parks & Recreation	<i>will coordinate tables and trash receptacles</i>
<input checked="" type="checkbox"/> Police Department	<i>an additional officer will be on patrol of area</i>
<input checked="" type="checkbox"/> Public Works Department	<i>no concerns</i>
<input checked="" type="checkbox"/> Wastewater and Water Utility	<i>no comments</i>

Date Reported to City Council (if necessary): **5/18/2021**

Comments, Contingencies, Findings:




# Rhythm Remix 2021

Community Event Proposal || August 21, 2021

244 N. Main St, Fort Atkinson, WI || 920.563.3210  
director@fortchamber.com



## EVENT OVERVIEW

For 18 years, the Fort Atkinson Area Chamber of Commerce has organized Rhythm on the River, an end-of-summer block party that brings together 5,000 attendees to our downtown for an evening of musical entertainment. As a response to the COVID19 pandemic, the Fort Atkinson Chamber of Commerce and Rhythm on the River committee have partnered with the Fort Atkinson Charity Concerts for a daytime event, "Rhythm Remix," scheduled for Saturday, August 21, 2021 from 10:00am to 6:00pm. Returning to our roots as a family-friendly celebration, this free event will feature five downtown "venues" with regional musical talent scheduled at each throughout the day. The intent is to welcome people to our community, showcase our recreational assets, drive traffic to our local businesses, and provide quality entertainment. Spreading out the venues will allow for smaller groups to gather and increase distancing for those in attendance, anticipated to be between 1500-2000 people throughout the day.

## EVENT SPECIFICATIONS

**DATE:** Saturday, August 21, 2021

**TIME:** 10:00am - 6:00pm

**COST:** Free

**MUSIC VENUE SITES:** Riverwalk Plaza (behind Brock Riverwalk Tavern & Grill at 99 S. Main St), Cafe Carpe empty lot (to the West of the restaurant at 18 S. Water St. W.), Jones Market (601 Jones Ave), the Barrie Park Bandshell (210 Robert Street), and the parking lot at Tavern on Rock, (29 Sherman Ave W). Bands will be asked to bring their own monitors and no more than two speakers.

*The intent is to schedule two musical groups at each venue throughout the day. **CONFIRMED TO DATE:** Noah Hittner, John Gay, Jason Petitt, 7000apart, Driftless, Altar Boy Picnic.*

**FOOD COURT:** The parking lot associated with Fort HealthCare Business Services at 210 Milwaukee Avenue West. **Not yet confirmed.** Back-up lot will be the Fort Atkinson Area Chamber of Commerce parking lot at 244 North Main Street.

*The intent is for no more than four mobile food vendors at this site. Each is responsible for their own generator. **CONFIRMED TO DATE:** Beauty and the Bean, Carla's Catering. Open to other mobile vendors in the area, regardless of membership in the Fort Atkinson Area Chamber of Commerce.*

**KID ZONES:** Riverwalk Plaza (behind Brock's Riverwalk Tavern & Grill at 99, S Main St), and Rotary Depot Shelter (on the bike trail at the intersection of Robert Street and Milwaukee Ave).

*The intent is for face painters, balloon artists, and crafters to provide free entertainment for kids. **No confirmations to date.***

**INFORMATION & MERCHANDISE BOOTH:** Rotary Depot Shelter (on the bike trail at the intersection of Robert Street and Milwaukee Ave). *The intent is for chamber ambassadors to welcome people, provide information on the day's events, and sell t-shirts.*

**STREET CLOSURES:** There are no street closures required for this event, other than the already-approved closure of Water Street during the hours of the Fort Farmer Market. We do not require the street to be closed during the remainder of the day.

**RESTROOM FACILITIES:** The Rhythm Remix Committee respectfully requests that the theatre building restrooms in the municipal lot across from the post office remain open during the hours of this event, 10am-6pm.

**ELECTRICAL REQUIREMENTS:** We will need the City's permission to access electrical service at the Riverwalk Plaza during the hours of the event, 10:00am – 6:00pm, and are willing to pay for that day's usage if needed.

**SEATING & DINING:** The Rhythm Remix Committee requests the assistance of Parks and Rec staff in locating picnic tables at the following locations, which will be spaced six feet apart:

- > 3 picnic tables at Rotary Depot on the bike trail
- > 6 picnic tables at the Cafe Carpe lot
- > 6 picnic tables at Tavern on Rock parking lot
- > 5 picnic tables at Fort HealthCare Business Services Parking Lot (Food Court, pending approval)

**WASTE RECEPTACLES:** In addition to those already present, the Rhythm Committee will be responsible for the placement, maintenance, and removal of:

- > 2 waste receptacles at Rotary Depot on the bike trail
- > 2 waste receptacles at the Cafe Carpe lot
- > 4 waste receptacles at Fort HealthCare Business Services, near each of the mobile food vendors
- > 2 waste receptacles at the Riverwalk Plaza
- > 4 waste receptacles at the Tavern on Rock parking lot

**SIGNAGE / WAYFINDING:** Directional signage in the form of corrugated yard signs will be erected by Rhythm Remix volunteers throughout the downtown area and be removed at the end of the day.

## **PROMOTIONS**

### **Festival Passport**

As a means of promoting local businesses, a Rhythm Passport will be distributed at each of the music venue sites. Passport holders can get stamps for visiting the music venues, kid zones, area retailers and restaurants, and be eligible for gift card drawings the following week. Participating businesses will be listed on the passport, and customers can drop off stamped passports with any of those listed. Rhythm volunteers will provide both the passports, the collection boxes, the stamps, and be responsible for picking up completed passports at the end of the day. The passport, which requires the holder to provide a home zip code, will be used as a metric to determine the economic impact of the event.



## Merchandise

A t-shirt design competition will be held in conjunction with the event, and the winning design will earn the honor of being the official merchandise for Rhythm Remix. Customers can pre-order and shirts will be for sale the day of the event at the Rotary Depot Shelter (on the bike trail at the intersection of Robert Street and Milwaukee Ave). Passports, band information, city maps and brochures will also be available.

## Event Layout

(See Attached)

## Venue Set Up



Riverwalk Plaza – arrows dictate position of musicians who will be facing and projecting south towards the municipal parking lot. Seating already provided.



Café Carpe lot – arrows dictate position of musicians who will be facing west and projecting towards the police department.



Rotary Depot Shelter – arrows dictate position of Kids Booth and Information Table





Tavern on Rock – arrows indicate position of musicians who will be facing east and projecting northeast towards Creamery Building entrance



Food Court with vendors (rectangles) aligned along eastern edge of parking lot (next to bike trail) and picnic tables (squares) around exterior of building.



# Staffing & Volunteers

## Security & Safety

Security and safety tasks include:

6:00 am - 8:00 am     Event volunteers will convene at Fort Atkinson Area Chamber of Commerce to set up tents and signage at and between designated music venues.

10:00 am - 6:00 pm     Minimum of two volunteers required at each music venue during every hour of the event.

- All volunteer personnel associated with the festival will be identified by yellow vests or designated volunteer t-shirts.
- Volunteers will be provided a list of emergency numbers and instructed to contact trained first responders in case of an emergency situation.
- Volunteers at each music venue will be provided event maps detailing designated parking for performers, way-finding pathways for visitors, and event schedules pertaining to the timing of musical groups, food vendors, kid activities, and event passports.

6:00 pm – 8:00pm     Event volunteers will strike the tents and tables at music venues, returning all equipment and supplies to the Fort Atkinson Area Chamber of Commerce. Trash receptacles and way-finding signage will also be picked up. Event volunteers will collect passports from each participating business and return to the Fort Atkinson Area Chamber of Commerce office.

## EVENT CONTACT

<b>Carrie Chisholm</b> Executive Director P: (920) 563-3210 E: <a href="mailto:director@fortchamber.com">director@fortchamber.com</a>	
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City of Fort Atkinson  
City Clerk/Treasurer's Office  
101 N. Main Street  
Fort Atkinson, WI 53538

## MEMORANDUM

**DATE:** May 18, 2021

**TO:** Fort Atkinson City Council

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

**RE:** Review and possible action relating to Special Event:  
Fort Atkinson Cruise Night – Kent's Big Bar

---

### BACKGROUND

The City of Fort Atkinson is committed to supporting quality special events throughout the community. The Special Event Guide and Application was created to assist with planning events in the city and to allow appropriate contact information be obtained and forwarded to Departments. The planning guide is designed to assist members of the community in the planning, preparation and running of events and programs in Fort Atkinson.

The Special Event Guide defines a special event as a planned extraordinary occurrence or temporary aggregation of attractions, open to the public, that (a) is conducted on public property, (b) is conducted on private property and has a substantial impact on public property, (c) has activities that request special temporary licenses; or (d) require special city services, whether open to the public or not, including but not limited to, any of the following: street closures, provisions of barricades, garbage cans, stages or special no parking signs, special electrical services, or special police protection. Special events include, but not limited to, neighborhood and community festivals, parades, processions, fairs, and bicycle or foot races.

### DISCUSSION

**Event:** Fort Atkinson Cruise Night

**Dates and Hours of Event:**

Monday, June 14 <sup>th</sup>	5:30 pm to 8:30 pm
Monday, July 12 <sup>th</sup>	5:30 pm to 8:30 pm
Monday, August 9 <sup>th</sup>	5:30 pm to 8:30 pm
Monday, September 13 <sup>th</sup>	5:30 pm to 8:30 pm

**Location:** Jones Park, 600 Janesville Avenue

**Contact Person:** Patrick Smith, bsmagnum@hotmail.com

**Estimated Number of Attendees:** 250-300

Event information was routed to Departments without any concerns provided. Restrooms and proper refuse receptacles are on site.

The Fort Atkinson Generals Baseball Team will provide concessions as a licensed entity to sell fermented malt beverages.

Music will be on site and amplified during the hours of the event, similar to past years. Kent's Big bar and 3-D Music Company will be set up in the south parking lot off of Park Street.



#### **FINANCIAL ANALYSIS**

There is no financial impact to the City of Fort Atkinson for the event.

#### **RECOMMENDATION**

Staff recommends that City Council approve the Fort Atkinson Cruise Nights for June 14, July 12, August 9 and September 13.

#### **ATTACHMENTS**

Special Event Application



CITY OF FORT ATKINSON  
Special Event Application

Name of Business/Group Organizing Event: <u>BIG BAR LLC D/O/A Kent's Big Bar</u>	
Contact Person for Event: <u>Patrick Smith</u>	
Phone Number: <u>(608) 774-1157</u>	Email: <u>bsmagnum@hotmail.com</u>
Is the Business/Group Organizing Event: <input checked="" type="checkbox"/> For profit or <input type="checkbox"/> Non-Profit	
Special Event Details	
Event Name: <u>FORT ATKINSON CRUISE NIGHT</u>	
Event Date: <u>6/14, 7/12, 8/19, AND 9/13/2021</u>	
Event Location: <u>JONES PARK</u>	
Estimated Number of Attendees: <u>250 to 300</u>	Hours of Event: <u>5:30 pm to 8:30 pm</u>
Check all applicable boxes:	
<input checked="" type="checkbox"/> I am renting a City Park	Attach copy of paid park rental from Parks & Recreation (920) 563-7781.
<input checked="" type="checkbox"/> I will be having music	Start and end time of music: <u>DJ 3-D SOUND COMPANY / SAME AS 2019</u>
<input type="checkbox"/> I will be closing a street(s)	Attach site diagram with details. Barricades can be provided by Public Works upon request (920) 563-7771.
<input type="checkbox"/> I will be selling beer and/or wine*	Attach Temporary License and Bartender/Operator Applications. Contact City Clerk (920) 563-7760
*Restroom Plan also required with sales of beer and/or wine. Refer to the Special Event Guide.	
<input type="checkbox"/> I will be erecting a tent, canopy or other temporary structure.	
By signing, I agree to the following statements:	
I understand I am responsible for a fire safety and medical plan. I understand it is my responsibility to read the Special Events Guide. I understand I may be required to provide Proof of Insurance. I am responsible to contact each Department to arrange for assistance. I understand I am responsible for timely clean up after the event.	
Responsible Party Signature: <u>Patrick K. Smith BIG BAR LLC</u>	

Office Use Only

Date Submitted to Clerk: 5/11/21 Date Emailed to Departments: 5/12/21

Department	Comments, Concerns, Action(s) to be taken
<input checked="" type="checkbox"/> Clerk/Treasurer	<u>NO CONCERNS, licensed group organizing concessions</u>
<input checked="" type="checkbox"/> EMS - Ryan Brothers Ambulance	<u>no reply</u>
<input checked="" type="checkbox"/> Engineer and Building Inspection	<u>no concerns</u>
<input checked="" type="checkbox"/> Electrician	<u>no concerns</u>
<input checked="" type="checkbox"/> Fire and Rescue Department	<u>no concerns</u>
<input checked="" type="checkbox"/> Library and Museum	<u>no concerns</u>
<input checked="" type="checkbox"/> Parks & Recreation	<u>rental confirmed</u>
<input checked="" type="checkbox"/> Police Department	<u>no concerns</u>
<input checked="" type="checkbox"/> Public Works Department	<u>no concerns</u>
<input checked="" type="checkbox"/> Wastewater and Water Utility	<u>no concerns</u>

Date Reported to City Council (if necessary): 5/18/21

Comments, Contingencies, Findings:





City of Fort Atkinson  
City Clerk/Treasurer's Office  
101 N. Main Street  
Fort Atkinson, WI 53538

## MEMORANDUM

**DATE:** May 14, 2021

**TO:** Fort Atkinson City Council

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

**RE:** Review and possible action relating to granting of Operator License Applications

---

### BACKGROUND

The State of Wisconsin regulates alcohol licensing for local governments through Chapter 125. Local governments are given the authority to issue licenses where alcohol is consumed in a public place in accordance with requirements set forth by Statute.

An operator license is required for any person 18 or older serving or selling alcohol beverages in an establishment with a Class A, B or C license. Operator licenses are issued to person and allow the licensee to operate anywhere in the municipality. Operator's licenses are not limited to particular establishments. Operators who work in multiple establishments should carry their license with them instead of leaving the license at a particular establishment.

The City of Fort Atkinson provides two copies of an operator license so the licensee may carry one with them at all times and leave the other with their employer.

Operator applicants must be 18 years of age at time of issuance, may not have been convicted of a felony or be a "habitual law offender". A municipality may not issue an operator's license unless the applicant has completed a responsible beverage server training course. Applicants are exempted from the training course requirement if they are renewing an existing operator's license, have completed the training course within the last two years or have held a retail license or operator's license anywhere in the state within the last two years. There is not statutory residency requirement.

### DISCUSSION

The following applicants have applied for an Operator's license to serve and/or sell alcohol beverages in the City of Fort Atkinson. Applicants are required to complete an Operator License Application and successfully pass a background check performed by the Fort Atkinson Police Department.

The current licensing period is July 1, 2020 to June 30, 2022.

Applicant	Place of Employment	Recommended Approval by Fort Atkinson Police Department
Nathan Lewis	Country Inn & Suites	X
Courtney Long	Walgreen's	X
Kara Ross	Country Inn & Suites	X
Robert Stine	Lions Club	X

#### **FINANCIAL ANALYSIS**

The fee for an operator license is determined locally by the issuing municipality. An operator's license may be issued for one or two years, as determined by the governing body. The City of Fort Atkinson issues operator licenses for two years, beginning in even years on July 1<sup>st</sup>.

Issuance Period	Fee	Expiration
July 1, 2020 – June 30, 2021	\$25.00	July 30, 2022
July 1, 2021 – June 30, 2022	\$15.00	July 30, 2022

#### **RECOMMENDATION**

Staff recommends that City Council approve the list of Operator Licenses as presented.

#### **ATTACHMENTS**

None.



City of Fort Atkinson  
City Clerk/Treasurer's Office  
101 N. Main Street  
Fort Atkinson, WI 53538

## MEMORANDUM

**DATE:** May 18, 2021

**TO:** Fort Atkinson City Council

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

**RE:** Review and possible action relating to Code of Ordinances Sec 6-86 "Class A" Intoxicating Liquor License Quota – Final Reading

---

### BACKGROUND

The State of Wisconsin regulates alcohol licensing for local governments through Chapter 125. There are three classes of Licenses; Class A, Class B and Class C. "Class C" pertains strictly to wine with consumption on-site in a restaurant. The difference between Class A and B is where alcohol is authorized for sale and for consumption. Class A generally offers sale of alcohol on-site with consumption off-site (e.g. grocery or liquor store, gas station or convenience store). Class B allows for on-site sale and on-site consumption (e.g. Restaurant, Bar, Bowling Alley, Tavern). Class A can easily be remembered as you consume alcohol *Away* from the premises. Likewise, Class B you consume on-site, for example *Bar*.

Alcohol licenses are further defined by the quotation marks used. For example, "Class A" refers to intoxicating liquor while Class "A" refers to fermented malt beverages. These licenses can also be issued together as a combination license, most common for grocery stores.

State Statutes have established quotas for Class B licenses issued by municipalities. Statutes do not provide quotas for Class A licenses, however Statutes do allow municipalities to establish such quotas. The City of Fort Atkinson has established quotas for both types of Class A licenses, most recently in 2004. At that time, the quotas had been adjusted to increase the number of licenses available for liquor and beer. The population in 2004 was 11,943.

### Current Quotas:

**Class "A" Fermented Malt Beverages (Beer):** Ordinance 617 adopted July 20, 2004 allows one license per 750 in population. With the adoption of the ordinance, four new beer licenses were created for a total of 17. Seventeen has been the maximum allowed since 2004. During the 2020-2021 license year, 13 of the 17 licenses have been issued.

**"Class A" Intoxicating Liquor (Liquor):** Ordinance 618 adopted July 20, 2004 allows one license per 1,250 of population. This Ordinance created five new licenses for a total of 10. During the 2020-2021 license year, all 10 licenses have been issued.



Table 1 shows the City's Class A licenses issued during the 2020-2021 license year.

**Table 1: City of Fort Atkinson Class A Licenses Issued (July 1, 2020 - June 30, 2021)**

License Type	Establishment	Address
Class A Liquor	Blodgett Garden Center	1222 Janesville Ave
Class A Liquor	The Cheese Loft	1009 Janesville Ave
Class A Liquor	Humphrey Floral & Gifts	201 S Main St
Class A Liquor/Class A Beer	FA Gas	1285 Madison Ave
Class A Liquor/Class A Beer	Festival Foods	328 Washington St
Class A Liquor/Class A Beer	K P Mart	415 Janesville Ave
Class A Liquor/Class A Beer	La Tienda Mexicana	809 S Main St.
Class A Liquor/Class A Beer	Lions Quick Mart	1220 Janesville Ave
Class A Liquor/Class A Beer	Pick 'N Save #6396	1505 Madison Ave
Class A Liquor/Class A Beer	Walgreens #01976	300 N Main St
Class A Beer	Casey's General Store #3712	342 Whitewater Ave
Class A Beer	Kwik Trip #439	1565 Madison Ave
Class A Beer	Loeder BP Fort Atkinson	303 S Main St
Class A Beer	Nk Gas & Food, LLC	1012 Whitewater Ave
Class A Beer	Stop-N-Go (Kwik Trip)	313 Madison Ave
Class A Beer	Kwik Trip #1506	1680 Janesville Ave
Class A Beer	Not Issued	N/A
Class A Beer	Not Issued	N/A
Class A Beer	Not Issued	N/A
Class A Beer	Not Issued	N/A

The City's population has fluctuated since the quota ordinance was enacted. As such, there must be an additional 1,258 residents to add another "Class A" intoxicating liquor license.

## DISCUSSION

Three years ago, I received the first inquiry on the availability of a "Class A" Liquor license. This past December I received a second inquiry on this type of License. Both of the businesses that inquired about the additional license have purchased properties and invested significant resources to make improvements.

Chapter 6 of the City's Code of Ordinances provides standards for the premises of Class A licenses.

### Chapter 6 – Intoxicating Liquors

*Sec. 6-87. Standards for premises.*

*No retail class A license for the sale of intoxicating liquor shall be granted for any convenience store (as defined in the City of Fort Atkinson Zoning Code) unless such premises provides for a separate area where the liquor will be kept for sale and which meets the following criteria:*

- (1) The area must be at least 250 square feet.*
- (2) The area must be fully enclosed with permanent walls a minimum of eight feet in height.*

- (3) *The area must have only one exit and entrance.*
- (4) *The entrance and exit of the separated area must be directly visible from the store's register area to provide constant monitoring.*
- (5) *The area shall be clearly labeled as restricted to those of legal drinking age.*
- (6) *Variances from these standards must be requested of the license committee and the City of Fort Atkinson Planning Commission.*

Ordinance No. 727 adopted July 17, 2015.

The License Committee and the Ordinance Committee have reviewed this matter. Both Committees were provided the following quota options to consider for "Class A" intoxicating liquor (liquor).

Table 2: Existing Quota

No. of Licenses	No. of Residents	Total Licenses	License Available
1 per	1,250	10	0

Population: 12,395

Table 3: Options to Increase the Number of Class A Licenses

Options	No. of Licenses	No. of Residents	Total Licenses	No. of Additional Licenses
#1	1 per	1,000	12	2
#2	1 per	750	16	6
#3	Remove Quota			

If the current quota is changed, the standards from Ordinance No. 727 as noted above would still apply to the business.

Please see the attached survey relating to Class A quotas in other municipalities around Wisconsin.

### **FINANCIAL ANALYSIS**

"Class A" Intoxicating Liquor licenses are \$500.00 per licensing period (July 1 – June 30). State Statutes determine this fee. The addition of liquor licenses would generate revenue not experienced prior. Changing the "Class A" quota is not expected to generate a significant amount of additional revenue (\$1,000 - \$3,000)

### **RECOMMENDATION**

The Licensing Committee met on March 16<sup>th</sup> to review the Class A quotas and made a recommendation to the Ordinance Committee for Option 2 that creates the same standard for Class A Beer and Class A Liquor sales, which is one license per 750 in population.

The Ordinance Committee met on April 8<sup>th</sup> to review the Class A quotas and made a recommendation to the City Council for Option 2 that creates the same standard for Class A Beer and Class A Liquor sales, which is one license per 750 in population.

The City Council reviewed this ordinance amendment and performed the first reading at the meeting on April 20, 2021. The Council did not request any changes to the Ordinance.

Staff recommends that the City Council perform the final reading and move to adopt this ordinance amending Section 6-86 of the City of Fort Atkinson Municipal Code relating to retail Class A Liquor Licenses.

#### **ATTACHMENTS**

Survey of Municipalities on Class A Intoxicating Liquor License Quotas; Ordinance to Amend Section 6-86 of the City of Fort Atkinson Municipal Code relating to retail Class A Liquor Licenses

### Survey of Municipalities on Class A Intoxicating Liquor License Quotas

C,V,T	Municipality	Population	Do you have a Quota?	# Issued	All Licenses Issued?	Prior Quota?	Comments
Town	Rome	2,720	No			No	
City	Omro	3,517	No			No	
City	Black River Falls	3,622	Yes	6	Yes		
Village	Baldwin	3,998	No			No	
City	Mosinee	4,033	No	6		No	
City	Dodgeville	4,681	No			No	
City	Mayville	5,000	Yes	2	Yes		
City	Monona	7,920	No			No	
City	Jefferson	7,935	Yes	5	Yes		No more than 5 until population reaches 8,000, thereafter each additional population increase of 2,000 will allow another license.
City	Ashland	8,026	Yes	5	Yes		Has a set number but has increased upon request
Village	Mukwonago	8,057	No			Yes	After continued requests, they removed quota
City	Portage	10,132	No			Yes	After continued requests, they removed quota
Village	Suamico	11,346	No			No	
City	Hartford	14,223	Yes	6	Yes		
City	Whitewater	14,722	Yes	4	Yes		
City	Oconomowoc	15,217	No			No	
City	Watertown	23,633	No			No	
City	Oak Creek	34,451	Yes	26 of 30	No		2001: 1 per 2,000. 2015: 1 per 1,500. 2019: 1 per 1,200
City	Brookfield	37,920	No			No	

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE  
TO AMEND SECTION 6-86 OF THE CITY OF FORT ATKINSON MUNICIPAL CODE  
RELATING TO RETAIL CLASS A LIQUOR LICENSES**

**NOW, THEREFORE**, the City Council of the City of Fort Atkinson, Wisconsin, do ordain as follows:

**Section 1.** Section 6-86 of the City of Fort Atkinson Municipal Code is hereby amended to read as follows:

“Sec. 6-86. – License quotas.

The number of retail class A intoxicating liquor licenses issued by the city shall be limited to one license for each 750 or fraction thereof of the population of the city as determined by the last preceding census or official estimate thereof made by the Census Bureau of the United State Government or Wisconsin Department of Administration.

(Code 1969, § 8.09(F)(2), (3); Ord. No. 618, 7-20-04; Ord. No. 727, 3-17-15)”

**Section 2.** This ordinance shall take effect upon passage, posting, or publication as provided by law.

Enacted by the City Council of the City of Fort Atkinson, Jefferson County, Wisconsin, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
**Chris Scherer, President**

ATTEST:

\_\_\_\_\_  
Michelle Ebbert, City Clerk/Treasurer/Finance Director



City of Fort Atkinson  
City Manager's Office  
101 N. Main Street  
Fort Atkinson, WI 53538

## MEMORANDUM

**DATE:** May 18, 2021

**TO:** Fort Atkinson City Council

**FROM:** Rebecca Houseman LeMire, City Manager

**RE:** Final Reading of an Ordinance to amend Section 6-33 of the City of Fort Atkinson Municipal Code relating to Authority to Issue Operator's Licenses

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### BACKGROUND

City Clerk/Treasurer/Finance Director Michelle Ebbert has requested that the Ordinance Committee review an ordinance changing the authority to issue alcohol operator's licenses from the City Council to the City Clerk. Pursuant to 2019 Wis. Act 166, municipal governing bodies may now, by ordinance, authorize a designated municipal official, such as the Clerk, to issue operator's licenses. Such designation of authority may also include the authority to issue temporary operator's licenses and provisional operator's licenses.

### DISCUSSION

Per State Statutes, no person may sell, manufacture, brew, or serve alcohol without a license from the municipality in which the premise is located. Individuals working for a license-holder must have an Operator's License or have the privilege of such a license (i.e. a corporate agent, a sole proprietor, or a family member of a sole proprietor).

Currently, Operator's Licenses are issued by the City Council after a staff review and recommendation. The staff review includes a background check through the Police Department and a check through the Treasury and the Municipal Court to ensure that the individual seeking the license does not owe any monies to the City.

Operator applicants must be 18 years of age at time of issuance, may not have been convicted of a felony, or be a "habitual law offender." A municipality may not issue an operator's license unless the applicant has completed a responsible beverage server training course. Applicants are exempted from the training course requirement if they are renewing an existing operator's license, have completed the training course within the last two years, or have held a retail license or operator's license anywhere in the state within the last two years. There is not a statutory residency requirement.

In reviewing the potential changes to the current ordinances relating to licensing (Sec. 6-33), staff found that the ordinance did not provide details on the process for issuing licenses at a local level. As such, State Statutes provided that process. The current ordinance did not

provide guidance or a process for the issuance of temporary or provisional licenses either. The proposed ordinance amendments address the following issues:

- Requires an operator's license for the sale and serving alcohol beverages
- Establishes a process for the application and issuance of said licenses
- Changes the authority to issue operator's licenses from the City Council to the City Clerk
- Establishes an appeal process if an operator's license is denied by the Clerk (the City Council would consider the appeal)
- Allows the City Clerk to issue provisional operator's licenses under certain circumstances
- Allows the City Clerk to issue temporary operator's licenses under certain circumstances
- Requires that operator's licenses and other licenses issued by the City be posted at the licensed premise

### **FINANCIAL ANALYSIS**

This ordinance change is not expected to impact the City financially. However, issuing Operator's Licenses at a staff level will save staff time in preparing information and applications for inclusion on the City Council agenda and save time for applicants and establishments seeking licensed operators.

### **RECOMMENDATION**

The City Attorney and all City Department Heads have reviewed this proposed ordinance. Any pertinent feedback was incorporated into the draft ordinance presented to the Ordinance Committee.

The Ordinance Committee met on April 8, 2021 and reviewed the draft ordinance amending Section 6-33 of the City of Fort Atkinson Municipal Code relating to Authority to Issue Operators' Licenses. The Committee recommended that the City Council review and adopt this ordinance.

The City Council reviewed this ordinance amendment and performed the first reading at the meeting on April 20, 2021. The Council did not request any changes to the Ordinance.

Staff recommends that the City Council perform the final reading and move to adopt this Ordinance amending Section 6-33 of the Municipal Code relating to the authority to issue operators licenses.

### **ATTACHMENTS**

An Ordinance to amend Section 6-33 of the City of Fort Atkinson Municipal Code relating to Authority to Issue Operators' Licenses; Current Alcohol Beverage Operator License Application

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

**AN ORDINANCE  
TO AMEND SECTION 6-33 OF THE CITY OF FORT ATKINSON MUNICIPAL CODE  
RELATING TO AUTHORITY TO ISSUE OPERATOR'S LICENSES**

**NOW, THEREFORE,** the City Council of the City of Fort Atkinson, Wisconsin, do ordain as follows:

**Section 1.** Section 6-33 of the City of Fort Atkinson Municipal Code is hereby amended to read as follows:

"Sec. 6-33. – Licenses.

- (a) No alcohol beverage license shall be granted to any application for premises on which the applicant is responsible for any delinquent and unpaid person property taxes, assessments, utility bills or other financial claims of the city.
- (b) No license shall be granted for any premises unless the applicant for the license shall provide to the city evidence of ownership or leasehold interest in the premises for the term of the licenses.
- (c) Any license duly granted not used for 90 consecutive days shall be subject to review and possible suspension or revocation by the council. These licenses may not be regranted during the 90-day period.
- (d) Operator license required. No premises operated under a Class A, Class B, or Class C license may be open for business unless there is upon the premises either the licensee, the agent named in the license if the licensee is a corporation, or some person who has an operator's license and who is responsible for the acts of all persons selling or serving any alcohol beverages to customers. For the purposes of this subsection, any member of a licensee's immediate family 18 years of age or older shall be considered the holder of an operator's license.
- (e) Regular operator's license.
  - (1) Operator licenses may be issued only upon written application.
  - (2) Submitted applications shall be referred by the City Clerk to the Police Department for review and recommendation. The Police Department shall review each submitted application and recommend issuance or denial of the license.
  - (3) The City Clerk shall issue a regular operator license to an applicant if the Police Department recommends issuance and the applicant is in compliance with all other requirements. The City Clerk shall deny issuance of a regular operator license to an applicant when the Police Department recommends denial.
  - (4) If an application is denied, the City Clerk denial shall be in writing and shall set forth the reason for the denial. An applicant may appeal a denial to the City Council. The appeal must be in writing, setting forth the reason for the



appeal, signed and dated by the applicant, and filed with the City Clerk within 30 days of the date of the denial. Written appeals that conform to the requirements set forth in this subsection shall be copied and forwarded to the City Council by the City Clerk. The City Clerk shall provide written notice to the appellant of the date, time and place of the City Council meeting at which the appeal shall be considered. The applicant may appear, be represented, and present evidence and witnesses. The City Council shall decide by majority of those voting whether to overrule the administrative denial. Abstaining is not a vote. The City Council may attach conditions and limitations to a granted operator license. Appeals that do not conform to these requirements shall not be considered by the City Council.

- (5) A submitted application that is incomplete or which contains false or misleading information must be denied and the applicant must wait six months before submitting another application.
- (f) Provisional operator's license. The City Clerk may issue a provisional license to a person who, at the time of applying for an operator's license and paying the fee, files a certified copy of a valid operator's license issued by another municipality.
  - (1) A provisional operator's license shall not be issued to any person whose regular or provisional operator's license has ever previously been denied or revoked by the City. Misuse of a provisional operator's license by an applicant shall constitute operation without a license and a violation of this chapter.
  - (2) A provisional operator's license is valid for a period not to exceed 60 days from the date of issuance by the City Clerk or until a regular operator's license is issued to the applicant by the City Clerk, whichever occurs first.
  - (3) The City Clerk may revoke any provisional license in the event that the City Clerk finds that the holder of such license made any false, misleading or incomplete statement on his or her application, or that the applicant has previously had his or her regular or provisional license denied or revoked by the City.
- (g) Regular and provisional operator license fee. The fee for an original or renewed operator's license and a provisional operator's license shall be in an amount as established by the City Council from time to time, and as set forth by Resolution. Neither fee shall be prorated. Original and renewed operator licenses shall expire on June 30<sup>th</sup> of each even-numbered year.
- (h) Temporary operator's license. Pursuant to Wis. Stats. §125.17(4) the City Clerk shall issue a Temporary Operator's License to any individual who meets the criteria in Subsection (e) of this section and is employed by, or donating their services to, nonprofit corporations, provided that:
  - (1) No person may hold more than two licenses of this kind per year.
  - (2) The license is valid for any period from one to 14 days, and the period for which it is valid shall be stated on the license.

(3) The fee for a temporary operator's license shall be established by the City Council from time to time, as set forth in the fee schedule established by Resolution.

- (i) Posting of License Required. Every person licensed to sell alcohol beverages under this chapter shall immediately post such license and keep the same posted while in force in a conspicuous place in the licensed premise. An operator shall post his or her license in the licensed premises where he or she is employed or shall carry such license on his or her person while on duty.

(Code 1969, § 8.09(A)(1); Ord. No. 727, 3-17-15)"

**Section 2.** This ordinance shall take effect upon passage, posting, or publication as provided by law.

Enacted by the City Council of the City of Fort Atkinson, Jefferson County, Wisconsin, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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**Chris Scherer, President**

ATTEST:

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Michelle Ebbert, City Clerk/Treasurer/Finance Director



**CITY OF FORT ATKINSON**  
**Operator License Application**

Expires June 30th Even Number Years - License Fee is Non-Refundable

Circle One: New | Renewal | Provisional | Temporary

OP2 \$25.00 | OP1 \$15.00 | OPP \$10.00

1. Full Legal Name \_\_\_\_\_ Date of Birth: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_ Former Name: \_\_\_\_\_

Driver's License Number: \_\_\_\_\_

Prior Street Address (if above address is less than 5 years)

City

State

ZIP

From

To

2. Have you ever been convicted of a felony?

YES

NO

3. Within the past five (5) years, have you ever been arrested for, received a summons to appear in court for, or forfeited a bond for any of the following? If unsure, check the WI Circuit Court Access website at <http://wcca.wicourts.gov>

a) Any underage alcohol violation?

YES

NO

b) Operating a motor vehicle while intoxicated?

YES

NO

c) Selling or furnishing alcoholic beverages to underage person?

YES

NO

d) Permitting underage person on licensed premises?

YES

NO

e) Allowing persons on licensed premises after closing?

YES

NO

f) Any alcohol related violation other than a, b, c, d and e?

YES

NO

g) Sale or possession of drugs of any kind?

YES

NO

h) Fighting, disorderly conduct, assault or battery?

YES

NO

i) Resisting arrest or obstructing an officer?

YES

NO

j) Issuing bad checks?

YES

NO

k) Any crime or ordinance violation not listed above other than traffic or parking tickets?

YES

NO

4. For each YES response in #3, you must identify all the violations, when and where they occurred, on the following lines.

Attach additional sheets if necessary or continue on the back of this application.

Type of Arrest, Summons, Violation or Charge

Month/Year

City State

5. Within the last two (2) years, did you have or complete one of the following:

☐ Successfully completed a Responsible Alcohol Servers Course

☐ Were an alcohol agent for a retail alcohol license.

☐ Held an Operator's License issued in Wisconsin.

☐ Were the sole proprietor of retail alcohol license.

6. Do you wish to apply for a Provisional Operator License? (\$10 additional fee applies)

YES

NO

Certification: I hereby certify that the information on this application is complete, accurate and true. I understand that an inaccurate, misleading, or false answer constitutes sufficient reason for rejection, denial, non-renewal, or revocation of my license. Further, I understand that this license is only valid within the city limits of Fort Atkinson.

Date: \_\_\_\_\_ Signature of Applicant: \_\_\_\_\_

Where will you be working with your License: \_\_\_\_\_

Police Department Recommendations and Comments:

Chief of Police: Recommendation and Comments

Approve: \_\_\_\_\_ Deny: \_\_\_\_\_



City of Fort Atkinson  
City Manager's Office  
101 N. Main Street  
Fort Atkinson, WI 53538

## MEMORANDUM

**DATE:** May 18, 2021

**TO:** Fort Atkinson City Council

**FROM:** Rebecca Houseman LeMire, City Manager

**RE:** First Reading of an Ordinance to create Sections 22-456 through 22-458 of the City of Fort Atkinson Municipal Code relating to Mobile Merchants

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### BACKGROUND

The City of Fort Atkinson has regulated mobile merchants for many years. In 2016, the ordinance regulating mobile merchants was amended and removed from Chapter 22 and placed in Chapter 15, which is the Zoning Ordinance. In 2020, the Zoning Ordinance was re-written, and the section regulating mobile merchants and requiring licenses was not included. As such, at this time, the City does not have any regulations relating to mobile merchants in the City's Municipal Code. As a "stop gap," staff has been requiring a license and using the regulations of the previously approved ordinance from the previous Zoning Code.

### DISCUSSION

The attached ordinance creating Sections 22-456 through 22-458 of the Municipal Code incorporates the previous version of the mobile merchant ordinance with the following changes:

1. Changes the authority to issue a Mobile Merchant License from the Plan Commission to the City Clerk.
2. Establishes an appeal process if the application is denied by the Police Chief and the City Clerk. The City Council will review the appeal and make a final determination. The language used in this ordinance is similar to the appeals process and language included in the Operator's License ordinance.
3. Eliminates the section that created a lottery and payment for a mobile merchant to be located in a City parking lot.
4. Prohibits mobile merchants on residential and public lands; including streets, sidewalks, parks, and parking lots (except for when approved through a Special Event Permit).
5. Eliminates the fees from the ordinance and references a fee resolution, which will be adopted annually by the City Council.
6. Adds the requirement for the applicant's date of birth on the application.
7. Adds the requirement for the hours of operation on the application.
8. Limits the number of daily licenses permitted in a calendar year to 4 (there was no limit in the prior ordinance).
9. Changes some of the language for clarity and consistency.

Also, please note that if this Ordinance is adopted, the City Clerk will provide a monthly report to the City Council that lists all of the staff-approved licenses issued during that month. This report will be placed on the Consent Agenda for the Council's information.

#### **FINANCIAL ANALYSIS**

This ordinance change is not expected to impact the City financially.

#### **RECOMMENDATION**

The City Attorney and all City Department Heads have reviewed this proposed ordinance. Any pertinent feedback was incorporated into the attached document.

The Ordinance Committee reviewed a draft ordinance at the meeting on May 18, 2021 at 6:00 p.m. This memo was written prior to action by the Ordinance Committee. If changes are recommended by the Ordinance Committee or the City Council, they will be incorporated into the document for the second and third readings. Staff is attempting to move this ordinance forward quickly as the summer is the busy season for mobile merchants, and we continue to receive applications.

Staff recommends that the City Council provide input and direct the City Manager to prepare this Ordinance for a second reading at the meeting on June 1, 2021.

#### **ATTACHMENTS**

An Ordinance to create Sections 22-456 through 22-458 of the City of Fort Atkinson Municipal Code relating to Mobile Merchants; Excerpt from 2003 Zoning Code relating to Mobile Merchants

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

**AN ORDINANCE  
TO CREATE SECTIONS 22-456 THROUGH 22-458 OF THE  
CITY OF FORT ATKINSON MUNICIPAL CODE  
RELATING TO MOBILE MERCHANTS**

**NOW, THEREFORE,** the City Council of the City of Fort Atkinson, Wisconsin, do ordain as follows:

**Section 1.** Sections 22-456 through 22-458 of the City of Fort Atkinson Municipal Code is hereby created to read as follows:

**“Article X. – MOBILE MERCHANTS <sup>[8]</sup>**

**Section 22-456. – Definitions.**

In this Article, the following definitions shall apply:

- A. “Charitable Organization” shall include any benevolent, philanthropic, patriotic, or eleemosynary person, association, or corporation.
- B. “City” hereafter means City of Fort Atkinson.
- C. “Merchandise or wares” shall include personal property of any kind and shall include products, goods, or materials provided incidental to services offered or sold. The sale of merchandise includes donations required by the seller for the retention of goods by a donor or perspective customer.
- D. “Non-Profit Organization” means not conducted or maintained for the purpose of making a profit as defined by the Federal Government or State of Wisconsin.
- E. “Religious Non-Profit” organization means as defined by Federal and State laws.
- F. “Mobile Merchant” includes any person, firm, or corporation, whether as owner, agent, consignee, or employee, whether a resident of the City of not, who engages in a temporary and/or mobile business of selling and delivery of merchandise or wares, other than house to house, within the City, and who in furtherance of such purposes, hires, leases, uses, or occupies any building, structure, motor vehicle, trailer, tent, or other place within the City for the exhibition and sale of such wares and merchandise either privately or at public auction.

**Section 22-457 – Licensing.**

- A. License Required. It is unlawful for any Mobile Merchant, as defined above, to engage in any such business within the City without first obtaining a license issued in compliance with the provisions of this Article.
- B. Exemptions:



1. The terms of this Article shall not be held to include acts of persons selling personal property at wholesale to dealers in such articles nor to the acts of merchants or their employees in delivering goods in the regular course of business. Nothing contained in this Article shall be held to prohibit any sale required by Statute or by order of any court or to prevent any person conducting a bona fide auction sale pursuant to law.
  2. Mobile merchants, while participating in a fair, market, or special event sponsored by either a civic nonprofit organization, a religious non-profit organization, or the City, shall be exempt from the provisions of this Article, except as set forth in this subsection, provided that the civic, nonprofit, or religious sponsoring organization obtains prior approval from the City for the fair, market, or special event; that the merchants and nonprofit organization comply with all restrictions and requirements imposed by the City incidental to such approval; and that the location of the merchant(s) is included with the approved fair, market, or special event request.
- C. License Application. Applicants for a license under this Article must file with the City Clerk, an application which shall provide the following information:
1. Full name, date of birth, and physical description of the applicant and any employees or individuals working on behalf of the applicant;
  2. Complete permanent home and local address of the applicant;
  3. A brief description of the nature of the business and the goods to be sold;
  4. The length of time for which the right to do business is desired, six (6) months or twelve (12) months, where applicable, or a daily license, for a maximum of 10 consecutive days;
  5. The hours of operation the applicant intends to conduct business at certain locations;
  6. A statement as to whether or not the applicant has been convicted of any crime, misdemeanor or violation or any municipal ordinance, other than traffic violations, the nature of the offense and the punishment or penalty assessed therefore;
  7. At the time of filing the application, the applicant shall pay the nonrefundable investigation and application review fees to the City Clerk to cover the cost of the investigation and review the initial application;
  8. Proof of approval of health and sanitation by County, State, or Federal agencies as required;
  9. The location(s) where the applicant intends to conduct business. Mobile Merchants must be located on private property with written permission from the property owner. Mobile Merchants are not permitted to conduct business on residentially-zoned property, nor on City-owned property including parks, sidewalks, rights-of-way, public parking lots, or other public lands or facilities, unless otherwise approved by the City as part of a special event, fair, or market;

10. The Applicant shall comply with Wisconsin Safety & Professional Services (SPS) Chapter 314, Fire Prevention, as well as National Fire Protection Association (NFPA) Chapter 1, Fire Code, before a permit to operate is issued.
- D. License – Investigation and Issuance.
1. Upon receipt of each application by the City Clerk, the application shall be referred to the Police Chief, who shall immediately institute such investigation of the applicant's business and moral character as he/she deems necessary for the protection of the public good and shall endorse the application in the manner prescribed in this Article within ten (10) business days after it has been filed.
  2. If, as a result of such investigation, the applicant's character or business responsibility is found to be unsatisfactory, the Police Chief shall not endorse the application. The Police Chief shall detail his/her disapproval and reasons for the same and return the application to the City Clerk, who shall notify the applicant that the application is disapproved; that no license will be issued; and the process for an appeal of the denial as outlined in subsection H.
  3. If, as a result of such investigation, the character and business responsibility of the applicant are found to be satisfactory, the Police Chief shall endorse on the application, his/her approval and return the application to the City Clerk, who shall upon approval, deliver the license to the applicant. Such license shall contain the signature of the issuing officer and shall show the name and address of the licensee, the amount of fee paid, and the length of time the license shall be operative as well as the license number and other identifying description of any vehicle used in such business. No license shall be used at any time by any business other than the one to whom it is issued. The Clerk shall keep a record of all licenses issued.
- E. License – Fees. The fees for Mobile Merchant Licenses shall be included in a resolution adopted by the City Council and retained on file with the City Clerk.
- F. Exhibition of License. Licensees are required to exhibit the License during the hours of operation.
- G. License Revocation.
1. Licenses issued under this Article may be revoked by the City Council after notice and hearing, for any of the following causes:
    - i. Acts by the license holder or the employees or agenda of the license holder;
    - ii. Fraud, misrepresentation, or incorrect statement contained in the application for license;
    - iii. Fraud, misrepresentation, or incorrect statement in the course of carrying on his/her business as a Mobile Merchant;
    - iv. Any violation of this Article;
    - v. Conviction of any crime or misdemeanor;
    - vi. Conducting business in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a danger to the health, safety or general welfare of the public.

2. Notice of the hearing of a revocation of a license shall be given by the City Clerk in writing setting forth specifically the grounds of complaint and the time and place of the hearing. Such notice shall be mailed, postage prepaid, to the licensee at his/her last known address at least five (5) days prior to the date set for the hearing or shall be delivered by a Police Officer in the same manner as a summons at least three (3) days prior to the date set for the hearing.
- H. Denial of License – Appeal Process.
1. If an application is denied, the City Clerk shall, in writing, set forth the reason for the denial. An applicant may appeal a denial to the City Council.
  2. The appeal must be in writing, setting forth the reason for the appeal, signed and dated by the applicant, and filed with the City Clerk within 30 days of the date of the denial.
  3. Written appeals that conform to the requirements set forth in this subsection shall be copied and forwarded to the City Council by the City Clerk. The City Clerk shall provide written notice to the appellant of the date, time, and place of the City Council meeting at which the appeal shall be considered.
  4. The appellant may appear, be represented, and present evidence and witnesses. The City Council shall decide by a majority of those voting whether to overrule the administrative denial. Abstaining is not a vote. The City Council may attach conditions and limitations to a granted Mobile Merchant License. Appeals that do not conform to these requirements shall not be considered by the City Council.
- I. License – Re-application. No licensee whose license has been denied or revoked shall make further application until a period of at least six (6) months has elapsed since any previous revocation.
- J. License – Term. A license year shall run from January 1<sup>st</sup> through December 31<sup>st</sup> each year. Six-month licenses can run for any consecutive six months in one calendar and can be applied for only once per calendar year. Daily licenses may be applied for up to four (4) times per calendar year.

#### Section 22-458 – Additional Regulations and Enforcement.

- A. In addition to all other regulations provided by this Article, Mobile Merchants shall be subject to the following regulations:
1. Vending may not begin until 7:00 a.m. and shall conclude by 10:00 p.m., unless otherwise approved by the City through a fair, market, or special event.
  2. No vending equipment may be located within 10 feet of a marked crosswalk or curb cut nor within 15 feet of a fire hydrant or Fire Department connection.
  3. The individuals conducting the sale shall be responsible for the cleanup of the site and any debris or litter in the immediate area caused by the

operation. Those conducting the sales shall provide a waste basket for use by customers at their sales location.

4. The individuals and the organization conducting the sales shall be responsible for complying with all applicable rules and regulations provided for in this Article.
  5. All equipment used by the individuals conducting the sales at the site shall be kept in a clean, sanitary, and hazard-free condition and maintained in a presentable appearance and in good repair.
  6. Noise emanating from the location(s) shall be kept to a minimum, shall not be directed towards the street or sidewalk, and shall be 80 decibels or below as measured at a distance of twenty (20) feet.
  7. No audio or video equipment such as speakers or video display monitors shall be allowed.
- B. Enforcement. It shall be the duty of the Police Department to require any business that is not known by such office to be duly licensed, to produce his/her license, and to enforce the provisions of this Article against any person found to be violating the same.
- C. Report of Violation. The Police Chief shall report to the City Clerk, all convictions for violation of the Article, and the City Clerk shall maintain a record for each license issued and record the reports of violations therein.
- D. Forfeitures. Violations of this Article shall result in penalties pursuant to Sec. 1-10 of the City's Code of Ordinances."

Footnotes:

[8]

Editor's note – Ord. 753, adopted October 18, 2016, repealed art. X, §§22-456-22-458 entitled "Transient Merchants," which derived from Code 1969, §§8.08(A)-(D). See art. VI of this Chapter for similar provisions.

**Section 2.** This ordinance shall take effect upon passage, posting, or publication as provided by law.

Enacted by the City Council of the City of Fort Atkinson, Jefferson County, Wisconsin, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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**Chris Scherer, President**

ATTEST:

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Michelle Ebbert, City Clerk/Treasurer/Finance Director

## 15.8.11        **MOBILE MERCHANTS**

### **A.     Definitions.**

“Charitable Organization” shall include any benevolent, philanthropic, patriotic, or eleemosynary person, association or corporation.

“City” hereafter means City of Fort Atkinson

“Merchandise or wares” shall include personal property of any kind and shall include products, goods or materials provided incidental to services offered or sold. The sale of merchandise includes donations required by the seller for the retention of goods by a donor or prospective customer.

“Non-Profit Organization” means not conducted or maintained for the purpose of making a profit as defined by the Federal Government or State of Wisconsin.

“Religious Non-Profit” organization means as defined by Federal and State laws.

“Mobile Merchant” includes any person, firm or corporation, whether as owner, agent, consignee, or employee, whether a resident of the City or not, who engages in a temporary and/or mobile business of selling and delivery of merchandise or wares, other than house to house, within the City, and who in furtherance of such purposes, hires, leases, uses or occupies any building, structure, motor vehicle, trailer, tent or any street, alley or other place within the City for the exhibition and sale of such wares and merchandise either privately or at public auction.

### **B.     Licensing.**

#### **1.     License Required.**

It is unlawful for any mobile merchant as defined above, to engage in any such business within the City without first obtaining a license issued in compliance with the provisions of this Chapter.

#### **Exemptions:**

a.        The terms of this Chapter shall not be held to include acts of persons selling personal property at wholesale to dealers in such articles nor to the acts of merchants or their employees in delivering goods in the regular course of business. Nothing contained in this Chapter shall be held to prohibit any sale required by Statute or by order of any court or to prevent any person conducting a bona fide auction sale pursuant to law.

b. Mobile merchants, while participating in a fair, market or special event sponsored by either a civic nonprofit organization, a religious non-profit organization, or the City shall be exempt from the provisions of this Chapter, except as set forth in this section, provided that the civic nonprofit or religious non-profit sponsoring organization obtains prior approval from the City for the fair, market or special event and provided that the merchants and nonprofit organization comply with all restrictions and requirements imposed by the City incidental to such approval.

2. License Application.

Applicants for a license under this Chapter must file with the City Zoning Administrator, a sworn application in writing on a form to be furnished by the City Zoning Administrator which shall give the following information:

- a. Name and physical description of the applicant;
- b. Complete permanent home and local address of the applicant;
- c. A brief description of the nature of the business and the goods to be sold.
- d. The length of time for which the right to do business is desired, six (6) months or twelve (12) months, where applicable, or a daily license, for a maximum of ten (10) consecutive days;
- e. A statement as to whether or not the applicant has been convicted of any crime, misdemeanor or violation of any municipal ordinance, other than traffic violations, the nature of the offense and the punishment or penalty assessed therefore;
- f. At the time of filing the application, a fee of twenty five dollars (\$25.00) shall be paid to the City Clerk to cover the cost of the investigation of the facts stated on the initial application;
- g. Proof of approval of health and sanitation by County, State or Federal agencies as required;
- h. For any license issued for use on City property, license holder shall procure and maintain for the duration of the license, a minimum liability and contractual liability policy in the amount of one million dollars (\$1,000,000) for accident, bodily injury and for property damage. A certificate of such insurance shall be filed with the Zoning Administrator as part of the application. The insurance shall name the City, its officials, employees and agents as additional insured. The Certificate of Insurance shall provide thirty days written notice to the City upon cancellation or renewal of material change in policy;
- i. Applicant shall comply with Wisconsin Safety & Professional Services (SPS) Chapter 314, Fire Prevention, as well as National Fire Protection Association (NFPA) Chapter 1, Fire Code, before a permit to operate is issued.

3. License – Investigation and Issuance.



- a. Upon receipt of each application, it shall be referred to the Chief of Police, who shall immediately institute such investigation of the applicant's business and moral character as he/she deems necessary for the protection of the public good and shall endorse the application in the manner prescribed in this Chapter within ten (10) business days after it has been filed by the applicant with the Zoning Administrator's office.
- b. If, as a result of such investigation, the applicant's character or business responsibility is found to be unsatisfactory, the Chief of Police shall not endorse on said application, and detail his/her disapproval and his/her reasons for the same, and return the application to the City Clerk, who shall notify the applicant that his/her application is disapproved and that no license will be issued.
- c. If, as a result of such investigation, the character and business responsibility of the applicant are found to be satisfactory, the Chief of Police shall endorse on the application, his/her approval and return the application to the City Clerk, who shall upon approval of the Plan Commission, deliver to the applicant his/her license. Such license shall contain the signature of the issuing officer and shall show the name and address of the licensee, the amount of fee paid, and the length of time the same shall be operative as well as the license number and other identifying description of any vehicle used in such business. No license shall be used at any time by any business other than the one to whom it is issued. The Clerk shall keep a record of all licenses issued.

4. License – Fees.

- a. Every applicant for a license under this Chapter who owns, rents or leases real property located within the City used primarily for the business for which license application is made and which property is on the tax rolls of the City, or which is an agent or representative of a person, firm or corporation who owns, rents or leases property located within the City used primarily for the business for which license application is made, and which property is on the tax rolls of the City, shall pay the following license fees: \$25.00 per six month license, \$50.00 per one year license. There will be no proration of license fees. A license year shall run from January 1<sup>st</sup> to December 31<sup>st</sup> each year. Six month licenses can run for any consecutive six month period in one calendar year. If renting or leasing property, a valid lease must be provided.
- b. Every applicant for a license under this Chapter who does **not** own, rent or lease real estate located within the City used primarily for the business for which license application is made shall pay the sum of \$500.00 for a one year license issued under this Chapter. A license year shall run from January 1<sup>st</sup> to December 31<sup>st</sup> each year. Six month or daily licenses will not be issued under these circumstances. One license may be issued under this provision for operation in City Lot 10

(South Main and South Third Streets). Only one such license shall be issued during any given license year. Application for this license shall be submitted on or before November 1 for the following license year.

- c. Applicants for daily licenses shall pay a license fee of \$5.00 per day.
- d. If more than one qualified application is received for a given year for the license in City Lot 10, the Planning Commission will employ a closed bidding system with a minimum bid of \$500.00 to determine which application should be approved.

5. Exhibition of License.

Licensees are required to exhibit their certification of license during hours of operation.

6. License Revocation.

- a. Licenses issued under the provision of this Chapter may be revoked by the Plan Commission after notice and hearing, for any of the following causes:
  - 1. Acts by the license holder or the employees or agents of the license holder.
  - 2. Fraud, misrepresentation or incorrect statement contained in the application for license;
  - 3. Fraud, misrepresentation or incorrect statement in the course of carrying on his/her business as mobile merchant;
  - 4. Any violation of this Chapter;
  - 5. Conviction of any crime or misdemeanor;
  - 6. Conducting business in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a danger to the health, safety or general welfare of the public.
  - 7. Failure to use the license and/or conduct business as a mobile merchant for thirty (30) consecutive days or more.
- b. Notice of the hearing of a revocation of a license shall be given by the City Clerk in writing setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed, postage prepaid, to the licensee at his/her last known address at least five (5) days prior to the date set for hearing or shall be delivered by a police officer in the same manner as a summons at least three (3) days prior to the date set for hearing.

7. License – Re-Application.

No licensee whose license has been revoked shall make further application until a period of at least six (6) months has elapsed since any previous revocation.

8. License – Term.

A license year shall run from January 1<sup>st</sup> through December 31<sup>st</sup> each year. Six month licenses can run for any consecutive six months in one calendar year and can be applied for only once per calendar year.

**C. Regulations for Outdoor Merchandise Sales.**

Mobile merchants wishing to operate other than those exempt in Section B – 1(b) of this ordinance, may conduct business only on private property in the **C-1, C-2, C-3, C-5, M-1 and M-2** Zoning Districts. There shall also be one space available in City Lot 10 (South Main and South Third Streets) in which mobile merchants may operate. That space will be designated by the City. In addition to all other regulations provided by this Chapter, mobile merchants shall be subject to the following regulations:

1. Vending may not begin until 7:00 a.m., and shall conclude by 10:00 p.m., with the exception that vending in M-1 and M-2 zones may be conducted 24 hours per day.
2. No vending equipment may be located neither within 10' of a marked crosswalk or curb cut nor within 15' of a fire hydrant or Fire Department connection.
3. The individuals conducting the sales shall be responsible for the cleanup of the site and any debris or litter in the immediate area caused by the operation. Vendors shall provide a waste basket for use by customers at their sales location.
4. The individuals and the organization conducting the sales shall be responsible for complying with all applicable rules and regulations provided for in this section.
5. All equipment used at the vending site shall be in a clean and sanitary, hazard free condition and maintained in a presentable appearance and in good repair.
6. Noise emanating from vending sites shall be kept to a minimum, shall not be directed towards the street or sidewalk and shall be 80 decibels or below as measured at a distance of twenty (20) feet.
7. No audio or video equipment such as speakers or video display monitors shall be allowed.

**E. Enforcement.**

It shall be the duty of the police and/or Building Inspector of the City to require any business that is not known by such officer to be duly licensed, to produce his/her license and to enforce the provisions of this Chapter against any person found to be violating the same.

**F. Report of Violation.**

The Chief of Police shall report to the City Clerk, all convictions for violation of the Chapter, and the City Clerk shall maintain a record for each license issued and record the reports of violation therein.

**G. Appeals.**

Any person aggrieved by the action of the City in the denial or revocation of a license, shall have the right to appeal to the Common Council of the City. Such appeals shall be initiated by filing with the Common Council within fourteen (14) days after notice of the action in question. The filing should contain a written statement setting forth fully the grounds for the appeal. The Common Council shall set a time and place for a hearing on such appeal and the notice of such hearing shall be given to the appellant.

**H. Forfeitures.**

Violations of this ordinance shall result in penalties pursuant to Sec. 1-10 of the City's Code of Ordinances.



City of Fort Atkinson  
City Manager's Office  
101 N. Main Street  
Fort Atkinson, WI 53538

## MEMORANDUM

**DATE:** May 18, 2021

**TO:** Fort Atkinson City Council

**FROM:** Rebecca Houseman LeMire, City Manager

**RE:** Review and presentation of 2020 Annual Report

---

### BACKGROUND

Each year, Department Heads draft a summation of the work performed, goals achieved, and aspirations for the future which is compiled into an annual report for presentation to the City Council and the public-at-large.

### DISCUSSION

For 2020, the annual report has been assembled in a new format with the intention of disseminating information that is a visually exciting representation of the great things our departments accomplished during an unforgiving year. Although the fundamentals of the report have not changed, the City of Fort Atkinson hopes to move forward with projects that possess a sense of visual identity that distinguish it from neighboring municipalities and instill enthusiasm for the future.

### FINANCIAL ANALYSIS

This item has no financial impact.

### RECOMMENDATION

Staff recommends approval for distribution of the 2020 annual report.

### ATTACHMENTS

2020 annual report attached.



City of Fort Atkinson  
City Manager's Office  
101 N. Main Street  
Fort Atkinson, WI 53538

## MEMORANDUM

**DATE:** May 18, 2021

**TO:** Fort Atkinson City Council

**FROM:** Rebecca Houseman LeMire, City Manager

**RE:** Review and possible action relating to an Intergovernmental Agreement between the City of Fort Atkinson and the Town of Koshkonong relating to the Attachment of City-Owned Lands

---

### BACKGROUND

The City purchased three parcels along Banker Road in 2019. Since that time, the City has been considering options to annex the land for residential development while avoiding possible objections by the Town of Koshkonong.

Engineer Selle and I met with representatives from the Town in March and April in order to understand the priorities of the Town in developing a Boundary Agreement. During the initial meeting in March, Town representatives expressed a willingness to move forward quickly on the City's top priority: attaching the City-owned land on Banker Road. Staff suggested moving forward with an Intergovernmental Agreement for the annexation of the land on Banker Road, and then taking more time to develop a long-term Boundary Agreement to address longer-term issues, including future land use planning, potential areas of City growth, existing Town islands, and others

### DISCUSSION

Staff developed several drafts of an Intergovernmental Agreement (IGA) and worked out certain details relating to terms with Town representatives based on priorities identified in our meetings. The City Council reviewed a draft of this document at the Council meeting on April 20, 2021.

The attached IGA represents the final version of this document. The Koshkonong Town Board reviewed this document at the meeting on May 12, 2021, and approved the document unanimously. The following are the main points of the IGA:

- The City will attach the City-owned parcels and the entirety of Banker Road.
- The Town will not object to this attachment.
- The City will accept any voluntary attachment of any of the parcels considered to be part of the "town islands" created by this attachment.
- The City will pay the Town a lump sum of \$868.50, representing the Town's portion of the taxes on the parcels for the next five years. The parcels are currently tax exempt, as



they are owned by the City, so there are no taxes being paid currently. This payment is required by Statutes, and is based on the last year taxes were paid on the parcels.

- The City will provide services as outlined in Table 1, which provides significant value to the Town.
- The City and Town will begin to negotiate a long-term Boundary Agreement within 12 months of the date of the IGA.
- The term of the IGA is two years.
- Disputes will be settled through binding arbitration.

<b>TABLE 1: TOTAL ESTIMATED VALUE OF CITY SERVICES</b>				
<b>Entity Providing Service</b>	<b>Description of Service</b>	<b>Year of Service</b>	<b>Estimated Value of Service</b>	<b>Value of Service over IGA</b>
City	Plow & Salt Hoard Rd	2021-2022	\$ 2,000.00	\$ 4,000.00
City	WISLR Pavement Ratings	2021	\$ 3,500.00	\$ 3,500.00
City	Long-line Painting: Rock River Rd, Hackbarth Rd, Old 26	2021	\$ 8,500.00	\$ 8,500.00
City	Planning/Design of 4-way Stop at Town's request	TBD	\$ 3,500.00	\$ 3,500.00
City	Red Crosswalk	2022	\$ 3,500.00	\$ 3,500.00
City	Engineering consulting services for Road Plan	2021	\$ 3,000.00	\$ 3,000.00
			<b>TOTAL</b>	<b>\$ 26,000.00</b>

## **FINANCIAL ANALYSIS**

This IGA represents a clear path forward for the City to attach the City's land along Banker Road without Town objection. The cash outlay from the City is nominal, and the outlay of services can be provided, generally speaking, through economies of scale.

## **RECOMMENDATION**

Staff recommends that the City Council review and approve this Intergovernmental Agreement between the City of Fort Atkinson and the Town of Koshkonong relating to the Attachment of City-Owned Lands.

## **ATTACHMENT**

Intergovernmental Agreement between the City of Fort Atkinson and the Town of Koshkonong relating to the Attachment of City-Owned Lands

**INTERGOVERNMENTAL AGREEMENT  
RELATING TO THE ATTACHMENT OF CITY-OWNED PROPERTIES**

This Intergovernmental Agreement ("IGA") is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by and between the City of Fort Atkinson (hereinafter "City") and the Town of Koshkonong (hereinafter "Town") relating to the attachment of certain City-owned parcels to the City.

**WHEREAS**, the City and the Town desire to work together for the betterment of their communities by entering into this IGA related to lands adjacent to Banker Rd; and

**WHEREAS**, the City and the Town share many borders and desire to establish and maintain a positive and productive relationship as our lands and futures are intertwined; and

**WHEREAS**, the City and Town recognize the importance of open communication and cooperation relating to land use planning, subdivisions, and orderly development for the region; and

**WHEREAS**, the City recognizes the Town's value to the City's residents in terms of agriculture and farming; recreational opportunities such as Lake Koshkonong, rural roads, and parks and open spaces; and the tranquility of nature; and

**WHEREAS**, the Town recognizes the City's value to the Town's residents in terms of employment, arts and entertainment, commercial shopping and dining, recreation and parks, and health care; and

**WHEREAS**, the City desires to attach lands owned by the City to the City for the purposes of residential development; and

**WHEREAS**, the Town desires to retain its rural character and continue to serve its residents.

**NOW THEREFORE**, in consideration of the covenants and conditions contained herein, the Town and the City hereby agree as follows:

- 1. ATTACHMENT TO CITY.** The City will attach the City-owned parcels and all of the Banker Road right-of-way depicted in the attached Exhibit A and described as follows:
  - a. Tax Parcel 016-0614-3323-000, the parcel located on the east and west sides of Banker Road, containing 20 acres of land in the Town of Koshkonong;
  - b. Tax Parcel 016-0614-3322-000, the parcel located on the east and west sides of Banker Road and south of Hoard Road, containing 35.69 acres of land in the Town of Koshkonong;

- c. Tax Parcel 016-0614-3321-000, the property located on the south side of Hoard Road and east of Banker Road, containing 19.93 acres of land in the Town of Koshkonong; and
  - d. The entire Banker Road right-of-way located in the Town of Koshkonong.
- 2. **NO OBJECTION BY TOWN.** The Town agrees that it will not object to the attachment of City-owned lands and certain rights-of-way as included in Exhibit A and described herein during the attachment process, during any future subdivision process, or at any point in the future based on the creation of Town islands or for any other reason.
- 3. **VOLUNTARY ATTACHMENT.** The Town further agrees that it will not object to any request for annexation or attachment to the City by the property owners of the Town islands created through the attachment of City-owned lands and rights-of-way, including the following parcels:
  - a. 016-0614-3332-054; 1.45 acres of land; N2696 Banker Road
  - b. 016-0614-3332-055; 0.66 acres of land; no site address
  - c. 016-0614-3323-015; 0.69 acres of land; no site address (Mehring)
  - d. 016-0614-3323-014; 3.8 acres of land, no site address (Mehring)
  - e. 016-0614-3323-004; 0.76 acres of land; N2719 Banker Road
  - f. 016-0614-3323-001; 0.76 acres of land; N2711 Banker Road
  - g. 016-0614-3323-002; 7.73 acres of land; N2738 Banker Road
- 4. **PAYMENT.** The City agrees to pay the Town a lump sum of \$868.50 to represent the lost Town taxes for the next five years for the City owned parcels to be attached, as required in Section 66.0217(14) of the Wisconsin Statutes.
- 5. **SERVICES.**
  - a. The City agrees to plow and salt the south side of Hoard Road from North Main Street to Banker Road, at an estimated value of \$2,000 each year (\$4,000 total). Nothing in this IGA will require the City to plow roads or portions of roads located in the Town of Jefferson.
  - b. The City agrees to provide Wisconsin Information System for Local Roads (WISLR) pavement ratings for all Town roads in 2021 and submit these to WisDOT. Estimated value \$3,500.
  - c. The City agrees to provide long-line painting on Rock River Road from the City Limits to STH 106 (yellow centerline skip and white edge on each side); Hackbarth Road for the entire length (double yellow centerline and white edge); and Old 26 from the STH 26 overpass bridge to Koshkonong Lake Road (white edge only) in 2021, at an estimated value of \$8,500.
  - d. The City agrees to assist, at the Town's request, in the planning and design of a four way stop at the intersection of Hackbarth Road and Endl Boulevard. This would include sign fabrication and associated painting of stop bars, at an estimated value of \$3,500. It would not include intersection improvements if needed.

- e. The City agrees to provide one red solid crosswalk, similar to the crosswalks in the City's downtown area, on Hackbarth Road, at the intersection of Endl Boulevard and Hackbarth Road by the end of 2022, at an estimated value of \$3,500. Note there is no sidewalk continuance on the north side of the intersection within the Town right-of-way.
- f. The City agrees to assist the Town in the development of a Comprehensive Road Plan for all Town roads. In 2021, the City will provide expertise and counsel from our engineering department in the solicitation of bids for such a study, the scoping components of the study, and the evaluation of its results for the Town administration, at an estimate value of \$3,000. The Town will be responsible for the cost of the study.
- g. The total value of the services to be provided in this Agreement is \$26,000 and is summarized in Table 1 below.

TABLE 1: TOTAL ESTIMATED VALUE OF CITY SERVICES				
Entity Providing Service	Description of Service	Year of Service	Estimated Value of Service	Value of Service over IGA
City	Plow & Salt Hoard Rd	2021-2022	\$ 2,000.00	\$ 4,000.00
City	WISLR Pavement Ratings	2021	\$ 3,500.00	\$ 3,500.00
City	Long-line Painting: Rock River Rd, Hackbarth Rd, Old 26	2021	\$ 8,500.00	\$ 8,500.00
City	Planning/Design of 4-way Stop at Town's request	TBD	\$ 3,500.00	\$ 3,500.00
City	Red Crosswalk	2022	\$ 3,500.00	\$ 3,500.00
City	Engineering consulting services for Road Plan	2021	\$ 3,000.00	\$ 3,000.00
			<b>TOTAL</b>	<b>\$ 26,000.00</b>

6. **BOUNDARY AGREEMENT.** The City and the Town agree to begin negotiating a long-term Boundary Agreement under Section Wis. Stats. §66.0301 within 12 months of the date of this IGA. The Boundary Agreement will address additional shared borders, future land use and land subdivisions near the borders, possible shared services (joint applications for discretionary road funding and assistance with American Rescue Plan funds), long-range development planning, and other items deemed relevant to and in the best interest of the City and the Town.
7. **TERM OF AGREEMENT.** This IGA will be in effect between the City and the Town for two (2) years from the date of signing.
8. **BINDING ARBITRATION:** This provision shall not be construed to provide "standing" to the Town to contest attachments. To enforce this IGA, the City and Town agree that any controversy or claim arising out of or relating to this IGA, or the breach thereof, or

regarding the failure or refusal to perform the whole, or any part, of this IGA shall be settled by binding arbitration in accordance with the Rules of the American Arbitration Association, and judgment upon the award rendered may be entered into Jefferson County Circuit Court. Any decision made by an arbiter, under this provision shall be enforceable as a final and binding decision as if it were a final decision or decree of a court or competent jurisdiction.

9. **NOTICE:** The City and Town shall give the other prompt notice of all action taken by a property owner or by a party relating to attachment of property pursuant to this IGA.
10. **GOOD FAITH:** The City and Town agree to act in good faith toward the other pursuant to this IGA.
11. **WRITTEN AMENDMENTS:** This IGA contains the entire understanding and agreement of the City and Town and there have been no promises, representations, agreements, warranties or undertakings by either the City or the Town to the other, either oral or written, of any character or nature, except as set forth in this document. This IGA may be altered, amended, revoked, or modified only by a document that is signed and acknowledged by the City and the Town, and by no other means. The City and the Town waive the future right to claim, contend or assert that this IGA was modified, canceled, superseded or changed by an oral agreement, course of conduct or estoppel.
12. **SEVERABILITY:** If any term, provision, covenant or condition of this IGA is held by an arbitrator to be invalid, void or unenforceable, the remainder of this IGA shall remain in full force and effect.

DATED: \_\_\_\_\_

**CITY OF FORT ATKINSON**

\_\_\_\_\_  
Chris Scherer,  
City Council President

ATTEST:

\_\_\_\_\_  
Michelle Ebbert,  
City Clerk/Treasurer/Finance Director

This document drafted by:  
David R. Westrick  
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Fort Atkinson, WI 53538  
(920) 563-5577 - (920) 563-3577 Fax  
drw@rogerswestricklawoffice.com

DATED: \_\_\_\_\_

**TOWN OF KOSHKONONG**

\_\_\_\_\_  
Bill Burlingame,  
Town Chairperson

ATTEST:

\_\_\_\_\_  
Bridget Woods,  
Town Clerk



Yellow lines denote lands to be attached to City

#3322-000

#3321-000

#3323-000

22

21

23

23-14

23-4

N2719

23-2

N2738

N2744

N2696

-55

-54

-15

W6492

W6490

W6419

W6305

W6304

W6303

W6302

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Blue: Band\_3



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1 inch = 400 feet

Author: Public User





City of Fort Atkinson  
City Manager's Office  
101 N. Main Street  
Fort Atkinson, WI 53538

## MEMORANDUM

**DATE:** May 18, 2021

**TO:** Fort Atkinson City Council

**FROM:** Brooke Franseen, Parks & Recreation Director

**RE:** Review and possible action relating to selecting a security camera proposal from Ignatek, LLC for \$12,271.54

---

### BACKGROUND

Unfortunately, there has always been vandalism throughout City of Fort Atkinson. In the last year, the Parks and Recreation Department and the Police Department have seen an increase in the amount of vandalism throughout the parks in the City. When someone spots an area that has been graffitied, we ask they report it to the Police Department (PD) or the Parks and Recreation Department. The PD will document it, then our parks staff will paint over it. In addition, we document the receipts of repairs in hopes the PD will catch the perpetrator, who may be charged damages.

After a few incidents that cost us hours of staff time and a chunk of our budget to purchase graffiti remover (one incident took twelve bottles of remover costing the department \$320), we started researching security cameras. Being conscious of our budget, we had researched placing cameras only in the highly used parks that hold expensive equipment and are graffitied the most.

After receiving quotes to purchase twenty-two cameras to cover six locations ranging from \$11,500-\$37,000, we submitted a Fort Atkinson Community Foundation (FACF) grant due to the quotes exceeding our budget. FACF awarded the Parks and Recreation Department \$12,500 to assist with the security camera project.

### DISCUSSION

Staff from the Parks & Recreation Dept., Police Dept., and Electrical Dept. met at each location to determine the specific areas that get targeted the most for camera placements.

FACF funds will be used towards a security camera system of twenty-two cameras in the following locations:

- Ralph Park (5 cameras);
- Wheels Park (2 cameras);
- Jones Park (6 cameras);
- Rock River Park Football Field (4 cameras);

- Rock River Park Clubhouse (2 cameras); and
- Memorial Park (3 cameras).

The funds from the FACP grant will cover the installation of six Network Video Recorders (NVR), all wiring for the cameras, six wireless bridges to remote locations, programming the systems, and staff training on how to use the system.

The proposed cameras and equipment through Ignatek are all set for expansion at each location if we decide to add additional cameras. The warranty for the cameras and recorders is three years. The life expectancy of the cameras in ideal conditions would be the life of the building, per representatives from Ignatek. Although power surges and extreme temperatures may reduce the useful life of the equipment. The temperature range of the cameras quoted by Ignatek to be in ideal conditions are -22°F to +140°F. The cameras will also feature color night vision.

The camera system will not be viewable remotely due to the lack of WIFI at the parks. Both the Parks and Rec Dept. and PD will have access to all camera footage by bringing a portable computer monitor to the location if the area has been vandalized.

Our ultimate goal is to keep our parks and open spaces clean, safe, and visually appealing to residents and guests. The camera system will assist by acting as a deterrent and by catching those undeterred.

## **FINANCIAL ANALYSIS**

Four quotes were solicited through a Request for Proposals (RFP):

1. Ignatek LLC (Janesville): \$12,271.54
2. eTree LLC (Fort Atkinson): \$11,666.20
3. Wired IQ (Florida): \$15,519.55
4. Engineered Security Solutions, INC. (New Berlin): \$37,000

Ignatek's original quote based on the original RFP was \$227 cheaper than the quote listed above. However, staff reviewed all camera locations with Ignatek and found significant reasons to change two locations. One of the new locations requires a more high-tech camera to view a building further away (football field equipment shed from the concessions building) raising the cost \$227. The other three companies were not asked to provide estimates with the updated information.

Expenses for this project include the camera system, one portable monitor to bring to the sites to view footage, and electrical equipment. The electrical equipment includes trenching to the building at the Wheels Park, which currently does not have an electrical hookup; setting a pole in which to install the cameras; and adding conduit from the building to the pole. WE Energies will provide power to the Wheels Park. The total amount for the electrical portion of the project is \$2,600 and will be funded through the parks electrical account. The remaining \$71.54 will be covered through the parks supply account.

Staff prefers to Ignatek's proposal as the company is currently the City's IT service provider and has been a positive company to work with. Ignatek also has many years of experience selecting, installing, and servicing the proposed cameras. Ignatek provides both the cameras and the service, while eTree is simply the sales company. If a camera requires service, staff would only have to contact Ignatek. With eTree, there would be a call to the sales company and the camera service company. We are aware of the quality of work and service we would receive as Ignatek is always readily available if any questions arise. Lifetime support is also provided. Ignatek is also working with the City to provide cameras at the Municipal Building and worked with the Fire Department for a full camera system.

<b>Table 1: All Costs Associated with the Security Camera Project</b>	
<b>ITEM</b>	<b>COST</b>
22 cameras, training, wiring, set up	\$12,271.54 (Ignatek)
City Electrician for hook up	\$1,950
WE Energies – power at Wheels Park	\$650
Computer Monitor	\$150
Shelving supplies for NVR placements	\$150
<b>TOTAL</b>	<b>\$15,171.54</b>
Community Foundation Grant	-\$12,500
City Parks Electrical Account	-\$2,600
City Parks Supply Account	-\$71.54

## **RECOMMENDATION**

Staff recommends that the City Council approve the security camera proposal from Ignatek, LLC, for \$12,271.54 which includes purchasing and installing twenty-two cameras in six different locations throughout the City and staff training. Note that the Community Foundation will be providing \$12,500 toward the cost of this project through a grant.



Wednesday, May 05, 2021

City of Fort Atkinson  
Brooke Franseen  
101 North Main Street  
Fort Atkinson, WI 53538  
bfranseen@fortatkinsonwi.net

Dear Brooke,

Here is the requested camera system quote for all 6 park locations in Fort Atkinson.

SCOPE OF WORK:









Install 6 NVR's  
Install all wiring for cameras  
Install 6 (3 pairs) of wireless bridges to remote locations  
Program NVR's  
Training on how to use system

\*\*\*Remote viewing is not capable with these systems due to the fact that there is no internet at any of the locations.\*\*\*

\*\*\*Any location that does not have power will need power brought in by the customer in order for the cameras and other hardware to work.\*\*\*


Trever Brandenburg  
Owner  
Ignatek LLC

## Hardware

Description		Price	Qty	Ext. Price
	<b>NSN-608(4K)-8P 8 Channel Network Video Recorder</b>	\$316.00	3	\$948.00
	8 Channel Network Video Recorder			
	<b>NSN-604(4K)-4P 4 Chanel NVR</b>	\$189.99	3	\$569.97
	<b>ST2000VXZ08/ 2tb surveillance HD</b>	\$90.00	3	\$270.00
	2TB Surveillance HD			
	<b>ST4000VXZ07/ 4TB Surveillance HDD</b>	\$125.00	3	\$375.00
	4TB Surveillance HDD			
	<b>1550N 4MP Motorized Vari-focal bullet camera 2.8-12mm</b>	\$326.99	1	\$326.99
	<b>2066 4MP Extreme Low Light Turret</b>	\$194.99	21	\$4,094.79
	4MP Extreme Low Light Turret			
	<b>1209 J box for Low Light Turret</b>	\$13.99	21	\$293.79
	J box for Low Light Turret			
	<b>1458 Ubiquiti Nano Station (pair)</b>	\$205.00	3	\$615.00
	Ubiquiti Nano Station (pair)			



## Hardware

Description		Price	Qty	Ext. Price
US-8-60W	<b>Ubiquiti UniFi Ethernet Switch - 8 Ports - Manageable - Twisted Pair - Desktop - 1 Year Limited Warranty</b>	\$109.00	7	\$763.00
				
e-line	<b>Exception Line (misc mounting hardware, sealant and fasteners)</b> Exception Line (covers misc. hardware)	\$175.00	1	\$175.00
			Subtotal	\$8,431.54

## Services

Description		Price	Qty	Ext. Price
Ignatek Labor	<b>Ignatek Hourly labor (Install devices)</b> Ignatek hourly labor	\$80.00	40	\$3,200.00
Ignatek Labor	<b>Ignatek Hourly labor (program devices)</b> Ignatek hourly labor	\$80.00	8	\$640.00
			Subtotal	\$3,840.00



## Camera System (Parks & Rec)

### Quote Information:

Quote #: 001481

Version: 1

Delivery Date: 05/05/2021

Expiration Date: 05/31/2021

### Prepared for:

City of Fort Atkinson

101 North Main Street

Fort Atkinson, WI 53538

Brooke Franseen

(920) 563-7760

bfranseen@fortatkinsonwi.net

### Prepared by:

Ignatek LLC

Trever Brandenburg

(608) 290-4644

cs@ignatek.com



## Quote Summary

Description	Amount
Hardware	\$8,431.54
Services	\$3,840.00

Total: \$12,271.54

Taxes, shipping, handling and other fees may apply. We reserve the right to cancel orders arising from pricing or other errors.

Ignatek LLC

City of Fort Atkinson

Signature: \_\_\_\_\_

Name: Trever Brandenburg

Title: Owner

Date: 05/05/2021

Signature: \_\_\_\_\_

Name: Brooke Franseen

Date: \_\_\_\_\_





To  
City of Fort—Parks and Recreation  
30 N Water Street W  
Fort Atkinson, WI 53538

Date  
12/10/2020

Total  
\$11,666.20  
*\*(see optional discounts)*

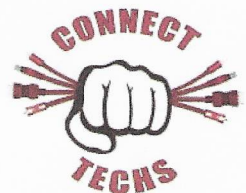
## Security Camera Estimate for City Parks

LINE ITEM	RATE	QTY	AMOUNT
4mp fixed lens ip bullet camera	\$180.70	22	\$3,975.40
8 channel Nvr with POE w/5tb hard drive	\$479.70	3	\$1,439.10
4 channel Nvr with 2 tb hard drive	\$284.70	2	\$569.40
Ubiquiti NanoStation M2 Antenna	\$131.30	6	\$787.80
Cat5 cable	\$117.00	1	\$117.00
Nvr lockbox	\$175.5	5	\$877.50
Installation, Camera aiming, nvr programing, customer training provided by <b>Connect Techs LLC</b>	\$3,900	1	\$3,900
TOTAL			\$11,666.20
<b>*Bundled with 1 Credit Card Processing Account for City Parks Department</b>	-5%		\$11,082.89
<b>*Bundled with both Credit Card Processing Accounts for City Parks Department and Fort Aquatic Center</b>	-7%		\$10,849.57

\*Total does not include tax according to Tax Exempt status

\*Fort Aquatic Center credit card processing account will be seasonal and will include a free machine ; a \$550 value.

\*Quote does not include additional power needed for skate park w/weather-proof box. Would need to be supplied by city. Half down required before work begins. Balance due upon completion.







## Customer Quote - Detail

Quote: Surveillance Project - 7505.v1

**Customer:** Fort Atkinson Parks and Recreation  
**Contact:**  
**Phone:**  
**Email:**  
**Address:** 30 N Water Street Fort Atkinson WI 53538  
**Date:** 12/09/20

**Partner:** eTree Commerce Solutions  
**Contact:**  
**Phone:**  
**Email:**  
**Address:** 229 S Main Fort Atkinson WI  
**Contract Term:** 5 Years

Hardware	Qty x Price	One-Time	Monthly
BrainBox-XS	2 x \$1,499.00	\$2,998.00	
Bullet 4 MP Camera	22 x \$219.99	\$4,839.78	
Netgear GS110TP Network Switch	1 x \$179.00	\$179.00	
Netgear GS728TP Network Switch	1 x \$435.00	\$435.00	
Tripp Lite OmniVS1000 UPS	1 x \$145.99	\$145.99	
<b>Hardware Total</b>		<b>\$8,597.77</b>	<b>\$0.00</b>
<b>Software</b>			
Surveillance License	1 x \$399.00	\$399.00	
Surveillance Camera Port Licenses	22 x \$29.99	\$659.78	
WiredIQ Dome/Bullet Camera Software	22 x \$25.00	\$550.00	
<b>Software Total</b>		<b>\$1,608.78</b>	<b>\$0.00</b>
<b>Services</b>			
Optic Nerve Video Surveillance	2 x \$44.96		\$89.92
<b>Services Total</b>		<b>\$0.00</b>	<b>\$89.92</b>
<b>Installation and Shipping</b>			
Provisioning		\$969.00	
Installation		\$4,269.00	
Porting		\$0.00	
Training		\$0.00	
Configuration		\$0.00	
Shipping		\$75.00	
<b>Installation and Shipping Total</b>		<b>\$5,313.00</b>	
<b>Grand Total</b>		<b>One-Time \$15,519.55*</b>	<b>Monthly \$89.92</b>

**Estimated Monthly Lease Payment (for 60 months) Subject to Approval**  
 Approval and interest rate subject to credit rating and other factors  
 Apply with the following link: <https://wirediq.directcapital.com>

**\$324.04\***

Monday, December 21, 2020



**City of Fort Atkinson – Parks & Recreation**

Attn: Ms. Brooke Franseen, CPRP

30 North Water Street W.

Fort Atkinson, WI 53538

Quote # 3223

RE: Jones Park

*only Jones Park Quote*

**CAMERA SYSTEM:** ESS will provide and install an 16 Channel NVR with 8TB of data storage. We will provide Five 4MP HD IP IR Dome cameras, and One 4K 8MP HD IP IR Zoom Lens Camera. To connect the two buildings we will provide and install a Wireless Point to Point Bridge. We will provide and install all cabling.

**EQUIPMENT:**

- 1 16 Channel Network Video Recorder with 8TB of data storage
- 1 UPS
- 1 5 Port PoE Network Switch
- 1 8 Port PoE Network Switch
- 1 Wireless Point to Point Bridge
- 1 Flat panel LED monitor
- 5 4MP, IR camera in dome enclosure with mounting accessories
- 1 4K 8MP IR camera in dome enclosure with mounting accessories with Zoom Lens

**PURCHASE PRICE:** \$ 9,285.00 + applicable taxes

**Camera Locations:**

- 1 Interior Concession Area
- 5 Exterior on Two Buildings (see attached drawing)

**NOTES:**

- Excludes overtime or premium time labor, all pre-job meetings and specialty training.
- This proposal is based upon a certain amount of time to complete. Overmanning or major crew size deviation is not included. Any acceleration or deceleration of schedule, or delays, or outside factors affecting schedule may result in a change of price.
- If work is not directly described, it should not be assumed as included, clarification of any scope is available upon request.

**ESS TO PROVIDE:**

- Listed equipment
- Cable, conduit, boxes, and connectors where required
- Installation of listed equipment
- Head end terminations
- Programming
- Customer training

**CUSTOMER TO PROVIDE:**

- 110VAC where required
- Room or area for staging equipment
- Required wall repair
- Painting of equipment
- Required ESS permit costs
- Lift or cost of lift if required
- Changes to the original scope will be billed on a Time & Material basis

**PAYMENT TERMS:**

- 50% down payment with contract signing and 50% payment at install completion

**WARRANTY:**

- One-year labor warranty
- Manufacturer's parts warranty

To accept the above proposal, please sign and date below, initial all pages and email the signed contract to [tsalchow@engineeredsecurity.net](mailto:tsalchow@engineeredsecurity.net). Please feel free to call with questions (262) 995-5351.

Troy Salchow

**Engineered Security Solutions, Inc.**

262-995-5351 – mobile | 262-780-9770 – Office

[tsalchow@engineeredsecurity.net](mailto:tsalchow@engineeredsecurity.net)

G:\Fort Atkinson County Parks\Fort Atkinson Park - Jones Park\MW-MW-P Fort Atkinson Park - Jones Park CCTV 12-9-2020\MW-P Fort Atkinson Park - Jones Park CCTV 12-9-2020.doc

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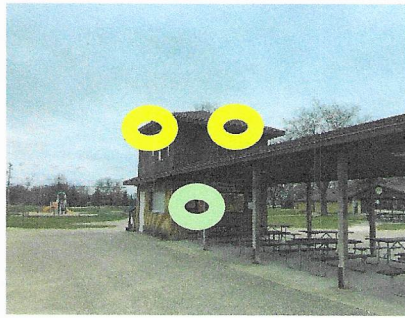


City of Fort Atkinson  
City Manager's Office  
101 N. Main Street  
Fort Atkinson, WI 53538

## Security Cameras for Fort Atkinson Parks and Recreation

**Ralph Park:** Five cameras total. Four cameras on the scoreboard on each corner and one camera inside the concessions building.

600 Jefferson Street



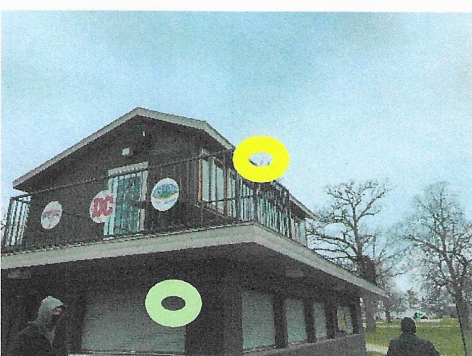
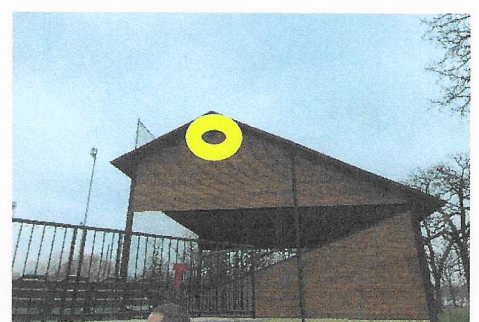
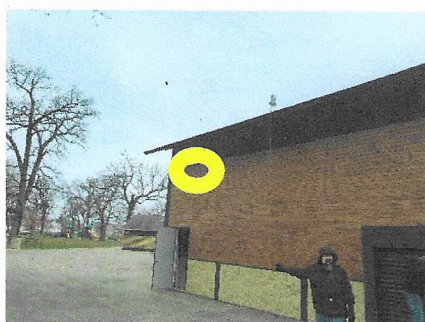
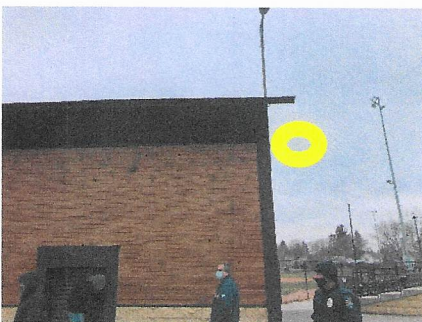
**Wheels Park:** Two cameras total on one pole in the middle of the Wheels Park and basketball courts. One camera facing the Wheels Park and one camera facing the basketball courts.

Across the street of 525 Jefferson St

- WE Energies added a light and Jeff is going to trench for power. Antenna will be set up from Ralph Park scoreboard.

**Jones Park:** Six cameras total. Three cameras on the grandstand facing the field, the north parking lot, and the concession building. Two cameras on the concessions building facing the ball diamonds, south and west parking lots, and the grandstand. One camera located inside the concession building.

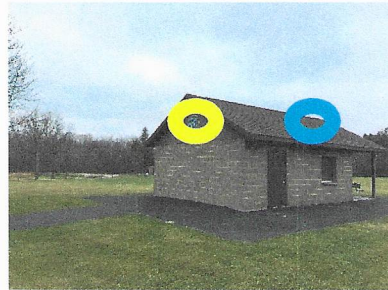
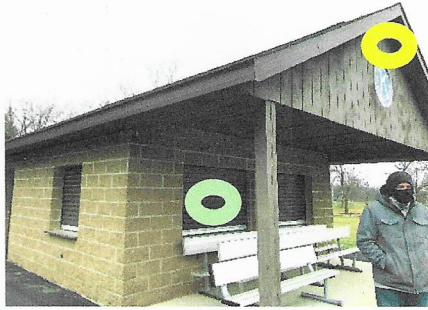
615 Janesville Ave





City of Fort Atkinson  
City Manager's Office  
101 N. Main Street  
Fort Atkinson, WI 53538

**Football field at Rock River Park:** Four cameras total. Three on the concession building (one zoom lens facing towards the equipment shed, one towards the fields, and one towards the parking lot/Rotary shelter), and one in the concession building



**Clubhouse at Rock River Park:** Two cameras total. One camera facing the parking lot and one camera facing the patio.

400 Sinnissippi Dr

**Memorial Park:** Three cameras total. Two cameras on each side of the building and one camera inside the concessions building.

520 Bark River Dr.

**Total Areas of Coverage: Six**

**Total Cameras: Twenty-two**





Where Gifts Today Build Better Tomorrows

**RECEIVED**

**APR 22 2021**

**CITY OF FORT ATKINSON  
CITY MANAGER**

April 20, 2021

Ms. Brooke Franseen, Director  
Fort Atkinson Parks & Rec. Dept.  
30 North Water Street West  
Fort Atkinson, WI 53538

Dear Brooke,

At its April 15, 2021 meeting, the Board of Directors of the Fort Atkinson Community Foundation reviewed and discussed the Parks & Rec Department's request for a grant of \$12,500 to purchase security cameras to be installed in various locations in our parks.

We are pleased to inform you that the Board voted to approve a grant of up to \$12,500 to assist with the project. The grant will be payable to the City of Fort Atkinson upon the presentation of paid invoices. Deadline for use of the grant is December 31, 2021.

To initiate reimbursement, please submit the required documentation to the Community Foundation's office at 244 N. Main St., Fort Atkinson or via email at [facf@fortfoundation.org](mailto:facf@fortfoundation.org).

The Community Foundation would appreciate any public recognition of this grant and would be pleased to be included in a press release or photograph for publicity purposes. If you have any questions, please contact our executive director, Sue Hartwick, at (920) 563-3210 or via the email address listed above.

To accept this grant, we ask that you sign and date the letter below and return it to me in the enclosed envelope. Please make a copy for your records.

Sincerely yours,

Michael Bender, Chairman  
Fort Atkinson Community Foundation

cc: Rebecca Lemire, City Manager, City of Fort Atkinson

Accepted on this \_\_\_\_\_ day of \_\_\_\_\_, 2021

By: \_\_\_\_\_  
Brooke Franseen, Director, FA Parks & Rec. Department



City of Fort Atkinson  
City Manager's Office  
101 N. Main Street  
Fort Atkinson, WI 53538

## MEMORANDUM

**DATE:** May 18, 2021

**TO:** Fort Atkinson City Council

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

**RE:** Review and possible action relating to the Wastewater Utility Phase II Construction Project – Change Order #001 in the amount of \$17,843

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### BACKGROUND

Construction of Phase II of the Wastewater Utility update project began in April 2021. A major component of the project is the construction of a tertiary filtration building to house the cloth filters. The purpose of the filters is to reduce total phosphorus to help the Utility meet the lower total phosphorus limits beginning in July 2023.

Construction started immediately on this building to meet the contract timeline of June 2022.

### DISCUSSION

A 42" secondary effluent pipe runs on a North-South line for approximately 100 feet along the West edge of the building site. To protect the piping, the plan called for steel sheeting to be driven into the earth parallel to, and along the length on the East side of the exposed pipe.

During excavation it was found that the piping was not in the location shown on the 1993 record drawings. The piping is actually 5.3 feet East and 18 inches higher than shown on the drawings. The building location can be adjusted without issue. The vertical alignment of the pipe being 18 inches higher is imposing a greater load on the sheeting than it was designed to withstand.

To address this condition the contractor proposed the installation of additional sheeting on the West side of the piping along with chains to tie the West and East sheeting together.

Project engineers, Donohue and Associates has reviewed the proposal and design and has agreed that this is the best approach. Their summary as well as drawings showing the pipe and sheeting location is attached.

### FINANCIAL ANALYSIS

The General Contractor, Staab Construction, has requested a change order in the amount of \$17,843 to cover the added cost of the additional sheeting, tie backs, and associated labor. The detailed change order estimate from Staab Construction is attached.

The project contingency fund amount required as part of the Clean Water Fund Loan is \$669,250. The fund balance after Change Order #001 will be \$651,407.

Wastewater Treatment Facility Phase II Project Contingency Fund	Contingency Fund	Change Order Description	Date of Council Approval
Budget	\$ 669,250.00		
Change Order #001	\$ 17,843.00	Additional sheeting required for pipe support	18-May-21
Contingency Balance Remaining	\$ 651,407.00		

#### **RECOMMENDATION**

Staff agrees with Donohue and Associates, and recommends the approval of Change Order #001 for the amount of \$17,843.

#### **ATTACHMENTS**

Donohue Summary CO# 001



## Memorandum

**Date:** May 10, 2021

**To:** Paul Christensen

**Copy:** Andy Selle, Erin Sweeney – Fort Atkinson  
Nathan Cassity – Donohue

**From:** Kevin Berg, P.E.

**Re:** **Change Order 001 – Structure 68 Sheeting Tie-Backs**  
Ft Atkinson WWTP – Phase 2 Improvements Construction

### Summary

The existing secondary effluent piping was not in its record drawing location, requiring modifications to the Contractor's sheeting that protects that piping during excavation for Structure 68. The existing 42-inch secondary effluent piping running N-S along the west edge of the property is located approximately 5.3 feet east and 18-inches higher than the record drawings indicated. See attached site plan markup indicating approximate location, along with the Contractor's sheeting locations.

The pipe's actual location causes no issues with the design intent of the Structure and the equipment within, but does impact the Contractor's sheeting design and installation requirements. The increased elevation imposes a greater load on the sheeting, generating additional moment that the initial design cannot resist without overturning.

The Contractor proposed the addition of tie-back sheeting to the west of the original sheeting as the most cost effective method of addressing the issue. This consists of the installation of additional sheeting, then connecting the top of the current sheeting to the top of the new sheeting with chain and tensioning binders.

### Cost Implications

The Contractor has requested a change order in the amount of \$17,843 to cover the added cost of the tie-back system. This value address costs associated with additional material procurement, shipping, installation/removal.

### Schedule Implications

There are no expected impacts to the project schedule.


### Recommendation

We recommend the City authorize payment of this change order to the Contractor as requested.

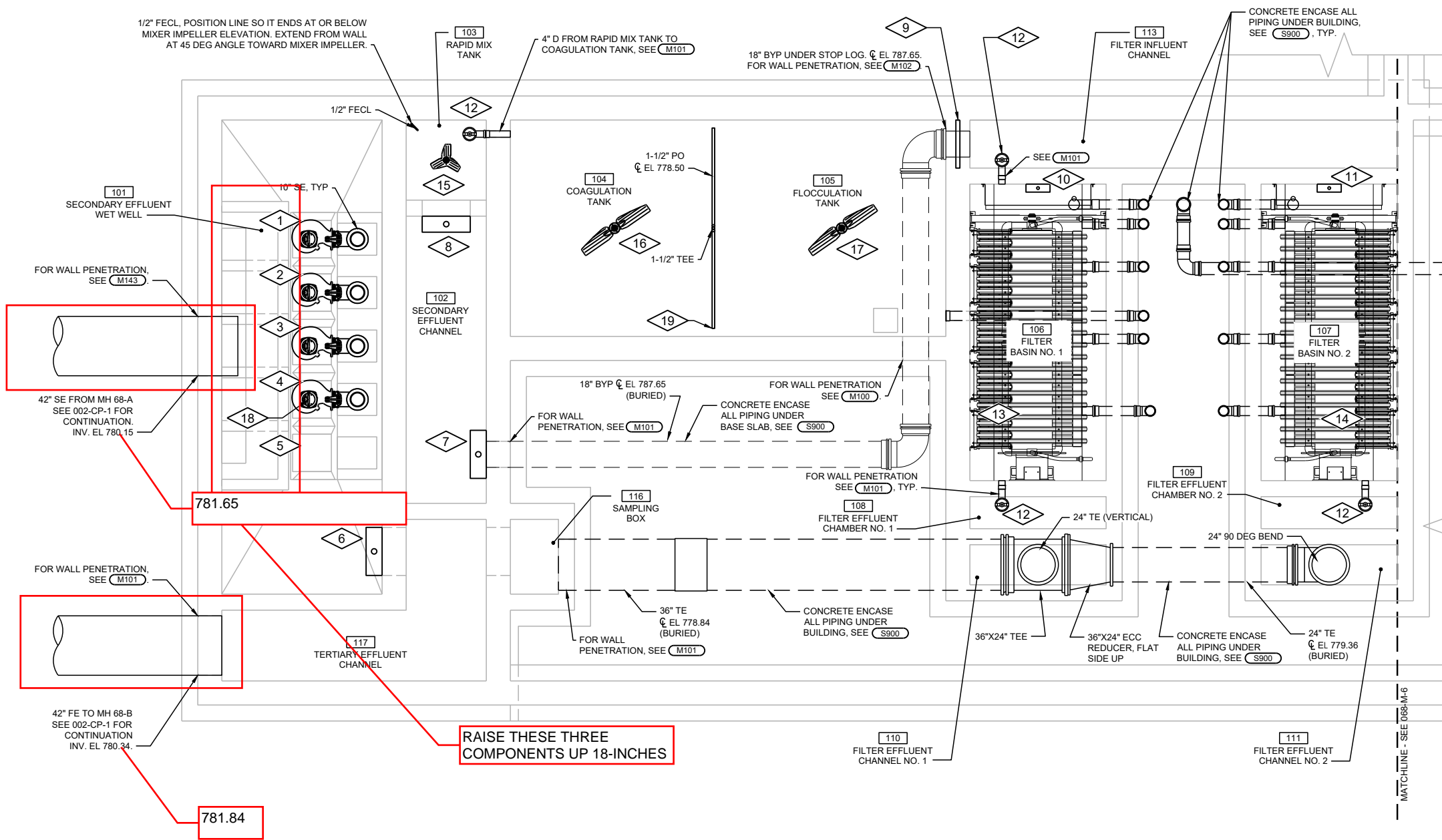


<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p><b>CITY OF FORT ATKINSON WWTP IMPROVEMENTS PHASE II</b></p> <p><b>FORT ATKINSON, WISCONSIN</b></p> </div> <div style="width: 50%;"> <p><b>SITE DEVELOPMENT PIPING PLAN</b></p> </div> </div>	Revision Number	Revision Description	Drawn By	Checked By	Date
	1	CONFORMED TO CONTRACT	WJG	KJB	03/16/2021

Designed By	WJG
Drawn By	WJG
Checked By	JCH
Approved By	NWC
Filename	002CP1.DWG
Project No.	13699
Project Date	01/19/2021


**DONOHUE**

Sheet No.	20
Drawing No.	<b>002-CP-1</b>



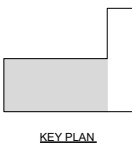
GENERAL NOTES:

1. CONTRACTOR TO FIELD VERIFY EXISTING CONDITIONS, DIMENSIONS, AND ELEVATIONS PRIOR TO CONSTRUCTION AND/OR FABRICATION.
2. REFER TO 001 SERIES OF DRAWINGS FOR THE SPACE ENVIRONMENT/HAZARDOUS RATING SCHEDULE REGARDING ENVIRONMENTAL CONDITIONS ANTICIPATED WITHIN EACH SPACE AND ALLOWABLE MATERIALS OF CONSTRUCTION TO BE USED WITHIN EACH SPACE.
3. HAZARDOUS RATINGS IDENTIFIED ON THIS DRAWING INDICATE SPACES IN WHICH A HAZARDOUS ENVIRONMENT MAY GENERALLY EXIST. CONTRACTOR SHALL REFER TO SPACE ENVIRONMENT/HAZARDOUS RATING SCHEDULE IN 001 SERIES OF DRAWINGS FOR ADDITIONAL INFORMATION EXPLAINING THE EXTENT AND ENVELOPE ASSOCIATED WITH THESE HAZARDS.
4. CONTRACTOR SHALL COORDINATE EXACT INSTALLATION REQUIREMENTS WITH EQUIPMENT MANUFACTURERS. DEPICTION OF EQUIPMENT IS FOR REFERENCE ONLY.
5. PROVIDE FLANGE ISOLATION KIT IN ALL AREAS WHERE DISSIMILAR METALS MAKE CONTACT. PROVIDE IN ACCORDANCE WITH 40 05 23.
6. PROVIDE FLEXIBLE CONNECTIONS FOR POLYETHYLENE TANK CONNECTIONS PER MANUFACTURER'S RECOMMENDATIONS.
7. FOR ALL FLOOR PENETRATIONS THROUGH METHANE BARRIER SYSTEM SHALL SEE (M813). FOR FLOOR DRAINS AND FLOOR CLEANOUTS, UTILIZE INTEGRAL CLAMPING COLLAR TO INTERFACE WITH METHANE BARRIER SYSTEM.

PLAN NOTES:

1. SECONDARY EFFLUENT PUMP NO. 1 (P-9-1-1)
2. SECONDARY EFFLUENT PUMP NO. 2 (P-9-1-2)
3. SECONDARY EFFLUENT PUMP NO. 3 (P-9-1-3)
4. SECONDARY EFFLUENT PUMP NO. 4 (P-9-1-4)
5. FUTURE SECONDARY EFFLUENT PUMP NO. 5
6. WET WELL BYPASS GATE (G-9-5-1) B/ GATE 784.58
7. CHEMICAL CONDITIONING BYPASS GATE (G-9-5-2) B/ GATE 786.83
8. CHEMICAL CONDITIONING ISOLATION GATE (G-9-5-3) B/ GATE 786.33
9. STOP LOG (REMOVABLE). COORDINATE LOCATION OF STORAGE RACK WITH OWNER. B/ LOG 789.58
10. FILTER NO. 1 ISOLATION GATE (G-9-5-4) B/ GATE 786.33
11. FILTER NO. 2 ISOLATION GATE (G-9-5-5) B/ GATE 786.33
12. 4" V980 WITH STEM EXTENSION (WITH 2-INCH SQ NUT). AT ITS HIGHEST POINT, THE NUT SHALL BE JUST BELOW THE GRATING SURFACE. COORDINATE LOCATION WITH GRATING SUPPORTS AND CUT GRATING, PER MANUFACTURER'S RECOMMENDATIONS, TO ALLOW ACCESS TO THE NUT. PROVIDE STEM GUIDES PER MANUFACTURER'S RECOMMENDATIONS. SEE (M219) ALL EXPOSED SURFACES SHALL BE EPOXY COATED.
13. FILTER NO. 1 (M-9-4-1)
14. FILTER NO. 2 (M-9-4-2)
15. RAPID MIX TANK MIXER (M-9-3-1)
16. COAGULATION TANK MIXER (M-9-3-2)
17. FLOCCULATION TANK MIXER (M-9-3-3)
18. CONTRACTOR SHALL COORDINATE LOCATION OF HOIST WITH PICK POINT OF SECONDARY EFFLUENT PUMPS, TYP.
19. POSITION HORIZONTAL 1-1/2" PO 3" ABOVE TOP OF OPENING NEAR TANK FLOOR AND 6" FROM EITHER SIDE OF OPENING. ENDS SHALL BE UNCAPPED.

ENLARGED LOWER PLAN



Date	Checked By	Drawn By	Revision Description	Revision Number
03/16/2021	KJB	RES	CONFORMED TO CONTRACT	1

Designed By	RES
Drawn By	RES
Checked By	EJL
Approved By	NWC
Filename	068MP1.DWG
Project No.	13699
Project Date	01/19/2021

CITY OF FORT ATKINSON  
WWTP IMPROVEMENTS  
PHASE II  
FORT ATKINSON, WISCONSIN  
TERTIARY FILTRATION BUILDING  
ENLARGED PLAN

**DONOHUE**

Sheet No. 186

Drawing No. 068-M-4

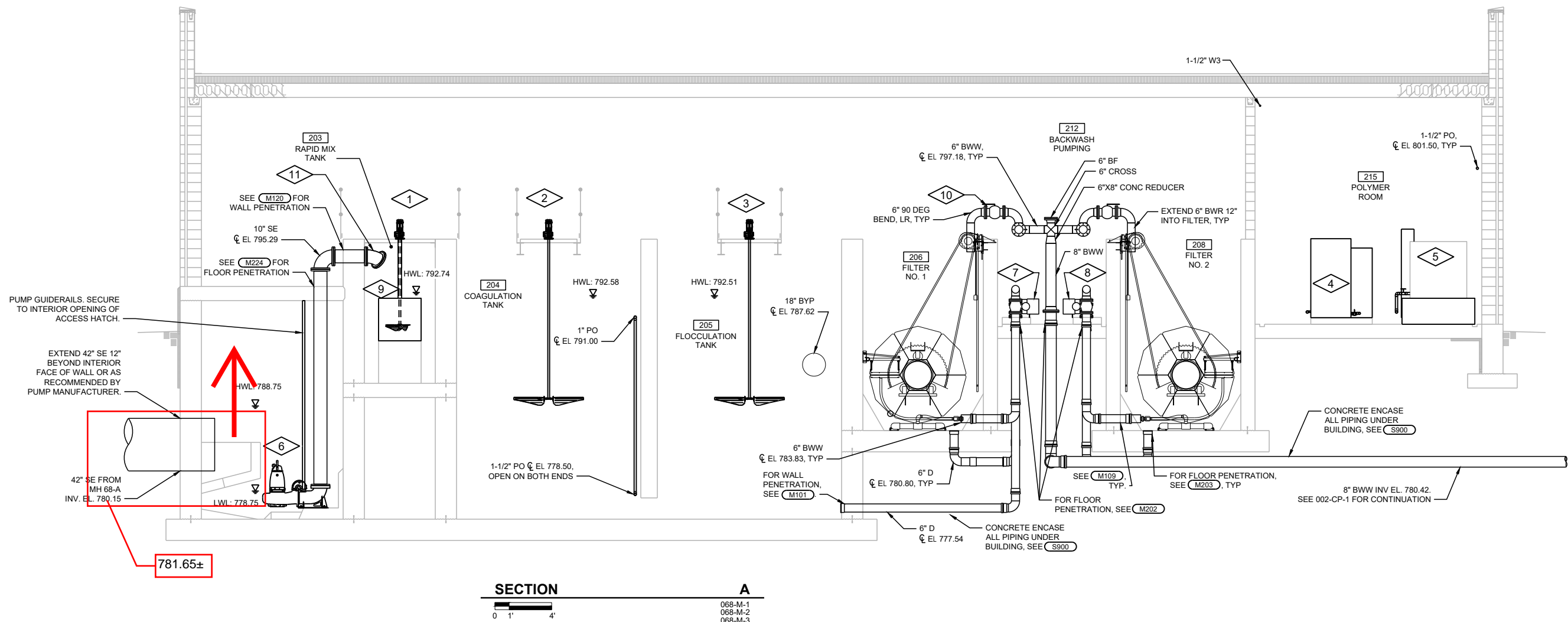
PLAN NOTES:



1. RAPID MIX TANK MIXER [M-9-3-1]
2. COAGULATION TANK MIXER [M-9-3-2]
3. FLOCCULATION TANK MIXER [M-9-3-3]
4. POLYMER MIXING SYSTEM [M-9-10]
5. LIQUID POLYMER TOTES (BY OTHERS)
6. SECONDARY EFFLUENT PUMP NO. 2 [P-9-1-2]
7. FILTER NO. 1 BACKWASH WASTE VALVE NO. 2 [FV-9-5-1-2]
8. FILTER NO. 2 BACKWASH WASTE VALVE NO. 2 [FV-9-5-2-2]
9. CHEMICAL CONDITIONING ISOLATION GATE [G-9-5-3]
10. 6" BALL VALVE, PROVIDE IN ACCORDANCE WITH SECTION 46 61 41, TYP.
11. 45 DEGREE BEND ROTATED 45 DEGREES CLOCKWISE AND POINTING TOWARD RAPID MIX CHAMBER

GENERAL NOTES:

1. CONTRACTOR TO FIELD VERIFY EXISTING CONDITIONS, DIMENSIONS, AND ELEVATIONS PRIOR TO CONSTRUCTION AND/OR FABRICATION.
2. REFER TO 001 SERIES OF DRAWINGS FOR THE SPACE ENVIRONMENT/HAZARDOUS RATING SCHEDULE REGARDING ENVIRONMENTAL CONDITIONS ANTICIPATED WITHIN EACH SPACE AND ALLOWABLE MATERIALS OF CONSTRUCTION TO BE USED WITHIN EACH SPACE.
3. HAZARDOUS RATINGS IDENTIFIED ON THIS DRAWING INDICATE SPACES IN WHICH A HAZARDOUS ENVIRONMENT MAY GENERALLY EXIST. CONTRACTOR SHALL REFER TO SPACE ENVIRONMENT/HAZARDOUS RATING SCHEDULE IN 001 SERIES OF DRAWINGS FOR ADDITIONAL INFORMATION EXPLAINING THE EXTENT AND ENVELOPE ASSOCIATED WITH THESE HAZARDS.
4. CONTRACTOR SHALL COORDINATE EXACT INSTALLATION REQUIREMENTS WITH EQUIPMENT MANUFACTURERS. DEPICTION OF EQUIPMENT IS FOR REFERENCE ONLY.
5. PROVIDE FLANGE ISOLATION KIT IN ALL AREAS WHERE DISSIMILAR METALS MAKE CONTACT. PROVIDE IN ACCORDANCE WITH 40 05 23.



CITY OF FORT ATKINSON  
WWTP IMPROVEMENTS  
PHASE II  
FORT ATKINSON, WISCONSIN  
TERTIARY FILTRATION BUILDING  
SECTION



Sheet No. 192

Drawing No.

068-M-10

Revision Number	Revision Description	Drawn By	Checked By	Date
1	CONFORMED TO CONTRACT	RES	KJB	03/16/2021

Designed By	RES
Drawn By	RES
Checked By	EJL
Approved By	NWC
Filename	068MP2.DWG
Project No.	13699
Project Date	01/19/2021



## Staab PM Change Order Estimate

KEVIN BERG  
DONOHUE & ASSOCIATES INC  
3311 WEEDEN CREEK ROAD  
SHEBOYGAN, WI 53081

File: 4611- CO  
Date: 04/29/2021  
Project: 4611- FORT ATKINSON WWTF IMPROVEMENTS-PHASE 2  
Re: Cost to provide sheeting tie-backs for Str 068

PCO: 1 PCO Item #: 1

Phase	Description	Comments	Qty	UM	Material	Indirect	Rent	Hours	Rate	Labor	Sub	Equip	Totals
314116- -	Sheet Piling - Set & Drive		0	SF	2,868		3,681	71	119	8,449	1,600		16,598
	<b>Total Cost</b>				<b>2,868</b>		<b>3,681</b>	<b>71</b>		<b>8,449</b>	<b>1,600</b>		<b>16,598</b>
	<b>Percent Margin</b>				<b>15.00%</b>		<b>15.00%</b>				<b>5.00%</b>		
	<b>Margin</b>				<b>430</b>		<b>552</b>				<b>80</b>		<b>1,062</b>
	<b>Contract Price Sub-Total</b>				<b>3,298</b>		<b>4,233</b>			<b>8,449</b>	<b>1,680</b>		<b>17,660</b>
12200- -	BONDS												183
	<b>Contract Price Total</b>												<b>17,843</b>

### Clarifications / Exceptions:

NOTE: 42" TE Line is 16" higher than shown on the plan drawings. This additional height has resulted in a sheeting design change. We now have to add 16 tie-backs so our sheeting wall doesn't tip into the excavation.

Project Manager: \_\_\_\_\_

LEON HAFFENBREDL leon.haffenbredl@staabco.com  
p. 715-387-8429201 f. 715-384-4846

The contract completion date to be increased TBD calendar days.

Price subject to change after 30 days.



**staab**  
construction  
corporation

1800 LAEMLE AVE., P.O. BOX 800, MARSHFIELD, WI 54449-0900  
715 387-8429 FAX NO. 715-384-4846

## PRICING SHEET

PAGE 1 OF 3 314116 (2368)

NAME  
Fort Atkinson WWTF

LOCATION  
Fort Atkinson, WI

TYPE OF WORK  
**SHEET PILING**  
ENGINEER SECTIONS

ARCH/ENGR OR CONTR.  
Donohue

ESTIMATED BY  
CB

PRICED BY

EXTENDED BY

CHECKED BY

DESCRIPTION		QUANTITY		MATERIAL		LABOR		SUBCONTRACT	
				UNIT PRICE	DOLLARS	RATE	HRS	UNIT PRICE	DOLLARS
SHEETING CONFIGURATION									
SHEETING PERIMETER (ft)	35								
SHEETING LENGTH (ft)	15								
# OF EXTRA SHEETS	0								
SHEETING WIDTH	2.083								
(SZ sheet =2.23, Z sheet = 2.00, PZC = 2.083)									
TOTAL SQUARE FOOTAGE	525								
Weight Of Sheet Per SF	24.2 LBS								
Total Weight of Sheeting	12705 LBS								
Estimated # of Truckloads	1 Loads								
SCC SHEETING RENTAL (2017 price)		525 SF		4.32	2268				
Loading and Trucking									
SHOP LOAD TRUCK		1 EA				4.00	4		
TRUCK SHEETS TO JOBSITE		1 EA				0.00	0	800.00	800.00
<i>(Trucking \$1.61/mile for Truck \$50/hr for Driver) 2016 values</i>									
UNLOAD TRUCKS		1 EA				4.00	4		
SET AND DRIVE SHEETING		525 SF				30.00	18		
PULL SHEETING		525 SF				60.00	9		
LOAD TRUCKS		1 EA				4.00	4		
TRUCK SHEETS TO SCC		1 EA				0.00	0	800.00	800.00
<i>(Trucking \$1.61/mile for Truck \$50/hr for Driver) 2016 values</i>									
SHOP UNLOAD TRUCKS		1 EA				4.00	4		
% DAMAGED SHEET LOSS	5%	26 SF		13.08	343				
<i>Replacement cost at \$13.08/SFT (2017 pricing)</i>									
TRIM/CLEAN SHEETS		499 SF				600.00	1		
CUT TOP OF SHEETING FOR FINISHED LOOK		0 LF		6.00	0	5.00	0		
COLUMN SUBTOTALS:					2611		43		1600
FREIGHT / DELIVERY / HANDLING:									
MISC. ITEMS:									
TOTAL OF SHEET ONE:					2611		43		1600
TOTAL OF SHEET TWO:					2250		20		0
TOTAL OF SHEET THREE:					1688		8		0
SHEETING JOB TOTAL (all 3 pages)					6549		71		1600

[illegible]



## PRICING SHEET

PAGE  
**3 OF 3** **314116 (2368)**

NAME  
**Fort Atkinson WWTF**

LOCATION  
**Fort Atkinson, WI**

TYPE OF WORK  
**SHEETING EQUIP & ACCESSORIES**

ENGINEER SECTIONS

ARCH/ENGR OR CONTR.  
**Donohue**

ESTIMATED BY  
**CB**

PRICED BY

EXTENDED BY

CHECKED BY

DESCRIPTION	QUANTITY	MATERIAL			LABOR		SUBCONTRACT		
		UNIT PRICE	DOLLARS		RATE	HRS	UNIT PRICE	DOLLARS	
<b>ENGINEERING/ DESIGN</b>									
ENGINEERING DESIGN & SITE VISIT (20' deep +)	1 EA	100		0	10				
<b>CRANE MOUNTED VIBRO</b> (Rent From Hammer And Steel)									
SMALL VIBRO RENTAL - WEEKLY RENTAL	0 EA	2200		0					
26HS Unit weighs 10,500 lbs (2016 Pricing)									
LARGE VIBRO RENTAL - WEEKLY RENTAL	0 EA	2625		0					
44HS Unit weighs 17,500 lbs (2016 Pricing)									
VIBRO FREIGHT - EACH WAY (2 TOTAL)	0 EA							1800	0
MANLIFT/JLG WEEKLY RENTAL (\$500-\$700)	0 WK	600		0					
MANLIFT FREIGHT (\$130/trip)	0 LS	260		0					
<b>EXCAVATOR MOUNTED VIBRO</b> (Staab Owned)									
VIBRO ATTACH TO & REMOVAL FROM EXCAVATOR	2 EA	50		100	2.0	4			
SCC VIBRO ON EXC RENT	1 WKS	1425		713					
EXCAVATOR COST - JD 350	10 HRS	60		600					
TRUCK EXCAVATOR TO JOBSITE (Each Way)	0 LS							1300	0
<b>LARSON CONSTRUCTION DRIVE SHEETS</b>									
VIBRO AND OPERATOR (2017 price) Estimated	0 HRS							186	0
TRAVEL TIME (2017 price) Estimated	0 HRS							95	0
MOBILIZATION (Estimated call to confirm)	0 LS							700	0
If boom lift is required see Crane Mounted Vibro Above									
<b>Miscellaneous</b>									
SAFETY FENCE AROUND PERIMETER	1 EA								
PERIMETER - MADE OF 2X4 W/2 RAILS	35 FT	5		175	10	4			
BROKEN SLINGS AND CHAINS	1 LS	100		100					
<b>Access and Egress</b>									
Material, rent, and labor to rent/instal ladders, Scaffold Stairs, Steps, etc.	0 EA	500	E	0	10	0			
		200	M	0					
COLUMN SUBTOTALS:				1688		8			0
FREIGHT / DELIVERY / HANDLING:									
MISC. ITEMS:									
TOTAL:				1688		8			0